

SAM UGWUOZOR Ph.D REV. SR. LUCY CHINWE UMEH Ph.D

Prom Virtue to Revolution A HISTORY OF POLITICAL THOUGHT

From Virtue to Revolution

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SAM UGWUOZOR Ph.D REV. SR. LUCY CHINWE UMEH Ph.D



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DEDICATION

This book is dedicated to Almighty God for His Love and Guidance all the period of this task.

ACKNOWLEDGMENT

Praising God for guiding us through the process of writing this book is a beautiful way to acknowledge. His presence in our creative journey, for it was his divine inspiration that transforms good works into a master piece.

Our unalloyed appreciations go to our families "UGWUOZOR and UMEH" for their encouragement, love, prayers and understanding which play a vital role to the successful completion of this book. To Very Rev Fr Prof Felix. Ugwuozor thanks for all that you do and to Congregation, Daughters of Mary Mother of Mercy (DMMM) we remain indebted.

PREFACE

The history of Political theory has been the history of attempts by Philosophers and thinkers in different ages, eras or epochs to find various answers to nagging existential issues and problems. As noted by Billy Dudley, just like the desire of the people to overcome their environment and survive has led to the invention of simple instruments such as knives, hoes, bows and arrows, the same continuing desire has given rise to the need for human kind to meet the challenges of Group and Social life, that is, living together with the concomitant problems of maintaining and enhancing the security of life and property and the maintenance of peace and order. According to Sabine, political theory is simply:

Mans attempt to consciously understand and solve the problems of his group life and organization.

How does man do this? Man does this by a conscious and systematic effort to reflect, analyze and engender solutions to problematic existential issues that threatens or challenges his existence and the lives of the members of his group.

Political theory therefore, arises in times of political crisis, when all is not well within the body politic.

Perhaps, this assertion may have been validated by the fact that Plato and Aristotle wrote at a time when their polis, the Greek City polis, institutionally were in the brink of collapse. The polis was bedeviled by persistent instability, the government was grossly ineffective, the legal system was faulty, corruption was rife and worst of all was the defeat of Athens by the Spartans, and the killing of Socrates. The theories propounded by Plato and Aristotle were essentially designed to salvage the city states and to prevent the decay which was festering. Other political theorists we care to think of, Hobbes, Locke Machiavelli etc all follow the same pattern and paradigm of being sensitized and incentivised to the prevailing circumstances of their times. Hobbes Leviathan was a response to the English Society of the war period, especially between the monarchist and the parliamentarians and between the monarchists and the religions purists. Hobbes was on the side of the monarchist and he reflected this inclination in his political theory and infact advocated for a monarchist government of absolute

and unquestionable authority.

It is important to note that the challenges that confront a particular epoch in history may not be the same with the challenges which another epoch has.

Political theory has been described differently by different scholars. To some, political theory is synonymous with political philosophy. To some others, political theory is inseparable from political thought. Granted that they have marginal differences, they all engage in critical reflections about power in its public and private form and engage also in the explication of concepts such as law, freedom, rights, liberty, justice, sovereignty, power, legitimacy, political obligation etc and also try to ascertain the nature of the state and the relationship of the individual to the state.

The political theorist we discussed in this work are representative of the different historical epochs in the western political thought-Acient, Medieval, Renaissance, Contemporary and Industrial epochs. The thoughts and ideas they canvassed reflected the spirit of their own time. Fortunately many of the ideas and thoughts of these great thinkers are still useful and relevant

to us, in our efforts to tackle the problems in our contemporary society. In Nigeria, today for instance, we are faced with the problems of good governance lawlessness, insecurity, poverty, weak electoral system, weak ethical practice, corruption, etc. A distillation and application of some ideas and thoughts of these theorists could be helpful in salvaging Nigeria from these problems and in moderating and sanitizing our politics and politicking. Political theory or political thought could be perennial, timeless and tribeless in character. In other words, the political theories of the political theorists we discussed in this work are still enjoying universal appeal.

FOREWORD

n the vast tapestry of human history, the evolution of political thought has played a pivotal role in shaping the course of civilizations, empires and societies. From the ancient realms of Greece to the modern landscapes of the Industrial Revolution, the ideas of philosophers and political thinkers have influenced the governance, laws and societal structures that define our world today. Dr Sam I. Ugwuozor and Rev. Sr. Dr. Lucy Chinwe Umeh delved into the rich and complex history of political thought, exploring the legacy of renowned philosophers and systems that have left an indelible mark on the fabric of society. From the transcendent ideals of Plato and the empirical rigor of Aristotle to the ethical principles of Stoicism and the pursuit of pleasure in Epicureanism, each chapter unravels the intellectual tapestries woven by these seminal thinkers from antiquity. With the level of mastery demonstrated in the work, Drs. Ugwuozor and Umeh have indeed stamped their feet on the historical firmament of political thought.

As the narrative unfolds, readers are led through the corridors of medieval Europe, where the scholasticism of Aquinas bridged the realms of faith

and reason, laying the groundwork for the development of modern political theory. tumultuous period of the Renaissance Reformation introduced a new wave of thought, embodied by figures such as Machiavelli, whose pragmatic approach to power and governance challenged traditional norms and revolutionized political discourse. The Enlightenment era ushered in a wave of intellectual ferment, as thinkers like Locke, Rousseau and Hobbes grappled with conceptions of natural rights, social contracts, and the foundations of political authority. Their ideas laid the groundwork for the democratic revolutions that would sweep across Europe and the Americas, reshaping the course of history and redefining the relationship between individuals and their governments.

Finally, the book culminates in an exploration of the profound impact of Karl Marx, whose revolutionary theories of the class struggle, economic determinism, and the eventual triumph of communism continue to resonate in the modern world. By examining the historical contexts, philosophical underpinnings and enduring legacies of these thinkers and systems, readers are invited to

embark on a journey through centuries of political thought, tracing the evolution of ideas that have shaped the foundations of modern governance and society. Through a careful synthesis of historical narrative, philosophical analysis, and critical reflection, this book seeks to illuminate the interconnected threads that weave together the diverse tapestry of political thought. By engaging with the primary texts, arguments and world views of each philosopher and system as lucidly presented by the authors, readers are encouraged to critically evaluate the enduring relevance and implications of these ideas in contemporary society.

As we navigate the complexities of the modern world, grappling with issues of power, authority, justice and liberty, the insights of these visionary thinkers serve as both a compass and a mirror, reflecting our collective aspirations, dilemmas and challenges. By immersing ourselves in the intellectual heritage of the past, we gain a deeper appreciation for the moral, ethical and political questions that continue to shape our shared destiny. In a time marked by rapid technological advancements, global interconnectedness and evolving geopolitical landscapes, the wisdom of the past remains a vital resource for navigating the complexities of the present and charting a course towards a more just, equitable and humane future. As we engage with the ideas of Plato,

Aristotle, Stoicism, Epicureanism, Thomas Hobbes, Nicollo Machiavelli, John Locke, Jean Jacques Rousseau and Karl Marx, we are invited to participate in an ongoing dialogue that transcends the boundaries of time and space, connecting us to the timeless quest for truth, justice and the common good.

I am of strong affirmation that this well- crafted book of Dr Ugwuozor and Rev. Sr. Umeh will inspire readers to not only study the history of political thought but also to engage with its living legacy, challenging assumptions, cultivating critical thinking and fostering a deeper understanding of the complexities and nuances of the human experience. Through rigorous scholarship, thoughtful reflection and a spirit of intellectual curiosity, the readers are invited to embark on a journey through the annals of political thought, exploring the enduring ideas and enduring truths that continue to shape our world today. I am confident that this book will serve as a guiding light to all in the pursuit of wisdom, justice and human flourishing, reminding us of the profound impact that ideas can have on the course of history and the shaping of our collective future. I, therefore, make haste to recommend it without reservations.

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CHAPTER ONE PLATO

PLATO'S BACKGROUND

Plato was born around May – June 428/27 BC in Athens. His original name was Aristocles. Plato was a philosopher and a disciple of Socrates. His philosophy was also influenced by the thoughts of Heraclitus, Pythagoras and Parmenides. Plato's identification of virtue with knowledge is for instance an idea he got from Socrates. He is said to be the founder of political idealism. This is embedded in his belief that there is the world of ideas and the matter is also a world of sense.

PLATO'S WORKS: His works include *Crito, Apology, Charmides,* Phaedo, *Protagoras, Symposium, Meno, the Statesman, the laws, the Republic; etc. <i>Plato's writings were in dialogues.* Embedded in this style are conversation, debates, discussions and criticisms involving two or more persons in an issue. It was dialectical

The Republic is the greatest and the most prominent of all Plato's works, "a treatise that embodies all forms of human knowledge or endeavours, politics, or ethics or economics or psychology, art and education and philosophy" (Subrata: 2007). Most importantly, the *Republic* is dedicated to the notion of justice and holds that justice must be present in the state.

PLATO'S PUBLIC LIFE: Plato chose rather to be a political philosopher than a politician and a number of events led him to that decision; the incompetence of politicians in the way they handle the affairs of the state, the killing of his master and mentor, Socrates, the political instability of the Great City States and the enthronement of tyrannical rule and the defeat of Athens by the Spartans. (Subrata:2007) most succinctly, explained the reasons why Plato wrote the *Republic*: He said:

The Republic was an indictment of the Athenian way of life and its vibrant participatory democratic institutions. Plato dismissed the Athenians practice of happy versatility, whereby every Greek male adult could participate in the political process and offer a political opinion, as amateurish. He attacked democracy for a not her reason – the incompetence and ignorance of politicians, for that gave rise to factionalism, extreme violence

and partisan politics, which were the causes of political instability, moreover democracy did not tolerate highly gifted persons a view that was reinforced by the execution of Socrates.

So the *Republic* would not just enable us to have a deep insight into the life in the Greek city states, it is also aimed at reforming the existing states so as to in Plato's mind create a picture of what an ideal state should be.

THE THEORIES IN PLATO'S REPUBLIC 1. THE THEORY OF KNOWLEDGE

Plato borrowed his theory of knowledge from Socrates. He believed, like Socrates that knowledge is virtue. There is for Plato, the world of ideas and the world of matter. The world of the ideas, is the intelligible world and the real world. The world of the matter is the world of the senses; a world we can feel, see and touch but is illusive and not real and is just a mere copy of the real world of ideas which is perfect, eternal, fixed and immutable. Plato's notion of knowledge and knowledge that becomes viture is the transcendental ideas of the real world and knowledge from the world of matter

that cannot be trusted, or depended on because of their shallowness and superficiality.

(Maxey in Mukhi:2010) Succinctly explained Plato's notion of knowledge in these words:

He cared for nothing but facts and sound reasoning based on facts. Men, he thought must be guided exclusively by knowledge; true knowledge; which penetrates beneath the surface of things, disregards the motives and interest of passing periods and personalities and arrives at truth that is universal and external.

True knowledge for Plato would mean the absence or eradication of vice which is a product of ignorance. Ignorance, therefore, breeds vice and bad behaviour in the society. His firm belief that virtue is knowledge led to his founding of an Academy to inculcate the spirit of true knowledge as the foundation for a political state craft (Sabine:1939).

Women were also admitted in the Academy contrary to the Greek tradition that relegated women to the background. Subjects like mathematics, advanced Geometry, astronomy,

music, law and philosophy were taught in the Academy which was a training ground for future philosophic rules (Subrata: 2007).

THE THEORY OF PHILOSOPHER – KING

A philosopher to Plato is a man of knowledge who must after years of long and rigorous training acquired the nuances, skills, competencies and qualification to provide good governance.

Governance for Plato was for the general well being of the people which can only be guaranteed by good leadership which a philosopher would provide. In Plato's words:

Until philosophers became kings in this world, or till that we now call Kings and rulers really and truly become philosophers and political power and philosophy thus came into the same hands ... there is no other road to real happiness either for society or the individual.

Philosophic rule for Plato therefore, entails:

- I) Leadership provided by a philosopher
- ii) Leadership that would administer justice, fairness and equity.

- iii) Leadership that exhibits good character, calm disposition and sound mind.
- iv) Leadership that does not seek power for self aggrandizement.
- v) Leadership that is devoid of mediocrity, nepotism and favouritism.
- vi) Leadership that seeks the general well being of the people.
- vii) Leadership that loves truth, honesty and forthrightness.
- viii) Leadership that is disciplined and courageous.
- ix) Leadership that lives above petty physical and material pleasures.
- x) Leadership that is public-spirited and shuns emotional ties, uninfluenced by economic considerations.
- xi) Leadership that will eschew tyranny.

THE THEORY OF JUSTICE

Plato's problem with Athenian democracy was the citizen's meddlesomeness and individualism whose by products were corruption, incompetence of politicians and political instability. This degenerating problems exists Plato believes, because of lack of justice and it is only justice that can cure the ills. The solution for Plato lies on the

construction of an ideal society in which justice reigns supreme. He disagrees with the conventional conceptions of justice as given by Cephalous, Polymarchus and Thrasymachus. For Cephalous, justice is telling the truth, being honest in word and deed and paying one; debts (Subrata:2007).

For Polymarchus, justice meant "giving each man his due" "or doing the right thing"; which can also mean doing good to friends and harm to enemies (Subrata: 2007). For Thrasymachus, justice or right is in the interest of the stronger. This means that the strong makes the rule and the subject simply obeys. In arriving at his own concept of justice he noted the evil effect of justice. He noted that injustice wherever it is found produces hatred;

It causes men to hate each other and quarrel and be incapable of any joint undertaking whether they are freemen or slaves (351e)

And Injustice whenever it occurs in a state or family, or army or anything else, Plato continues, it produces the following results:

It renders it incapable of any common action because of factions and quarrels and set it at variance with itself and with its opponents and with whatever is just (352a)

So for Plato, Justice is based on the idea of social and collective good and harmony. (Green JE in MUkhl:2010) captured platonic concept of justice in these words

Plato regarded justice as the harmony between men and men, the orderly organization of relationship. If all the inhabitants of this ideal state could be imbued with this sense of justice and fair play, universal happiness could be achieved

Similarly (D.R Bhandari and J.N.V University) reflected the bonding and harmonious notion of platonic justice in the following words:

Justice is for Plato, at once a part of human virture and the bond which joins man together in society. It is the identical quality that makes good and social. Justice is an order and duty of the parts of the soul... Justice is not mere strength, but it is a harmonious strength. Justice is not the right of the stronger but the effective harmony of the whole. All moral conceptions revolve around the good of the whole individual as well as social.

Plato's concept of justice does not refer to the notion of legality and has nothing to do with the rights of the people. Justice is the fulfillment of moral obligations and not jural duties. Justice and injustice dwells in the individual and also dwells in the society or state. In otherwords, an individual can do justice or injustice to himself and a society or state can also inflict justice or injustice on itself. How does this happen?

I) JUSTICE IN THE INDIVIDUAL

According to Plato, every human being has a soul and every soul has three elements or qualities. The three elements are (a) Reason (b) Spirit (c) Appetite. Each of these elements have corresponding virtures. Wisdom or prudence is the virture of reason, courage is the virture of the spirit and temperance is the virture of Appetite. Justice is the fourth virture in the souls of all humans that can be allowed or disallowed to operate. One of these virtures, Plato stated, must be predominant in every individual and the predominant virture should define the person and determine whatever duty he has to perform for himself and for the society. Justice individual's, therefore, means the harmonization of the three virtures in an individuals soul in which the predominant virture is allowed to operate and determine the individuals duty, function or specialization. An individual whose predominant virture is reason/wisdom would belong to the ruling class, those whose predominant virture is the spirit/courage would be soldiers and those whose predominant virture is appetite/temperance would constitute mainly the artisans and producers. By these virtures every individual in accordance with his natural aptitude, abilities and skill was assigned a duty, a place, a responsibility. In that case every individual carry on the activity which is best for him. That is the fulfillment of justice in the individual and guarantees him peaceful and harmonious living.

ii) JUSTICE IN THE SOCIETY/STATE

Plato divided the society into three social classes thus:

a) The Guardians: The Guardians is subdivided into Guardians proper or rulers or philosopher kings. What qualifies them to rule are their intelligence, rationality and wisdom. They are individuals whom their rational faculty was predominant and the virture of their soul is wisdom. They are lovers of learning and have power to comprehend the idea of the good (Subrata:2017)

iii) THE AUXILIARY/THE SOLDIERS/WARRIORS:

These are also the Guardians. Their duty is to guard,

defend and protect the state. The prominent quality of their soul is the spirit and the virture of their soul is courage. Courage requires "high spirit" and high spirit give their possessor a character quite fearless and indomitable in the face of all dangers (375b). They discharge military, police and executive duties under the orders of the Rulers (Penguin Classics:2004).

iv) THE PRODUCERS: In this category, they are farmers, artisans, painters, cooks, nurses etc. The soul of these producers, Plato said, is appetitive and they have the virture of temperance. They would be willing to subordinate themselves to the Guardians.

In summary, the first principle in platonic justice is functional specialization. Every individual has been assigned a place according to his natural aptitude abilities and capabilities as dictated by the virture of their soul. In the words of Plato:

No two of us are born alike. We have different aptitudes, which fit us for different jobs. quantity or quality are therefore more easily produced when a man specializes appropriately on a single job for which he is naturally fitted, and neglect of all others

An individual, therefore in accordance with the virture of his soul perform the task to which he is naturally fitted and in doing so he has done justice to himself.

According to (Klosko:1986) "The Chief benefit of justice is that it allows this condition of psychological harmony to come into existence and to be maintained in his soul".

To have justice at the state or societal level, according to Plato, the three classes, the rulers, the warriors and the producers must perform their functions of governing, defence and production differently and harmoniously without interfering in the functions of the other. For instance, Plato said this about the warrior/military class:

A man does not pick the tools of any other trade and become a craftsman... as the tool is useful only to the man who know how to use it and has had enough practice in the use of it (374a)

Continuing Plato said:

...the business of our defence force, just because it is the most important of all requires a correspondingly complete freedom from other affairs and correspondingly high skill and

practice. It will need also a natural aptitude. And so we should make it our business, if we can, to choose men with suitable natural aptitudes for the defence of our state (374d)

For Plato, when no group meddles or interferes in the affairs of the other and concentrate on their duties according to the vitures of their souls, there will be harmony between them which is a requirement for unity and welfare of all the members of the state. In this case justice becomes a bond which holds the society together.

THEORY OF EDUCATION

For Plato, knowledge is virture and therefore, education is of paramount importance.

(Subrata:2007) was very apt in his analysis of platonic theory of education.

According to him:

The ideal state ruled by the philosopher was made possible through an elaborate and rigorous scheme of education. Plato looked to education as an instrument of moral reform, for it would mould and transform human souls. Education

inculcated the right value of selfless duty toward all and was therefore positive. It helped in the performance of one's functions in society and in attaining fulfillment. Thus education was the key to the realization of the new social order.

It is on record that Plato was the first ancient political philosopher to establish an Academy that may be called a university and which admitted both men and women, contrary to the Greeks practice of not putting women at par with men.

Platonic Education has the following features:

- i) It is a state controlled educational system.
 The state is in fact a moral and educational institution.
- ii) Education is compulsory for both men and women and people are trained to fit into a particular class ruling class, warrior class or producing class.
- iii) Education is a lifelong process. The philosopher king is to be rigorously educated throughout his life to prepare to run the government well.
- iv) His principle of justice can only be realized

- through education.
- v) Literary and artistic censorship has a place in platonic education to shield the youths against bad and corrupting influences.

STAGES OF PLATONIC EDUCATION

Plato's curriculum of education is divided into two parts; Elementary Education and Higher Education.

ELEMENTARY EDUCATION

Elementary education scheme is subdivided into three stages. The first stage begins from the birth of the child to the age of six years. The second stage begins from six years to the eighteen year at which the child would be taught music and gymnastics; music for the development of the soul and gymnastics for the growth of the body. "Gymnastics as a training of the body for the sake of the mind. It is meant to elicit the qualities of endurance and courage, it is meant to give the element of spirit as its due temper". In the third stage between eighteen and twenty years the children would receive compulsory military training for purposes of national defence.

HIGHER EDUCATION

Higher education begins at the age of twenty.

Courses taught at this stage include arithmetic, astronomy, plane and solid geometry.

At the age of thirty those selected will be further trained in dialectics, metaphysics, logic and philosophy. Another scheme of training lasts for five years making it 35 (thirty-five) years of training. The training however continues for fifteen years till the trainee attains the age of fifty years. At this point, the philosopher King is produced. The educational pursuit of other trainees ends at this stage but that of the Philosopher kings continues and last for life.

THEORY OF COMMUNISM OF WIVES AND PROPERTY

The communism of wives and property is a very important aspect of Plato's political thought. Plato abolished for the sake of common good private marriage among the guardians and also abolished private property. The Guardian would be expected to live together with common wives and common property. Plato "was perturbed by the negative emotions of hatred, selfishness, avarice and envy that the family life encouraged (Subrata:2007). The abolition of monogamous marriage and private family among the Guardian class was a way of emancipating women from oppression, subjugation, subordination and a demonstration that men and women should be treated equally as they were identical. Plato also divested the

Guardians of economic power and ownership of private property. Plato himself in his words said:

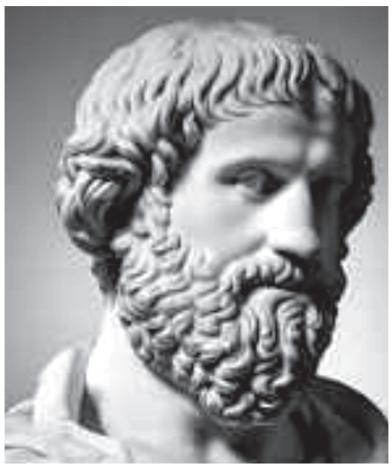
But should they ever acquire homes or lands or money of their own, they will become housekeepers and husband men instead of guardians, enemies and tyrants instead of allies of other citizens, hating and being hated, plotted against, they will pass on their life in much greater terror of internal rather than external enemies and the hour of ruin both to themselves and to the rest of the nation will be at hand (Mukhi:2010)

In Plato's philosophic rule and through his theory of communism, the philosopher king is vested with political power but has been divested of economic power. He has no wife of his own and neither has he any child of his own. Any child begotten at the commune belongs to the commune devoid of any filial affection. For Plato, wealth has pernicious effect on government and evil and this evil can only be abolished from the lives of rulers by abolishing wealth itself especially by debarring them from possessing private property. Plato perhaps tried to

cure the greed of rulers by "denying them the right to call anything their own"

CRITICISM AGAINST PLATO'S PHILOSOPHIC RULE

- 1. Plato's philosophic rule is not democratic. The people are in no way involved in the selection or election of their leaders.
- 2. The philosopher king exercises absolute powers over his subjects. His powers are in no way checked or controlled by his subjects. Absolute powers corrupt absolutely.
- 3. Plato's ideal republic did not provide for the operation of law. The philosopher king because of his possession of reason is also the law.
- 4. Plato's communism of wives is unnatural and would lead to the destruction of the natural institution of marriage.
- 5. The children born in the commune are denied the natural emotional care and parental attention which ordinary children should have from parents.
- 6. Plato's concept of justice is not legal; rather it is moral and a division of labour.



PLATO May - June 428/27

CHAPTER TWO ARISTOTLE

Aristotle was born in Stagira in 384BC. His father, Nichomacus was a physician to the king of Machedon. Aristotle joined Plato's Academy at the age of 17 and was a student of Plato for twenty years. In 335 BC, He established a school known as the Lyceum where his thoughts, ideas and philosophies were taught. Aristotle wrote so many books in fields like politics, psychology, ethics, history, law, mathematics, metaphysics, logic, constitutional history, and epistemology. He was He is today undoubtedly an encyclopedia. regarded as the father of political science. This is because he adopted the scientific and analytic method in his study of politics. He also employed historical, comparative, inductive and observational method. As against deductive method of Plato, Aristotle employed inductive method which proceeds from particular to general. Aristotle was a realist and practically oriented. He stressed on what is and not what ought to be. In his comparative approach to the study of politics he studied, compared and contrasted about 150 different constitutions before he arrived at different categorization of states. He focused on "what is" rather than "what ought to be."

THEORY OF STATE

The State is the highest form of political union. It is an organization and superior to all other organizations consisting with it. It is supreme and the highest of all associations.

The state developed from the coming together of different families. The state is a community of families and an aggregation of families in well being, for the sake of a perfect and self sufficing life.

The state is a natural institution, promotes good life and creates essential conditions for mental, moral and physical development of the people.

The State is an organism and made up of parts as human organisms. Whatever affects the parts affects the whole. This means that whatever is the interest of the state is the interest of the individuals that make up the state. This organic character of the state means that the state constantly grows and develops.

The state is a school and a moral institution. The state should not only aim at giving perfect and self sufficient life to its members. It should also provide essential conditions for his intellectual, moral and

physical life.

The state was prior to the individual's; the whole is prior to the part. Individuals before they joined the state according to Aristotle were not human beings and only become human being after the states humanized them.

Man is a political animal and created to live in a state and has no existence of its own. Whosoever is unable to live in state or who has no need because he is sufficient for himself is either a beast or god.

THEORY OF JUSTICE

Law for Aristotle is the instrument of politics. It provides the framework and the social atmosphere which enables man to develop his nature (Neman, 202:26). Justice is the bedrock of the state and any state that is not founded on the right scheme of justice will not endure. According to him "when perfected man is the best of animals, but when separated from law and justice, he is the worst of all". Justice is not only a virture for him, it promotes common interest and saves the state from destruction and makes it healthy.

ARISTOTLE HAS TWO MAJOR VERSIONS OF JUSTICE

 Universal or complete justice and particular justice. Universal justice is concerned with moral virtue and the guidelines of public and social relations.

Aristotle subdivided particular justice into two group; Distributive justice and corrective or remedial justice.

- I) Distributive Justice. He believes that offices, wealth, rewards and dues should be distributive among different classes and individuals in the state according to their contributions in the order of merit. Distributive justice is proportionate equality and presupposes that any benefit or reward that occurs to a person would be in proportion to his contribution. Equals must be treated equally and unequal's treated unequally. It is therefore injustice to treat equals unequally and unequals equally.
- ii) Corrective or Remedial justice. In this brand of justice merit or contribution, may not be the consideration and is obtained in the courts. Courts dispense this brand of justice

in criminal and civil matters where it could restore back to every person whatever he may have lost due to social injustice or as a victim of crime.

THEORY OF EDUCATION

For Aristotle, all human beings by nature want to know. The aim of education should be towards the development of moral character (Carr & Harrison: 2015). Education should therefore go beyond learning in academic and skills and encompass a greater understanding of moral and social values and the cultivation of a personal moral character.

- iii) A state should have an elaborate and developed system of education which should be in keeping with the spirit of the constitution. For him education is very important for good government and for the constitution to survive as laws can only function well if young people are trained by habit and education in the spirit of the constitution.
- iv)A happy man for Aristotle is neither a noble or savage but instead he is an educated man (Lobkowkz, 1970)" The happy man, the good

man is the virtuous man, but virture is acquired precisely through education (Hummel: 1999:P2).

- v) Knowledge. he said begins with the study of particular things as knowledge begins with experience. The development of a habit is tied into a well rounded education, where student learn by engaging in an activity or task repeatedly.
- vi) In Nichomachean Ethics Aristotle argues that "The man who is to be good must be well trained and habituated.
- vii) Aristotle holds the view that it was the responsibility of the state to provide education and therefore he is a strong advocate for public education (Carr & Harrison, 2015) and that schooling should be provided by the state and "one and the same for all" (Randall 2010)
- viii) Aristotle believed in a system of continuing education and in supporting learning throughout the life span.
- ix) Aristotle believes that teachers should employ

a pedagogy which is infused with a clear philosophy of life and a concern for what is ethical and virtuous and model this for children and young people in their classrooms (Lakkory and Huttunene; 2007).

- x) In other words, children should not be exposed to undue influences including indecent speeches or corrupt words.
- xi) Aristotle's theory of education remains significant for contemporary education today as it provides a theoretical underpinning to inquiry based learning, inductive learning and the need for moral education to be at the heart of teaching.

THEORY OF GOVERNMENT

Aristotle distinguished between government and the state. For him government was merely the means for achieving the ends of the state while the state is made up of everybody. Government is made up of a few persons in political life. According to him, government could be constituted on the basis of:

- (I) Birth
- (ii) Wealth and

(iii) Number

On the basis of Birth: This is hereditary monarchy; a rule by one man who becomes a ruler through heredity.

The King, according to Aristotle, has the advantage of acting quickly and decisively in emergencies, but he is still human and subject to emotions. He should, therefore, possess absolute powers and must be limited by law. He should be a law guardian or minister of the law". Aristotle identified Tyranny as the corrupt version of kingship and this happens when a king uses his power to benefit only himself and not for the common interest of all. Tyrants use force to oppress all others and are interested only in their own personal gain.

Aristocracy is another form of government identified by Aristotle. Aristocracy is a type of rule by a small group of men who were chosen because they were the best. They are also men of wealth and leisure who have developed their minds so that they have superior intellects. Their rule is designed for the benefit of all. The corrupt version of Aristocracy rule according to Aristotle is oligarchy and this occurs when an aristocracy rules for the benefit of the rich only.

Democracy is the third version of Aristotle's type of government. In democracy every free-born man has the right and duty to help rule the city, including the rich and poor, educated and ignorant, intelligent and dullards could attend the Assembly meetings, vote and be voted for. Mixed constitution is the mixing of the constitutions of oligarchy and democracy. Aristotle believed that this mixed constitution he called a polity would serve the interest of all citizens.

Polity is a form of mixed government in which Oligarchical rule (the rule of the rich in the interest of the rich) principles, practices and institutions were intermixed with democratic ones. It would mean for instance that some offices would be filled by the wealthy on the basis of oligarchic principle, where others would be filled by lots, a democratic principle, where others would be filled by lot, a democratic principle. The result would be a balance in which both the rich and the poor had their say and their powers reflected in the government policy and it would produce a compromise between the rich and the poor.

It has to be noted that the words constitution and government have the same meaning for Aristotle.

Specifically, however, a constitution is the organization of offices of a state and determines what is to be governing body and what the end of each community is. The character of a state was determined by its constitution.

THEORY OF CITIZENSHIP

A citizen for Aristotle is one who has the right to participate in deliberative or judicial office. He has the right to attend the assembly, the council and other bodies or to sit on juries. In other words, a person who holds office as judge and who enjoys membership of the popular assembly is a citizen. This priviledge is what distinguished citizen from other inhabitants such as resident aliens, slaves, women and children. For Aristotle, slaves, women and children should be ruled for their own sake. They should be ruled and supervised. Sons of citizens are citizens.

THEORY OF REVOLUTION

Aristotle studied nearly 158 constitutions and that helped him to understand the implications of revolutions on a political system (Puju Mondal: yourarticlelibrary.com). He, however, gave a broad meaning to the term "revolution" which meant two things to him. For him, it implies any major or minor

change in the constitution such as a change in monarchy or oligarchy and so on. Secondly, it implies a change in the ruling power even though it did not lead to a change in the government or the constitution. (Aristotle's theory ...yourarticlelibrary.com).

In Book V of his work *Politics*, some of the causes of revolution in a state are stated as follows:

- I) Inequality is a cause of revolution, especially an inequality in which there is no proportion for instance a perpetual monarchy among equals. The desire of equality gives rise to rebellion.
- ii) Democracy appears to be safer and less liable to revolution than oligarchy. In oligarchy, there is double danger of the oligarch's falling out among themselves and also with the people (1302° (10).
- iii) The conspiracy of magistrates against one another and against the constitution from which they derive their power, making their gains at the expense of individuals or the public (1302^b (10).
- iv) Superiority is a cause of revolution when one or more persons have a power which is too

much for the state and the power of government; this is a condition of affairs out of which there arises a monarchy, or a family oligarchy (1302° (10)

- v) Fear is a cause of revolution. When men have committed wrong and are afraid of punishment, or they are expecting to suffer wrong and are desirous of anticipating their enemy (1302^b (15).
- vi) Forms of government can change sometimes without revolution owing to election contest (1303°)
- vii) Another cause of revolution is difference of races which do not at once acquire a common spirit; for a state is not the growth of a day, any more than it grows out of a multitude brought together by accident (1303° (25).
- viii) When the situation of cities, when the country is not naturally adopted to preserve the unity of the state; that is when the different groups are not agreeing among themselves (1303^b).
- ix) When notables quarrel the whole city is involved. The occasion (in Hestiaea after the Persian war) was one two brothers refused to give account of their fathers property and the treasure which he had found; so the poorer of

- the two quarreled with him and enlisted in his cause, the popular party, the other who was very rich, the wealthy, classes (1303^b (35).
- x) Revolutions breakout also when opposite parties eg the rich and the people are equally balanced and there is little or no middle class (1304^b (10).
- xi) Oligarchy again are overthrown when another oligarchy is created within the original one, that is to say, when the whole governing body is small and yet they do not all share in the highest office (1306 (15).
- xii) Other causes of revolutions identified by (Mukhi:2010) are:
 - (a) Conquests: Conquests by action of another contains seeds of revolution.
 - (b) No restrictions on immigration: Immigrants bring the nation in contact with those who have a different system of justice and a varying code of law.

Aristotle did not only identify the causes of revolution he also identified measures that can be taken to prevent it. (Mukhi:2010) summarised Aristotle's general principles for preventing revolutions.

- I) Gain the confidence of the people on all matters so that they do not feel that government and the masses are two separate entities working at cross purposes ... particularly with regard to national income and expenditure... the people should be ensured that the money collected is being used for their welfare.
- ii) The people should be educated in the spirit of the constitution so that they develop their ideas in keeping with the constitution of the state. In Aristotle's words, "The greatest however of all the means we have mentioned for ensuring the stability of constitutions but one which is nowadays generally neglected is the education of citizens in the spirit of their constitution" Maxey cited by (Mukhi: p.196) adumbrated Aristotle's view in these words:

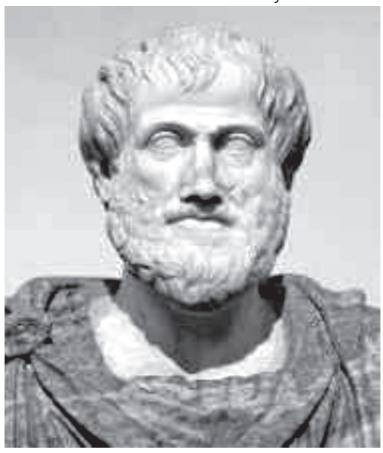
The young, in otherwords, must be trained in the spirit of the constitution, whatever that constitution may be must be disciplined to social habits with maintenance of that constitution; must learn to think and act as integral parts of a particular form of political society

- iii) The spirit of patriotism must be kept alive among the subjects. The people must be kept on their guards.
- iv) Proper care of all the sections, the state and due considerations paid to the different classes in their treatment so that they do not grudge and grumble. All the classes should be kept satisfied and contended.
- v) The people should feel that public offices are not being bestowed on a particular section of the society and that they are co-sharers in the State honours. That is, public offices and state honours are not monopolized by few privileged to hold high offices.
- vi) Vesting absolute power in the hands of only a few people is bound to degenerate the whole society and result in tyranny that could cause a revolution.

CRITICISMS AGAINST ARISTOTLE'S THEORY

- I) His state is totalitarian, authoritarian and paternalistic as it assumes the full responsibility of the all round development of the individual. The individual is subordinate to the state.
- ii) His concept of the organic theory of state is also a powerful hint of totalitarianism. The

- state embraces all aspects of the individual's life.
- iii) His theory antagonizes the interest of women of the current era and supports the institution of slavery. He has therefore been criticized for its lack of inclusivity.



ARISTOTLE 384BC 36

CHAPTER THREE STOICISM

Stoicism is an ancient Greek philosophy developed by Zeno of citium around 300Bc. It took its name from the place where its founder Zeno of citium lectured; the stoa poikile. The Stoic school is a post Aristotle school and rose in the Hellenistic age. Stoicism developed out of the theory of cynicism. The cynics believed that a simple life was ideal and that unnecessary possession or attachment was to be avoided.

Some of the tenets of the Stoic school are as follows:

- I) Its ethical purpose was to produce self sufficiency and individual well being.
- ii) It sought to teach self-sufficiency by a rigorous training of the will; its virtures were resolution, fortitude, devotion to duty and indifference to the solicitations of pressure (Sabine:1961). In otherwords, freedom from passion, indifference and passive reactions to external events.
- iii) It has a strong belief in the overruling power of divine providence and believes in the oneness and perfection of nature or a true moral order. Living according to nature meant for the Stoic resignation to the will of

God and corporation with all forces of good and sense of dependence upon a power above man that makes for righteousness.

- iv) The improvement of the individual's ethical and moral well-being by having a will which is in agreement with nature and by practicing the four cardinal virture; wisdom, courage, justice and temperance.
- v) To live according to reason and virture is to live in harmony with the divine order of the universe and reigniting the essential valve of all people. It therefore promoted egalitarianism as it encouraged the acceptance of even slaves as equals on the ground that all are the sons of God.
- vi) It believes that the entire world is one issuing from one principle and that a divine reality pervades the whole universe. In otherwords, there is a world state and both men and gods are citizens of it and it has a constitution which is right reason, teaching men what must be done and what must be avoided.
- vii) Right reason is the law of nature, the standard everywhere of what is just and right, unchangeable in its principles, binding on all men whether ruler or subjects, the law of God.

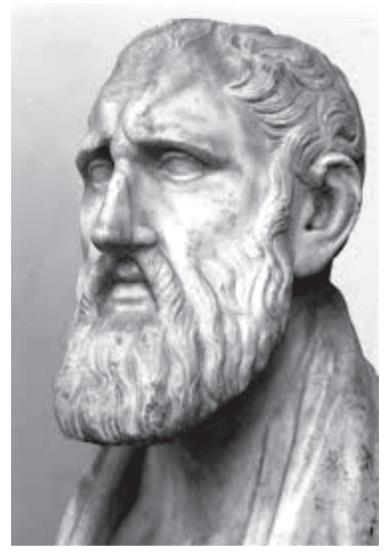
- viii) Evil, wickedness and unhappiness are the result of ignorance and not being aware of the existence of their only universal reason. The famous Stoic Maxim is "Live according to nature both in the sense of the laws of the universe and man's own essential nature, reason".
- ix) Its moral theory is based on the view that the world, as one great city, is a unity and human as world citizens have an obligation and loyalty to all things in that city.
- x) There are for everyman two laws, the law of his city and law of the world city; the law of custom and the law of reason. It holds that of the two laws of reason, the law of reason must have greater authority and must provide a norm to which the statutes and customs of cities should conform. This is because customs are varied but reason is one, and behind variety of customs there ought to be some unity of purpose.
- xi) Zeno's most influential follower was Chrysippus of Stoa (280-207BC). He was largely responsible for the molding of what we now call Stoicism. In his hands the school in the last quarter of the third century became the greatest and most honoured of

the Athenian schools, and Stoicism assumed the systematic shape which it retained throughout its history (Sabine:1961).

xii) Cicero was a Roman lawyer. His political treatises were the *Republic and the laws* which were written at about the middle of the first century. Cicero was not a Stoic but his true importance in the history of political thought lies in the fact that he gave to the Stoic doctrine of natural law a statement in which it was universally known throughout Western Europe from his own day down to the nineteenth century (Sabine:1961). He said:

There is in fact a true law – namely, right reason – which is in accordance with nature, applies to all men, and is unchangeable and eternal. By its commands this law summons men to the performance of their duties; by its prohibitions it restrains them from doing wrong. These commands and prohibitions always influence good men, but are without effect upon the bad. To invalidate this law by human

legislation is never morally right, nor is it permissible ever to restrict its operation, and to annul it wholly is impossible. Neither the senate nor the people can absolve us from our obligation to obey this law and it requires no sextus Aelius to expound and interpret it. It will not lay down one rule in Rome and another at Athens, nor will it be one rule today and another tomorrow. But there will be one law, eternal and unchangeable, one common master and ruler of men, namely - God, who is the author of this law, its interpreter, and its sponsor. The man who will not obey it will abandon his better self, and in denying the true nature of a man, will thereby suffer the severest of penalties, though he has escaped all the consequences which men call punishment (Republic III, cited in Sabine:



STOICISM 300BC

CHAPTER FOUR EPICURIANISM

Epicurianism is an ancient Greek philosophical system founded by Epicurus around 307BC. Like Stoicism, it was one of the ethical philosophy of the period after Aristotle and one of its main purpose was to produce in its students a state of individual self sufficiency. Epicurianism like Stoicism posited many practical recommendations on how to live a good life.

- I) It posits that all humans are ultimately driven by the pursuit of pleasure and the avoidance of pain and that a good life is a pleasurable life. It therefore, teaches that the greatest good is to seek modest pleasure in order to attain a state of tranquility, freedom from fear and the absence of bodily pain. That is happiness consists actually in the avoidance of pain, worry and anxiety.
- ii) Epicurianism differs from hedonism. It has specific definition of pleasure and it is what come of meeting our desire, or is the lack of desire all together (a state of tranquility or ataxaria) which is the highest pleasure of all. What constitutes the good is an extremely simple life of meeting basic needs and seeking the tranquility of being free of desires.
- iii) For Epicurus, there are different types of desires and these different types of desires produce different qualities of pleasures associated with their fulfillment. There are natural necessary desires like desire for water, food, sleep etc which cannot be eliminated, but can usually be fulfilled with relative ease. There are natural non necessary desires such as rich food, comfortable beds, beautiful art. If we continue to

constantly need the best food, or bed or entertainment, or sex etc, it leaves a much greater chance that we cannot have those things. In that case, we are left with unfulfilled desires which could cause us pain. The third socially driven desire that is vain is the desire for fame, power and money. These desires cannot be completely fulfilled, one can always be more powerful, richer, or more famous. So, for Epicurus, we should destroy these desires.

- iv) Epicurus arqued for consideration in all things so that when eating, for example, one should not eat richly for it could lead to dissatisfaction later, such as indigestion, like sex could lead to increased lust and dissatisfaction with sexual partner. In other words, over indulgence of any kind results in pain and therefore, should be avoided.
- v) Generally speaking, Epicureans shunned politics as having no part in the quest for freedom from fear and absence of body pain, and likewise a potential source of unsatisfiable desires and frustrations which was to be avoided. The wise man, therefore, will have nothing to do with politics unless circumstances compel him to do so.

vi) Epicurus was one of the first to develop a notion of justice as a kind of social contract, an agreement "neither to harm nor to be harmed". He argued that laws and punishment in society are important so that individuals can be free to pursue happiness and a just law is one that contributes to promoting human happiness. Sabine:1961 made a more elucidation of this point in the following words:

States, then are formed solely for the sake of obtaining security, especially against the depredations of other men. All men are essentially selfish and seek their own good. But in this way the good of everyone is jeopardized by the equally selfish action of all other men. Accordingly men enter into a tacit agreement with each other neither to inflict nor to suffer harm... Since the state of affairs resulting from a general practice of injustice is intolerable, men adopt as a working compromise the plan of respecting the rights of others for the sake of obtaining an equal forbearance from them. In this way the state and the law came into existence as a contract to facilitate intercourse between men. If such contracts exist, there is no such thing as justice. Law and government exist for the sake of mutual security and they are effective solely because the penalties of the law make injustice unprofitable.

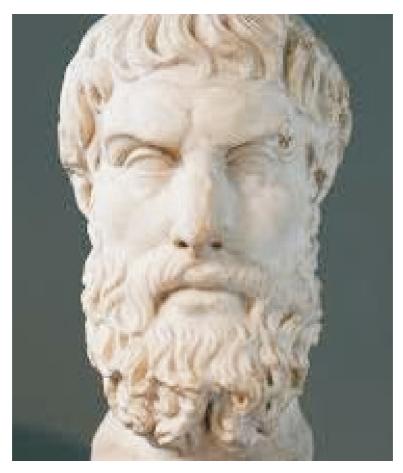
vii) The idea of any "universal good" or "ultimate purpose" for humanity is absent in Epicurianism. Epicurus was an atomist. He believed that all matter, soul, gods are all composed of atoms and even thoughts are merely atoms. The human mind rather resides in the chest and is made up of atoms, and when we die, those atoms break apart and our mind ceases to exist. Epicurus was a caustic critic of all sorts of superstitious practice and belief such as divination and astrology. Although Epicurians did not deny the existence of gods despite some

tendencies towards atheism but he emphasized the neutrality of the gods as they care nothing about men and do not interfere either for good or ill in the course of their lives.

- viii) The decline of Epicurianism began with the growing dominance of Christianity when Constantine declared Christianity legal and especially after Emperor Theodosius I declared it the official religion in the third century C.E.
- ix) Epicurianism was however revived as a philosophical thought in the seventeenth century by Pierre Gastendi. Gastendi constructed neo-Epicurean atomism to challenge Descartes theories. His works influenced several English intellectuals including John Locke, Isaac Newton and Robert Boyle.
- x) The Epicurian is teaching that it is inherent in human nature to pursue happiness and that an ethical society should allow everyone of its members that opportunity. This teaching was expanded during the French revolution by democratic thinkers like John Locke. For

instance, the "pursuit of happiness" was incorporated into the United States declaration of independence as an inalienable right. John Locke also wrote that people had right to life, liberty and property". Jeremy Bentham and others developed utilitarian ethical theory based upon the idea of maximizing pleasure. Sabine: (1961) linked the philosophy of Hobbes – "in its underlying materialism, its reduction of all human motives to self interest, and its construction of the state upon the need for security" as "remarkably like Epicurianism"

xi) Other proponents of Epicurean ideas were Hermachu, Colotes and Lucretius (99-55BC) who was the schools greatest Roman proponent.



EPICUREANISM 307BC

CHAPTER FIVE ST. THOMAS AQUINAS

BACKGROUND

Thomas Aquinas was born in 1225 in Sicily, Italy into a noble family. His father was the Count of Aquino. His family sent him at the age 5 to the Benedictine Monastery at Monte Casino to train as a monk. He studied in various universities in Italy and France. He was a prolific writer and his major work was Summa Theologica. He was a Domincan teacher of religion at the University of Paris.

Thomas Aquinas was of medieval era, an era covering about roughly a thousand years, tucked between the fall of Rome in 476CE and the beginning of the Renaissance in the 14 century. It was an era characterized by the pervasiveness of Christianity; a common Christian perspective and the enormous powers of the church and the Pope. It was also an era of feudalism where feudal lords control enormous land with their fiefdoms working for them in the land. It was an era of universalism; a belief in the idea of existence of a universal or cosmopolitan society and it was an era of scholasticism in which efforts were made to reconcile reason with faith. Aquinas was greatly

influenced by Aristotle to whom he made the cornerstone of his philosophy. He died at the age of forty-nine years in 1274. In 1323, he was canonized by the church and was officially declared a saint.

AQUINAS THEORY OF STATE

Society for Aquinas, is a mutual exchange of services for the sake of a good life to which different persons make contribution. The common good requires that such a system shall have a ruling part. It is natural, "he said, "for man, more than any other animal, to be a social and political animal, to live in a group" which is self-evident in the possession of power of speech by humans, to allow them reason with one another. Again, because man tends to be self-interested, it becomes necessary that "in every multitude there must be some governing power" to direct people toward the "common good". The state for Aguinas, therefore, is natural to man and is necessary for man's fullest development and for him to achieve perfection. He agreed with Aristotle that the state made man moral and has some educative functions. He did not agree with St. Augustine that the state was a necessary evil brought by the fall of man.

THEORY OF GOVERNMENT

Aguinas preferred monarchy to democracy. believes democracy brings dissension. Monarchy is the best government for him. It ensures continuity and it is the most stable form of government. The ruler must be one as the heart rules the body and God rules the universe. Rulership is an office or a trust for the whole community. The powers of the monarch, because it is derived from God for the happy ordering of human life, is a ministry or service owed to the community of which he is the head. It is the duty of the ruler so to direct the action of every class in the state that men may live a happy and virtuous life which is the true end of man in society. Sovereignty however belongs to the people. Aguinas did not support absolute monarchy. The powers of the monarch is limited and bound by law and balanced by other governing bodies all of whom are selected by the will of the people. A good government is identified Aguinas said, by the good functions it performs. It should, for instance, (according to Mukhi:1961) be able:

- I) to look after the poor
- ii) to promote unity
- iii) to pursue common good, instead of individual good and welfare
- iv) to introduce sound system of weights,

- measures and coinage
- v) to promote right living and virtuous life
- vi) to keep roads safe and free
- vii) to maintain peace and happiness and also to protect property of the subjects
- viii) to avoid undue taxation and provide economic relief to the subjects
- ix) to reward the worthy so that they continue doing good works.

THEORY OF LAW

Thomas Aguinas defined law as a "promulgated ordination of reason for the common good by one who has care of the community (1aZae,Q90,art4,c) in Newman;1971:55. In the analysis of this definition, (Newman:1971:55) observed that law for Aguinas is a product of reason and not a product of chance or mere arbitrariness or demonstration of will. Secondly, law is directed to the service of the common good and not for the benefit of the ruler or a section of the people. It has to be issued for the benefit of all. The good of the individual is attained in and through the common good. Aguinas notion of law is that a law must be promulgated, thereby making it known to all those who may be affected by it. They have to be put on notice. Another characteristic of the law is that it has to be issued by who has care of the community. In otherwords, law has to be promulgated by a competent authority.

AQUINAS CLASSIFICATION OF LAW

Thomas Aquinas classified law into four types... They are the Eternal law, the Natural law, the Divine law and Human law.

ETERNAL LAW

Eternal law, according to Aquinas, governs both animate and inanimate things. Through it the whole creation is ordered. It is identical with reason and truth. In Aquinas words, (1a2ae,Q-a1) in Newman;1971.

Supposing the world to be governed by providence... It is clear that the whole community of the universe is governed by the divine reason. This rational guidance of created things on the part of God... We call eternal law. (NOW) Since all things which are subject to divine providence are measured and regulated to the eternal law... It is clear that all things participate to some degrees in the eternal law...

Therefore, it is through the eternal law that God governs the whole universe.

Natural Law: Aquinas holds that human beings are created to live in a certain way. These natural guidelines or law is written in the heart of the people and is discoverable by reason. Reason aids man to discover what is good and what is evil. Eg the tendency for human beings to preserve their lives. (Sabine:1976) commented on this and said:

It is manifest in the indication which nature in all beings to seek good and avoid evil to preserve themselves; and to live as perfectly as possible the kind of life suitable to their natural endowment... Natural law enjoins all that is implied to give these human inclinations their widest scope.

(Mukhi:1961) identified the salient features of Natural law as follows:

- I) It distinguished between the good and the evil.
- ii) It helps in seeking the good and avoiding evil.
- iii) It develops the idea that man is bound to live in society. Without society he can neither live nor develop.
- iv) It gives the idea of self preservation to all in the state.
- v) It helps in educating people.

- vi) It creates a desire to seeking truth and developing intelligence.
- vii) It is unchangeable.
- viii) It seeks the welfare of community as a whole.
- ix) It is a positive law both in nature and character.

DIVINE LAW: This is the law given to us through revelations. This form of law could be found in the Bible, Koran, Torah, etc. Divine law is a product of natural reason, it is a divine gift.

HUMAN LAW: Human law is the law made by the Prince. It is a positive law emanating from human customs and conventions. It is supposed to be made for the common good and not directed to any individual. Human law is legitimate to the extent that it conforms to natural law. Natural law was looked upon as condition and ultimate criterion of the validity of the human or civil law. In the (1a2ae,0.95,art.2) cited in (Newman: 69), Aquinas, wrote as follows

St Augustine says; "There is no law unless it be just" the validity of law depends upon its justice. But in human affairs a thing is said to be just when it accords a right within the rule of reason; and as we have already seen, the first rule of reason is the Natural law. Thus all humanly enacted laws are in accord with reason to the extent that they derive from Natural law. And if a human law is at variance in any particular with the Natural law, it is no longer legal, but rather a corruption of law (non est lex sed

For John Salisbury, in his polycraticus cited by (Newman:1971:73)

The Prince obeys the law, the tyrant oppresses the people by rulership based on force... The will of the true ruler depends upon the law of God...but the will of the tyrant is the slave of his desire.

For Thomas Aquinas, the Prince when he becomes oppressive could be resisted and even removed but the level of resistance must not be so disruptive as to be able to create more than what existed.

Our conclusion is that St. Thomas Aquinas political theory has a great touch of Aristotle's flavor. It is welfarist and also constitutionalist.



ST. THOMAS ACQUINAS 1225

CHAPTER SIX NICOLLO MACHIAVELLI

BACKGROUND

Machiavelli was born in May 3, 1469, in the state of Florence, Italy, into a moderately prominent family. It was the era of the Renaissance; an era that has the following characteristics:

- I) It refers to the period in Europe beginning in the 15th century C. E.
- ii) It followed the middle ages which began after the fall of the Roman Empire.
- iii) It is a period in which ancient philosophy, art and science were rediscovered.
- iv) It marked a change from the age of faith to the age of reason which is the hallmark of the renaissance era.
- v) It also marked the end of clerical monopoly and the replacement of Papal supremacy by secular, sovereign independent states.
- vi) It was a period of the invention of printing press, development of libraries and the democratization of learning.
- vii) It was an era in which scientific method focusing on empirical method and mathematics were adopted.
- viii) It was a time of religious turmoil and sophism.

ix) It was an era of discoveries; Christopher Columbus (1451-1506) and Vasco da Gama (1469-1524) which enlarged the geographical horizon beyond Europe.

At the time Machiavelli was born, Italy was divided into small fragments. It was a period of tremendous tension among various Italian and European States. There was cyclical instability, bloodletting, and corruption grossly beclouding the entire Italian land and there was no national figure who could command the confidence of the whole nation and keep them united and together. Italy consequently fell prey to the French, the Spanish and the Germans. Machiavelli held the pope and the church responsible for this state of affairs for their failure to unite the fragment and for not allowing other forces to do so. In his words:

According to him, the bad and irreligious attitude of Italians is due to the conduct of the Church of Rome and her priests as the Church and her priest had caused the ruin of Italy by keeping the country divided.

The problems Machiavelli stated is that the Church has not been "powerful enough to be

able to master all Italy nor permitted any other power to do so." For this reason, he said, "Italy has never been able to unite under one head, but has always remained under a number of princes and lords". This according to Machiavelli caused so many dissentious among Italians and so "much weakness that bshe became pray not only to the powerful barbarians, but whoever chose to assail her".

Machiavelli grew up and experienced first hand the power struggles of various entities. When the state of Florence fell under French rule, Machiavelli was appointed a chancellor and functioned as a diplomat. In 1522, Florence was liberated from French rule and the Medici family again assumed power.

Machiavelli was sacked from work, arrested and charged with conspiracy, imprisoned and tortured. On release, he retired to his country home and embarking on writing.

MACHIAVELLI'S WORKS

Machiavelli published his first work, *The Prince* in 1513 and published his second work, Discourses on the Ten Books of Titus Livius, in 1512. Machiavelli dedicated The Prince to the Medici family, perhaps to ingratiate himself to the government in power. In The Prince, he explored the causes of the rise and fall of states and discussed extensively the factors that bring about political success. The interpretation of the work made Machiavelli everything that was treacherous, cunning, conspiratorial, deceitful, manipulative and unscrupulous. He was made synonymous with the devil.

In the second book, the Discourses, Machiavelli, made a commentary on the early history of Rome and in his analysis praised the republican form of government.

MACHIAVELLI'S MAJOR THEORIES The Theory of Human Nature

Machiavelli had a dark and gloomy picture of human nature. According to him:

- i) Human beings are generally selfish, wicked, egoistic, ungrateful and dishonest.
- ii) Human beings are essentially anti-social, anarchical, greedy and sensual.

- iii) Human beings have great desire for power, glory and material well-being and are therefore, aggressive, ambitious, restless and acquisitive.
- iv) They are grateful to the extent of expecting benefits and rewards.
- v) They love power and always want to.
- vi) The desire for personal safety and the security of their possessions prompted individuals to establish government with the strongest and the most courageous becoming lawgivers and leaders.

If human beings are generally bad as Machiavelli said, the implication is that a wiser ruler would be induced to construct his policies on this assumption. In other words, the ruler is expected to take measures to check the wicked nature of his subjects, even if it involves the use of force or absolute force to curb their corrupt nature.

Machiavelli condemns violence only when it is used for the purpose of destroying and not when it is employed for beneficent purposes. He holds that the result of an act of violence could be excused when the result is good, "as in the case of Romulus (his murder of his brother). It will

always absolve him from blame." Discourses 1.9, cited in Sabine: 324)

On this he advised the ruler and said:

... A prince therefore who desires to maintain himself must learn to be not always good, but to be so or not as necessity may require... Nor need he care about incurring censure for such vice, without which the preservation of his state may be difficult. For, all things considered, it will be found that some things that seem like virtue will lead you to ruin if you follow them: whilst others that apparently are vices, will, if followed, result in your safety and wellbeing. (Prince, Chap 15, cited in Sabine P.324)

1. MACHIAVELLI'S THEORY OF STATE

I) Like Aristotle, the state is the highest form of human association and it came into being in order to curb the fickle-

- mindedness and selfish nature of human beings.
- ii) The state is an artificial creation to satisfy the material interest of the people. It is a product of human instinct and was not created by any supernatural power.
- iii) Machiavelli advocated for a policy of secularism in which politics should be completely divorced from religion.
- iv) A state should have a strong centre with a strong, efficient, well disciplined, well equipped and loyal citizen army.
- v) Machiavelli, like Aristotle and Cicero said that a mixed form of government was the ideal government. He found monarchy very ideal in certain circumstances, especially when there are insecurity, disorderliness, corruption etc. In his words:

The only way to establish any kind of order there is to found a monarchical government; for where the body of the people is so thoroughly corrupt that the laws are powerless for restraint; it becomes necessary to establish some superior power

which, with a royal hand, may put a curb upon the excessive ambition and corruption of the powerful (Discourses 1,55, cited in Sabine: 326)

Machiavelli, however, outside certain circumstance, abhors absolute monarchy. He believes that even in a monarchy, the prime condition of stable government is that it should be regulated by law and insisted upon the need for legal remedies against official abuses in order to prevent illegal violence and pointed out the political dangers of lawlessness in rulers and the folly of vexatious and harassing policies (Sabine: 325) Despotism can only be recommended when a state is founded and in reforming a corrupt state.

vii) Machiavelli has very low option of aristocracy and the nobility. Orderly government, he said, should suppress them as they live idly on the proceed of their wealth and are "everywhere enemies of all civil government". His ideal government was a republic where the people's freedom are not only guaranteed but also participate in the

- political process including in the elections of the rulers.
- viii) Machiavelli identified government with the state or with its personal head.

MACHIAVELLI'S ETHICAL THEORY

Machiavelli postulates double standard of morality; one for the ruler and another for private citizen. A private individual is expected to display impeccable moral values. It is the duty of the home and the family to inculcate and nurture these moral values and the virtue of independence, simplicity, purity, loyalty and trust. The individual is at all times expected to display these qualities that were in consonance with the highest moral standards.

The state, however, has a morality if its own - a morality of success. The survival and preservation of the state was the fundamental concern of the ruler and he is judged successful when he would be able to acquire, maintain, consolidate and increase power. When the state is stable a leader, according to Machiavelli, could conform with moral standards like compassion, good faith, trustworthiness and

honesty. However, in times of strife, chaos and disorder, Machiavelli maintains, such moral principles would spell ruin for the prince. The success of the prince or state is not judged by the extent he keeps and abides by such moral principles but by an independent criterion, the morality of success which was the well being of the people, their protection, expansion of territory and safeguarding of national interest. He agreed that a prince had to be compassionate, humane, loyal and honest but must be simultaneously willing to use force, deception and treachery when the need arises. Machiavelli observed that:

...the fact is that a man who wants to act virtuously in every way necessary comes to grief among so many who are not virtuous. Therefore if a prince wants to maintain his rule he must learn how not to be virtuous, and to make use of this or that according to need... Everyone reasons how praiseworthy it is for a prince to honour his word and to be straightforward rather than crafty in his dealings, nonetheless

contemporary experience, shows that princes who have achieved great things have been those who have given their word lightly, who have known how to trick men with their cunning, and who in the end have overcome those abiding by honest principles (Cited in Subrata: 147).

Machiavelli's emphasis is on the autonomy of politics which could mean the breach or denial of moral absolutes. A state can be judged or assessed not by its legitimacy but by its efficiency in maintaining order and stability. What is expected of a leader, he said, is not moral perfection but the ability to preserve his society even if it requires the violation or desecration of the moral law. This implies, in other words, that in specific situations a ruler could resort to tactics that were not moral: especially in a society where corruption was endemic and by corruption Machiavelli, "means in general that decay of private virtue and civil probity and devotion that renders popular government impossible. It includes all sorts of license and violence, great inequalities of wealth and power, the destruction of peace and justice, the growth of

disorderly ambition, disunion, lawlessness, dishonesty and contempt of religion"... In a situation like this, "when the necessary virtues have decayed, there is no possibility, either of restoring them or of carrying on orderly government without them except by despotic power" (Sabine: 322). This was the picture of Italian society and politics of Machiavelli's time in which he found solution in a despotic monarchism.

MACHIAVELLI'S ADVICE TO THE PRINCE/RULER

Machiavelli discussed in details in The *Prince* how a ruler could govern, maintain and remain in power. According to him:

- I) A prince had to be gentle or severe depending on the situation. He had to be strong, and demonstrate his strength whenever necessary. He cautioned against excessive generosity, strictness or kindness and stressed on the need for moderation.
- ii) He must be gentle and friendly with his subjects and govern the state in a responsible way and efficiently, ensuring the stability of the state.
- iii) He should not meddle with the property and women of his subjects as violating this

- often affected men's sensibilities to a point where they can resist the prince.
- iii) He should create an atmosphere, where he is feared. It is better to be feared than to be loved. He should be feared but not hated.
- v) It is not essential that the prince is honest. Fraud was no dishonesty in politics. He should be dishonest where necessary to preserve his position.
- vi) He must realize that for the state there are no permanent friends or enemies. Who is a friend or an enemy is a matter of circumstance. What is permanent is interest.
- vii) By education and propaganda he should create an atmosphere by which the subjects should begin to feel that their interests are identical with those of the prince and that prince can only deliver the goods to them. This identification of interest will help him in remaining in power for long.
- viii) The prince had to be careful in selecting the methods and means by which he rules. He had to uphold conventional standards of morality and notions of right by preserving the foundations or religion.

- ix) He had to constantly try and expand the state's territory and play the balance of power game skillfully by appearing to be the defender of weak states.
- x) The prince should establish legal remedies against official abuses in order to prevent illegal violence. In order to succeed he had to be willing to act ruthlessly, combining the valour and courage of a lion with the cunning and shrewdness of a fox. This is because a lion could ward off wolves and a fox could recognize traps. A ruler had to be courageous to fight his enemies and cunning enough to detect conspiracies. He could do this only if he could change his colours like a chameleon, for in a corrupt age greatness could be achieved only by immoral means.
- xi) A prince had to know how to fight with the help of laws and force. While laws were for civilized persons, force was for the brutes. Both represented two different styles of fighting and could be combined, if necessary, to achieve effective results.
- xii) A prince ought to exterminate the families of the rulers whose territories they wished to possess securely. Opponents ought to

- be murdered otherwise they could plan their revenge.
- xii) It is in the interest of the prince to adopt and maintain utmost secrecy. If he ensures that his plans do not leak out he is bound to achieve success in running his administration. Leakage of national secrets is bound to ruin him.

CRITICISMS AGAINST MACHIAVELLI.

- 1) His presumption that human beings are wicked. Using his experience in Italy as a basis for arriving at that conclusion may amount to error of false generalization.
- 2. Machiavelli's concern was about politics and political institutions. He did not give due attention to social and religious institutions.
- 3. He laid so much stress on the role of force in keeping the people closer and underestimated the role played by the willing cooperation of the people.;.



NICOLLO MACHIAVELLI May 3, 1469

CHAPTER SEVEN THOMAS HOBBES

BACKGROUND

Thomas Hobbes was born on April, 5, 1588. He was the second son. His father was a member of the clergy in Malmesbury. At the age of 15, he was sent to Oxford. At the completion of his studies, he joined the Cavendish family as a tutor and with the patronage of the Cavendish family was able to travel extensively and met leading scientists and literary figures of his times. From 1640 lasting for the next twenty years Hobbes was troubled by the constitutional crisis and the civil war that engulfed England. During the period, England experienced a tussle between royal and parliamentary forces that led to the execution of Charles I. There was also a crisis between the puritans against the established church. The era came to an end with the restoration of the monarchy under Charles II.

The civil war which marked this period made it an era of insecurity and the citizens lived in fear, especially fear of violent death. Hobbes witnessed a lot of blood-letting among the people and the cruelty of man against man and this made him think that man was blood thirsty and had animal-like

instincts. Hobbes political philosophy in the Leviathan (1651) was a reflection of the civil strife in England following the execution of Charles I (1600-1649). His major emphasis was on peace, order, security and the need for an all-powerful sovereign. For him, human beings are not social and are individualistic. He regarded self-preservation as a supreme right and human need. Fear and self-interest, Hobbes said, are the two fundamental human motivations which can only be tempered or controlled by an omnipotent sovereign.

Man is, therefore, the pivot upon which his political philosophy revolves. It is appropriate to examine Hobbes theory of human nature at this stage.

THEORY OF HUMAN NATURE

Hobbes characterized human nature as follows:

- i) To Aristotle and Thomas Aquinas human beings are social and lives in a society naturally. To Thomas Hobbes human beings are isolated, egoistic and self-interested.
- ii) Human beings are creatures of desires. Each man desired something which will maximize his pleasure and avoid pain. Pleasure is good and pain is bad.

- iii) Human beings are relentlessly in motion to satisfy their desires and human appetites are insatiable for the satisfaction of one desire gives rise to another.
- iv) Men are equal in physical power and faculties of mind. Equality in physical ability and equal hope; hope of attaining the ends individuals aspired for.
- v) The desire for security is a fundamental need of human nature and for all practical purposes leads to the desire for power. In Hobbes word:

I put for a general inclination of all mankind, a perpetual and restless desire for power after power, that ceaseth only in death. And the centre of this, is not always that a man hopes for a more intensive delight, than he has already attained to, or that he cannot be content with a more moderate power: but because he cannot assure the power and means to live well, which he hath present, without the acquisition of more (Leviathan Ch. 11)

vi) For Hobbes, pain is the only thing that human beings stood to gain from the company of others because of the permanent rivalry that existed between human beings for honour, riches and authority with life as nothing but potential warfare, a war of every against the others. In other words, competition, glory and diffidence make people brute and quarrelsome and that was man in the state of nature.

THEORY OF THE STATE OF NATURE

The state of nature for Hobbes was the state human beings lived in before the emergence of civil government and his description of the state of nature was gloomy and sordid. The conditions that existed in the state of nature according to Hobbes were as follows:

- I) There was no law, no justice, no notion of right and wrong, with only force and fraud as the two cardinal virtues.
- ii) Every individual is a competitor of the other and the competition is keen because each one is equal with the other in power and wisdom. Everyone is the potential enemy to the other for acquiring wealth, reputation

and honour.

- iii) The cause of conflict were competition, diffidence and glory which were all within the nature of man. Competition was for gain, diffidence was for safety and glory was for reputation.
- iv) The state of nature did not guarantee any commodious living or civilized pursuit that made life meaningful. There was no common law and no law giver. In such condition according to Hobbes.

...there is no place for industry, because the fruit thereof is uncertain: and consequently no culture of the earth, no navigation, nor use of the commodities that may be imported by sea; no commodious building; no instrument of moving such things as require much force, no knowledge of the face of the earth; no account of time, no arts; no letters; no society; and which is worst of all, continual fear, and danger if violent death; and the life of man, solitary, poor, nasty,

brutish and short.

v) Human beings have natural rights to everything and the prevailing right is that might is right.

NATURAL LAW AND REASON

Hobbes had said that what distinguishes human beings from animals is the possession of reason. He also stated that there is a law of nature which he described as:

A precept or general rule found out by reason, by which a man is forbidden to do, that, which is destructive of his life, or taketh away the means of preserving the same; and to omit, that, by which he thinketh it may be best preserved.

This is to say that the intervention of reason enabled man to discover or realize that there is a law of nature that could still guarantee self-preservation and provide condition by which men can unite and co-operate and rather than living solely and isolated individuals would now live within the precept and values of civilized law and morality. Consequently with the aid of reason. Hobbes said,

man deciphered nineteen laws which may not be examined exhaustively here. Of the 19, however, there were three important natural laws; thus:

- a) Seek peace and follow it.
- b) Abandon the natural rights to things when others are willing to do so too.
- c) That individuals must honour their contract (Hobbes, 2007: 86-87).

The implementation of these natural laws considered as articles of peace marked the beginning of the human beings emergence according to Hobbes, from the brutal, uncivilized, nonsocial and destructive state of nature to an organized society of laws, peace and security in which the individuals in agreement surrendered all their rights except that of life to a supreme power who was not a party to the agreement or contract.

CONTRACT AND SOVEREIGN POWER

One thing is for individuals to enter into a covenant, another is for such covenants to be kept and because of the unsocial inclination of men it is not possible to spontaneously expect them to respect each others rights. For Hobbes, therefore, the performance of covenants may be expected only if there is an authority with supreme powers that can

enforce the covenant and punish offenders. In the words of Hobbes:

Covenant, without the sword, are but words, and of no strength to secure a man at all (Hobbes, 2007:102)

Again he said:

The bonds of words are too weak to bridle men's ambition, avarice, anger, and other passions, without the fear of some coercive power

It was to this supreme power or sovereignty that the individual surrendered their natural rights through a contract and subjected themselves to his authority and become united in one person when every person had said to the other;

I authorize and give up my right of governing myself, to this man, or to this assembly of men on this condition, that thou give up thy right to him, and authorize all his actions in like manner... This is the great Leviathan or rather (to speak more reverently) of that mortal

God, to which we owe under the immortal God, our peace and defense (Hobbes 2007:100)

Each individual in this contract gave up his right of governing himself, on the condition that others did likewise and "conferred all their powers and strength upon one man or upon one assembly of men, that may reduce all their wills, plurality of voices unto one will which is as much to say, to appoint one man, or assembly of men, to bear their person..."

The sovereign created even though bestowed with all powers was not a party to the contract. He was a monarch according to Hobbes with undivided, unlimited, inalienable and permanent sovereign powers including:

- I) The power to enact laws as it deemed fit and such laws were legitimate. He was the sole source and interpreter of laws and his actions could not be prejudicial to social interests.
- ii) The custodian of all rights except the right of the individual, not to kill himself. Since all have surrendered their rights willingly to the sovereign, none should challenge him on grounds of infringing his rights.
- iii) The ultimate authority for "making war and peace with other nations and

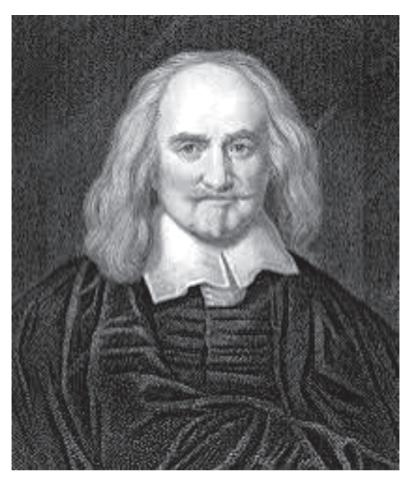
commonwealth, that is to say of judging when it is for the public good and how great forces are to be assembled: armed and paid for that end; and to levy money upon the subjects, to defray the expenses thereof"

- iv) The sovereign is above the law and has the right and power to govern and conduct policy as he chooses.
- v) Law is a command of the sovereign and is not derived from social institutions of the people. Consequently customs, traditions, conventions and moralities that existed outside the powers of the law are not and cannot be regarded as law.
- vi) The subjects had a duty and obligation to obey the sovereign as the sovereign is the result of their agreement.
- vii) The church, universities and non-political associations are subordinated to the state. The teachings of the church were lawful only when authorized by the state. A church is a mere corporation, like another corporation and the head is the sovereign.
- viii) There is no room for divisions and multiplicity of authority for that was anathema to a stable political order. Authority for Hobbes was either unitary or nothing (Hobbes, 2007: 102-103).

IS HOBBES LIBERAL OR ILLIBERAL?

ix) The sovereign power is liberal on the one hand and illiberal on the other. As (Subrata: 180-181) It was liberal because the State and society were constituted by free and equal individuals who were egoistic, self-interested and selfish. It was liberal because it emphasized the element of consent as the basis of legitimate regulation of human affairs, as a yardstick for independence and choice in society.

The illiberal aspect was that an all-powerful absolute sovereign was a self-perpetuating one and no provision or procedure was made to periodically renew the individual's consent to the sovereign and nor was there any problem for him to participate in the political process. It must however, be noted that Hobbes theory of state of nature has not been established as a historical fact. It is regarded as a heuristic device to explain his imagination how human beings lived in the absence of law or any form of regulation.



THOMAS HOBBES April 5, 1588

CHAPTER EIGHT JOHN LOCKE

BACKGROUND

Locke was born August 29, 1632. His father was a lawyer and small landowner. In 1652, he won scholarship to Christ Church College, Oxford. He took his Bachelors Degree in 1656; he remained at Oxford to obtain his Masters Degree and became a lecturer in Greek, rhetoric and moral philosophy. Subsequently he began the study of medicine in which he was engaged in occasional practice.

His works: His writings include, first, second and third, the essay and letter concerning toleration and essay concerning human understanding and the two Treatises on Civil Government published in 1690. Locke died on October 28, 1704.

John Locke belongs to the enlightenment era, a European intellectual and philosophical movement of the 17th and 18th centuries. The era was also known as the Age of Reason; an era that included "a range of ideas centered on the values of human happiness, the pursuit of knowledge obtained by means of reason and the evidence of the senses, and ideals such as natural law, liberty, progress, toleration,

fraternity, constitutional government and separation of church and state". (httes://en.wikipedia.org.wiki)

JOHN LOCKE'S POLITICAL THEORY

John Locke adopted the technique of Social Contract to explain the meaning of political power and its origins and the movement of men from their natural state, guided by natural law to a more organized common wealth and political society with their consent. Like Thomas Hobbes, Locke held that man originally was in a state of nature and gradually through the power of reason developed a more organized political society. We may, therefore, ask the question; what was man in a state of nature?

LOCKE'S THEORY OF THE STATE OF NATURE

Whereas the picture of the state of nature by Thomas Hobbes was gloomy and pessimistic and was a state of war and lawlessness, the state of nature for Locke was different. Locke's state of nature was characterized by the following features in Locke, 2007: 25 -28

- i) It was a state of equality, where all the power and jurisdiction is reciprocal, no one having more than another.
- ii) The state of nature has a law to govern it

which obliges every person to obey, and reason which is that law teaches all mankind who will consult it, that being all equal and independent, no one ought to harm another in his life, health, liberty or his possessions as they all were created by God.

- iii) The state of nature, though this be a state of liberty, yet it is not a state of license; man may have uncontrollable liberty to dispose of his person or possession, yet he has no liberty to destroy himself or any creature in his possession.
- iv) Being furnished with like faculties and sharing in one community of nature in which there are no subordination of one to another, every one is bound to preserve himself and to preserve the rest of mankind and cannot unless to do justice to an offender, take away or impair the life, liberty, health, limb or goods of another.
- v) The law of nature wills the peace and preservation of all mankind and all men may be restrained from invading others rights and from doing hurt to one another and the execution of the law of nature has put into everyman's hands the right to punish the transgressors of the law to such a degree as

may hinder its violation.

- vi) In transgressing the law of nature, the offender had declared himself to live by another rule than that of reason and common equity which is that measure God has set to the actions of men for their mutual security, and so he becomes dangerous to mankind.
- vii) In the state of nature everyone has the executive power; i.e. has a power to punish an offender even to kill to prevent him and others from committing the offence.
- viii) The state of nature was therefore a state of peace, goodwill, mutual assistance, and preservation. Men lived together according to reason without a common superior on earth, with authority to judge between them. It was never a state of war characterized by enmity, violence, malice and mutual destruction of one another.

FROM THE STATE OF NATURE TO COMMON WEALTH

As has been said, man in a state of nature was so free and was the absolute Lord of his own person and possession; equal with everyone and subject to nobody but he decided to part with his freedom and subject himself to the dominion and control of any other power; why? Locke answered it thus;

> ...that though in the state of nature he hath such a right, yet, the enjoyment of it is very uncertain and constantly exposed to the invasion of others: for all being kings as much as he, everyman is equal and the greater part no strict observers of equity and justice, the enjoyment of the property he has in this state is very unsafe, very insecure. This makes him willing to quit this condition which however free, is full of fears and continual dangers; and it is not without reason that he seeks out and is willing to join in society with others who are already united, or have a mind to unite or the mutual preservation of their lives, liberties and estates, which I call by the general name property. (Locke: 2007:53).

For Locke therefore, "the great and chief end of men uniting into commonwealths, and putting

themselves under government, is the preservation of their property; to which in the state of nature there are so many things wanting".

The wanting which we may call the "the inconveniences of the state of nature" are:

- i) The lack of an established, settled, known law received and allowed by common consent to be the standard of right and wrong.
- ii) The lack of a known and indifferent judge with authority to determine all differences according to the established law. In the state of nature man was both judge and executioner of the law of nature. Locke had no confidence in the man's ability to act as an objective judge who could disallow personal considerations in matters affecting others. In his words, "it is unreasonable for men to be judges in their own cases, self love will make men partial to themselves and their friends, and on the other hand ill will. passion and revenge will carry them too far in punishing others; and hence nothing but confusion and disorder will follow"
- iii) The lack of power to back and support the sentence when right, and to give it due

execution. So in the state of nature every individual had an equal right to natural freedom, had the right to interpret and enforce and punish the offenders of law. Consequently, in the absence of common legislative, executive and judicial powers in the state of nature there were bound to be disputes and controversies over what the law was and the degree of punishment due to any offender. It became necessary as a result of the corruption and viciousness of desperate men for men to move away from the state of nature and take sanctuary under the established laws of government and therein seek the preservation of their lives, estates and property. "And in this way" Locke said, "We have the original right and rise of both legislative and executive powers as well as of the government and societies themselves" (Locke 2007:54).

CONSEQUENCES OF ABANDONING THE STATE OF NATURE FOR A POLITICAL SOCIETY

On joining a political society, man gave up some of his rights and powers. According to Locke, 2007:54

I) In the state of nature he has the liberty to do whatever he thinks fit for the preservation of

himself and others within the permission of the law of nature; a law common to them all; in the political society we give in to be regulated by laws made by society for the preservation of the society.

- ii) He gives up the power of punishing on his own single authority, as he thought fit in the state of nature and now engage to assist the executive power of the society as the law shall require in the political society and the other members of the society would do likewise.
- iii) In the new state that he found himself where he now enjoy many conveniences from the labour, assistance and society of others and the protection from the whole strength of the society he consequently gives up the equality, liberty and executive power he had in the state of nature to the society

However, Locke clearly stated that, "no rational creature can be supported to change his condition with an intention to be worse".

Therefore, the authorities of the new political society must not only pursue the common good and obliged to secure the property by providing against the three defects or inconveniences that

...whoever has the legislative or supreme power of any commonwealth, is bound to govern by established standing laws, promulgated and known to the people, and not by extemporary decrees, by indifferent and upright judges, who are to decide controversies by those laws; and to employ the force of the community, at home only in the execution of such laws, or abroad to prevent or redress foreign injuries and secure the community from inroads and invasion. And all this to be directed to no other end but peace, safety, and public good of the people (Locke, 2007:54)

ESTABLISHMENT OF LEGISLATIVE POWER

For Locke 2007:55, men left the state of nature and entered into a political society for the enjoyment of their properties and the maintenance of peace, harmony and safety. The instrument for the achievement of these objectives according to Locke is a legislative body which is the first fundamental positive law created by the common wealth as supreme power to make laws in the interest of the

common good. The legislative as chosen by the people is sacred and unalterable and no law made by anybody in whatever form which has not the sanction of the legislature has the force and the obligation of law.

Although the legislature is the supreme power and the exercise of its power is limited by the following facts according to Locke, 2007: 55-58

- i) It cannot exercise arbitrary power over the lives and fortunes of the people. The power of the legislative is limited to the public good of the society. It is a power meant for the preservation of the lives, estates and property and the legislative" can never have a right to destroy, to enslave or... to impoverish the subjects.
- ii) The prescriptions of the natural law is also a limit of the powers of the legislative. According to Locke, "the law of nature stands as an eternal rule to all men, legislative as well as others". Therefore, "the rules that they make for other men's actions, must as well as their own and other men's actions, be comfortable to the law of nature i.e., to the will of God". It is valid for all men and men, including the legislative is subject to it.

- iii) The legislative cannot assume to itself a power to rule by extemporary arbitrary decrees. It is also bound to dispense justice and decide the rights of the subjects by promulgated standing laws and known authorized judges. Absolute arbitrary power, or governing without settled standing laws cannot be consistent with why men quit the freedom of the state of nature and tie themselves up where they cannot preserve their lives, liberties and fortunes and have stated rules of right and property to secure their peace and quiet.
- iv) The power and purpose of government is for the good of the society and it ought not to be arbitrary and should exercise its powers by established and promulgated laws so that people may know their duty and be safe and secure within the limits of the law, and the rulers, too, kept within their due bounds...
- v) The supreme power cannot take from any man any part of his property without his own consent. The preservation of property, Locke said, is the end of government and the reason why men entered into society. This presupposes why men should have property, otherwise it will mean that they entered

society, to lose their property. Again everyone Locke said, who enjoy his share of the protection of government should pay out of his estate his proportion for the maintenance of it, but it must be with his own consent for, "if any one shall claim a power to lay and levy taxes on the people by his own authority, and without the consent of the people, he thereby invades the fundamental law of property, and subverts the end of government. For what property have I in that which another may by right take when he pleases to himself", Locke asked.

vi) The legislative cannot transfer the power of making laws to any other hands. According to him the people alone can appoint the form of commonwealth, which is by constituting the legislative and appointing those who shall be there. The legislative must not and cannot transfer the power of making laws to anybody else, or place it anywhere but where the people live. The people are not bound to any law enacted by those they have not chosen and authorized to make law for them.

POPULAR SOVEREIGNTY

There is only one supreme power in the commonwealth and that is the legislative and all persons and groups are subordinated to it, but the legislative's power is fiduciary and can only act for certain ends. The people still have the supreme power to remove or alter the legislative when the legislative acts contrary to the trust reposed on them. In his own words, Locke, 2007:59 said:

...all power given with trust for the attaining an end being limited by that end, whenever that end is manifestly neglected or opposed, the trust must necessarily be forfeited and the power devolves into the hands of those who gave it, who may place it anew where they shall think best for their safety and security. And thus the community perpetually retains a supreme power of saving themselves from the attempts and designs of anybody, even of their legislators, whenever they shall be so foolish or so wicked as to lay and carry on designs against the liberties and properties of the subject.

ESTABLISHMENT OF EXECUTIVE ORGAN OF GOVERNMENT

Locke, 2007:58 gave reasons why the executive organ was established. It is earlier noted that one of the inconveniences of the state of nature was the lack of execution of laws. In political society, laws made are expected to be constant and have lasting force and be attended to. Locke found it necessary to have "a power always in being which should see to the execution of the laws that are made, and remain in force and such executive organ should be separated from the legislative.

DISCRETION/PREROGATIVE POWERS OF THE EXECUTIVE

Although the legislative is the supreme law making body, the executive has discretionary powers and some latitudes were allowed the executive to fill some gaps for the good of the people. Discretionary power according to Locke is the "power to act according to discretion for the public good, without the prescription of the law and sometimes even against it, is that which is called prerogative..." Locke gave reasons for prescribing this prerogative powers for the Executive. It might be proper to state those reasons in his own words thus:

Where the legislative and 102

executive powers are in the hands. as they are in all moderate monarchies and well-framed governments, there the good of the society requires that several things should be left to the discretion of him that has the executive power. For the legislators not being able to foresee and provide the laws for all that may be useful to the community, the executors of the laws, having the power in his hands has by the common law of nature a right to make use of it for the good of the society, in many cases where the municipal law has given no direction, till the legislative can conveniently be assembled to provide for it; nay many things there are which the law can by no means provide for, and those must necessarily be left to the discretion of him that has the executive power in his hands, to be ordered by him as the public good and advantage shall require...Locke, 2007:62.

Locke also observed that many accident may happen in which a strong and rigid observation of the laws may do harm to the society and recommend that a "ruler should have a power in many cases to mitigate the severity of the law, and pardon some offenders, since the end of government being the preservation of all..."

THE DISSOLUTION OF GOVERNMENT

i) Locke, 2007: 73 -95 observed that men are by agreement brought out from the loose state of nature into one political society and this union can often be dissolved by conquest and cease to exist and everyone would return to the state he was in before and seek to provide for his own safety as he thinks fit, in some other society. He however, noted that the world is too well advanced to allow this way of dissolving of governments and consequently governments today are dissolved from within; and this happen in the following ways:

The legislative is the symbol of the unity of the people. In the words of Locke, "it is in their legislative that the members of a commonwealth are united and combined together into one coherent living body. This is

the soul that gives form, life and unity to the commonwealth... the constitution of the legislative is the first and fundamental act of society, whereby provision is made for the continuation of their union under the direction of persons and bonds of laws made by persons authorized thereunto by the consent of the people and appointment of the people, without which no one man, or number of men, among them can have authority of making laws that shall be binding to the rest. When any one or more shall take upon to make laws whom the people have not appointed so to do, they make laws without authority, which people are not bound to obey". In other words when a person or group of persons without the consent and authority of the people establish and impose their arbitrary will on the people, the commonwealth ceases to exist.

ii) When the legislative is altered and it is altered when it is prevented or hindered from assembling in its due time, or from acting freely to pursue those ends to which it was constituted. When their freedom to

debate is hindered and the society is deprived of their due exercise of power. He who takes away their freedom or hinders the legislative from acting in its due season takes away the legislative, and puts an end to the government.

- iii) When by the arbitrary power of the prince, the electors or ways of election are altered without the consent of the people and against their common interest. The legislative must be constituted by the people chosen by the people and must be in a way prescribed by the society otherwise those chosen are not the legislative appointed by the people.
- iv) The people entered into a political society to be preserved as one entity, free, independent society to be governed by its own laws'. It is therefore a change of the legislative and a dissolution of the government if the people are delivered to and made subjects of a foreign power by the prince.
- v) When the Executive charged with the execution of laws abandons this responsibility and fails to execute the laws to

prevent anarchy amounts to a dissolution of government; for laws are not made for themselves, but to be executed for the society to function properly. "When that totally ceases, the government visibly ceases and the people become a confused multitude without order or connection". No government is also left when there is no longer the administration of justice for the securing of men's right or to provide the necessities of the public.

The government is also dissolved when the vi) legislative or the prince act contrary to the trust reposed on them by the people. The legislative act against the trust when they invade the property of their subjects or make themselves arbitrary violators of the lives, liberties, or fortunes of the people. After all "the reason why men enter into society is the preservation of their property, and the end why they choose and authorize a legislative is that there may be laws made and rules set, as quards and fences to the properties of all the society, to limit the power and moderate the dominion of every part and member of the society".

POLITICAL OBILIGATION

The people are expected to obey the government so long as it wields public power for "Peace, safety and public good of the people". In the state of Nature there was never any exercise of absolute power over their lives and fortunes which were as much as possible preserved and therefore the people would not yield to the government more powers than what they actually possess in the state of nature. Therefore, the individuals are not committed to unconditional obligation.

According to Locke, 2007:76:

Whenever the legislator endeavour to take away and destroy the property of the people or to reduce them to slavery under arbitrary power, they put themselves into a state of war with the people, who are thereupon absolved from any further obedience, and are left to the common refuge which God hath provided for all men against force and violence. When so ever, therefore, the legislative shall transgress this fundamental rule of society, and either by ambition,

fear, folly, or corruption... or put into the hands of any absolute power over the lives, liberties and estates of the people, by this breach of trust they forfeit the power the people had put into their hands for quite contrary ends, and it devolves to the people, who have a right to resume their original liberty, and by the establishment of a new legislative (such as they shall think fit), provide for their own safety and security which is the end for which they are in society.

Locke however cautioned the people against embarking on revolution on every little mismanagement in public affairs, great mistakes in the ruling part, many wrong and inconvenient laws, and all the slips of human frailty will be borne by the people without mutiny or murmur. But if a long train of abuses, prevarications and artifices tending towards arbitrary exercise of power against the rights liberties of the people, the people "should then rouse themselves and

endeavour to put the rule into such hands which may secure to them the ends for which was at first erected...". Locke therefore advocated the right of resistance but held that resort to revolutions should be the last.

CONCLUSION

Locke's theory of social contract has been criticized for laying so much stress on the institution of private property. However, no matter the volume of criticism laid against his work, Sabine's observation that "from his political philosophy emerged diverse theories in the centuries that followed **him**" must be noted. Subrata identified the "heirs" of Locke as first Berkley and Hume; second, those of the French philosophies who did not belong to the school of Rousseau; third, Bentham and the philosophical radicals; fourth, with important accretions from continental philosophy, Marx and his disciples". Again for Subrata: (2007) "If we list out the items that constitute the liberal worldview: individualism, freedom, consensual limited government, minimal state, constitutional authority, the rule of law, the majority rule principle, separation of powers, sovereignty of the people, representative democracy, property rights, civil society,

pluralism, tolerance and the right to judge authority, then Locke is the founding father of liberal political theory. These ideas contributed so much in the political thought of America and France" which culminated in the great revolutions at the end of the 18th century. In the words of Sabine,

Locke's defense of resistance in the name of inalienable rights of personal liberty, consent and freedom to acquire and enjoy property had their full effect.



JOHN LOCKE August 29th 1632

CHAPTER NINE ROUSSEAU

BACKGROUND

Jean Jaques Rousseau was born in June 28, 1712 in Geneva. His mother died in childbirth. His father was a watchmaker. At age five, Rousseau was taught how to read. At ten his father left Geneva and entrusted Rousseau into the care of his uncle.

At a time he lived in a Catholic monastery but was turned out after some time, thereafter, he found a job in a domestic house. He joined a seminary where he studied classic and music. Rousseau left. the seminary and could not find his feet. He later appealed to charity to a Catholic Priest in Savoy who recommended him to a Madame de Warrens. known for her good works. His life with Madame de Warrens was interrupted by frequent wanderings. On one occasion he returned to find that his place in the household had been taken by another. Rousseau accepted the position of a tutor with a noble family in Lyons. After a few months he left teaching and in 1741 he went to Paris. He was compelled to accept the post of secretary to the French Ambassador at Venice. At a time he began to live with Therese Le Vasseur, who became the

mother of his five children. His talent as a political thinker and writer came to the fore with his essay on the subject: "Has the progress of the arts and sciences contributed more to corruption or purification of morals?"

This won him a prize and immediate literary fame. In 1755, he wrote an article on the "Discourse on Political Economy" which appeared in the Encyclopedia in the same year he published the "Discourse on the Origin of Inequality". In 1758 he wrote *Emile*, on Education, and in 1762, he published the Social Contract. Rousseau died on July 2, 1778.

Rousseau was a product of the Enlightenment which was also called the Age of Reason. According to (Cassirer 1973: Vol 5) cited by Subrata: 2007).

The basic idea underlying all the tendencies of enlightenment was the conviction that human understanding is capable by its own power and without any recourse to super-natural assistance, of comprehending the system of the world and that this

way of understanding the world will lead to a new way of mastering it.

Although, Rousseau belongs to the Enlightenment period, paradoxically(Subrata,2007:216) observed that, he "protested against Intelligence, Science and reason in so far as they destroyed reverence, faith and moral intuition, the factors, on which society was based. His protest was a "revolt against reason" for he regarded the "thinking animal as a depraved animal" (Sabine: 1973).

ROUSSEAU'S THEORY OF STATE OF NATURE

"Man was born free and everywhere he is in chains". This is a paradox that is reflected in Rousseau's entire politico-moral philosophy and so it is no surprise that he has been much criticized for seeming ambiguities within his work (Brown, Nardian, Rengger 2007:397).

According to Rousseau, in the state of nature "man is naturally peaceful and timid, at the least danger, his first reaction is to flee; he only fights through the force of habit and experience. He lived a life of primitive simplicity. He was independent, contented

and self-sufficient. Primitive men" having no moral relations or determinate obligation could not be either good or bad, virtuous or vicious (Rousseau, 2007: 113). Man is pre-moral and innocent and concerned with his own well being and happiness, satisfying his personal needs. Man in the state of nature had not discovered reason, knowing no right and only acting on his instinct. He does not have the feeling of love and so beauty has no importance to him. He hardly knows what inequality is except for physical inequality. This simple and perfect situation was corrupted; by some emerging factors. The first was the increase in population and the individual's encounter with other men. Man finds out that in certain cases which are of mutual interest he cooperates with others and relies on them. Another factor is the intervention of reason. The increase in population activated economic progress but the turning point is when man began to live with his family and formed loose associations. This eventually generated competition among men as well as vanity, envy and man began to think in terms of mine and thine and that happened when the first man after enclosing a piece of ground told himself "this is mine and people believed him". The intervention of private property which symbolized

humanity's evolution out of a simple, pure state into one characterised by greed, competition, vanity, inequality and vice, for Rousseau, constitutes humanity's "fall from grace" out of the state of nature.

THE SOCIAL COMPACT

Human beings were essentially free in the state of nature but the 'progress' of civilization substituted subservience to others for that freedom, through dependence, economic and social inequalities with its attendant envy, competition and insecurity that threatened self preservation. The primitive condition can no longer subsist and human race would perish unless it changed its manner of existence. The problem Rousseau sought to solve is how men can be free, equal and live together in society. Rousseau, 2007:391 in his own words said:

The problem is to find a form of association which will defend and profit with the whole common force the person and goods of each associate and in which each, while uniting himself with all, may still obey himself alone, and remain free as before.

This is the fundamental problem of which the social

contract provides the solution (Rousseau 2007: 391). The social pact, is the agreement men entered into to come together and form a people, a collectivity which is not a mere aggregation of individual interests and wills. The implications of the contract are:

- i) The total alienation of each associate, together with his rights, to the whole community; for, in the first place, as each gives himself absolutely, the conditions are the same for all; and, this being so, no one has any interest in making them burdensome to others.
- ii) The alienation being without reserve, the union is perfect as it can be, and no associate has anything more to demand: for if the individual retained certain rights, as there would be no common superior to decide between them and the public, each, being on point his own judge, would ask to be so on all; the state of nature would thus continue, and the association would necessarily become inoperative and tyrannical.
- iii) Each man, in giving himself to all, gives himself to nobody; and as there is no associate over whom he does not acquire the same right as he yields to others over himself,

he gains an equivalent for everything he loses, and an increase of force for the preservation of what he has.

This is saying that in order to become free and equal with others every individual must give up all his rights to the entire community, creating the same conditions for all and thus equality. Finally each man in giving himself to all gives himself to nobody.

CREATION OF SOVEREIGNTY

When each of us puts his person and all his power in common under the supreme direction of the general will and in our corporate capacity, we receive each member as an indivisible part of the whole" (Rousseau 2007: 392).

This association formed by the individual personalities of each contracting party creates a moral and collective body, composed of as many members as the assembly contains votes from where it receives unity, its common identity, its life and its will. This public person so formed by the union of all other persons is called sovereign. Those who are associated in it take collectively the name of people, and severally are called citizens, as sharing

in the sovereign power and subjects, as being under the law of the state.

The sovereign is formed wholly of the individuals who compose it and neither has nor can have any interest contrary to theirs; and consequently the sovereign power need give no guarantee to its subjects, because it is impossible for the body to wish to hurt all its members. It cannot hurt any in particular.

Rousseau's concept of sovereignty differed from that of Hobbes and Locke. Hobbes spoke of a total surrender of powers by the individuals to a third party distinct from the people,... Rousseau also spoke of total surrender, but not to a third party. Instead sovereignty was vested in the political community. (Subrata, 2007: 226-227).

According to Rousseau, each individual, as a man, may have a particular will contrary or dissimilar to the general will which he has as a citizen, as his particular interest may speak to him quite differently from the common interest... In order then that the social compact may not be empty formula, it tacitly includes the undertaking which alone can give force to the rest, that whoever

refuses to obey the general will shall be compelled to do so by the whole. This means nothing less than that he will be forced to be free; for this is the condition which, by giving each citizen to his country, secures him against all personal dependence.

THE GAINS OF MEN'S ENTRY INTO THE CIVIL STATE

According to Rousseau, 2007:393 the passage from the state of nature to the civil state produces a very remarkable change in man in the following ways:

- i) By substituting justice for instinct in his conduct and giving his actions the morality they had formerly lacked... Although, in this state, he deprives himself of some advantages which he got from nature, he gains in return others so great, his faculties are so stimulated and developed, his ideas so extended, his feelings so ennobled, and his whole soul so uplifted... instead of an unimaginative animal, made him an intelligent being and a man.
- ii) What man loses by the social contract is his natural liberty and an unlimited right, to everything he tries to get and succeeds in

getting; what he gains is civil liberty and the proprietorship of all he possesses... natural liberty is bounded only by the strength of the individual, civil liberty which is limited by the general will; and possession, which is merely the effect of force or the right of the first occupier, from property, which can be founded only on a positive title.

iii) In the civil state man acquires moral liberty which alone makes him truly master of himself; for the mere impulse of appetite is slavery, while obedience to law which we prescribe to ourselves is liberty.

CHARACTERISTICS OF THE GENERAL WILL

They are as follows according to Rousseau, 2007: 395-398:

- I) The general will is sovereign. It is the sum of the will of all citizens, representing the best interest and well-being of the community. The sovereign is a collective being.
- ii) The general will is inalienable. The general will alone can direct the state according to the object for which it was instituted, that is the common good. No society could have existed without agreement between them and it is on

- the basis of this common interest that every society should be governed.
- iii) The general will is indivisible. Will is either is or is not general. It is the will either of the body of the people, or only of a part of it. In the first case, the will, when declared, is an act of sovereignty and constitutes the law: in the second, it is merely a particular will, or act of magistracy—at the most a decree.
- iv) The general will is always right and tends to the public advantage. There is often a great deal of difference between the will of all and the general will; the latter considers only the common interest, while the former takes private interest into account. It is essential that if the general will is able to express itself, that there should be no partial society within the state, and that each citizen should think only of his own thoughts.
- v) The state as a moral person whose life is in the union of its members and if it cares for its own preservation must have a universal and compelling force. As nature gives each man absolute powers over all his members, the social compact gives the body politic absolute power over all its members also; and it is this power which under the direction of the

- general will, bears the name sovereignty. The sovereignty is the sole judge of what is important.
- vi) Every service a citizen can render the state he ought to render as soon as the sovereign demands it; but the sovereign, for its part cannot impose upon its subjects any fetters that are useless to the community, nor can it wish to do so.
- vii) The general will, to be really such, must be general in its objects as well as its essence; it must both come from all and apply to all; and that it loses its natural rectitude when it is directed to some particular and determinate object, because in such a case we are judging if something foreign to us, and have no true principle of equity to guide us.
- viii) The social compact sets up among the citizens an equality of such a kind, that they all bind themselves to observe the same conditions and should therefore all enjoy the same rights. Thus, from the very nature of the compact, every act of sovereignty, that is, every authentic act of the general will, binds or favours all the citizens equally; so that the sovereign recognizes only the body of the

nation, and draws no distinction between those of whom it is made up.

ix) What then is the act of sovereignty? And Rousseau, 2007: 397, answered:

It is not a convention between a superior and an inferior, but a convention between the body and each of its members. It is legitimate, because based on the social contract, and equitable, because common to all; useful because it can have no other object than the general good, and stable, because guarantee by the public force and the supreme power. So long as the subjects have to submit only to conventions of this sort, they obey no one but their own will...

Therefore, although the sovereign power is absolute, sacred and inviolable, it does not and cannot exceed the limits of general convention and everyman may dispose at will of such goods and liberty as these conventions leave him.

LIFE IN THE STATE OF NATURE AND UNDER THE SOCIAL CONTRACT

According to Rousseau, the position in which they find themselves as a result of the contract is really preferable to that in which they were before. Instead of a renunciation, they have made an advantageous exchange: instead of an uncertain and precarious way of living they have got one that is better and more secure; instead of natural independence they have got liberty, instead of the power to harm others security for themselves, and instead of their strength, which others might overcome, a right which social union makes invisible. Their very life which they have devoted to the state, is by it constantly protected; and when they risk it in the state's defence, what more are they doing than giving back what they have received from it..."

ROUSSEAU'S THEORY OF GOVERNMENT

In the words of Rousseau "the public force needs an agent of its own to bind it together and set it to work under the direction of the general will, to serve as a means of communication between the state and the sovereign, and to do for the collective person more or less what the union of soul and body does for man. Here we have what is, in the, the basis of government, often wrongly confused with the

sovereign whose minister it is"

Rousseau now defines government directly as:

An intermediate body set up between the subjects and the sovereign, to secure their mutual correspondence, charged with the execution of the laws and the maintenance of liberty, both civil and political. Rousseau, 2007:407

Continuing, Rousseau said; "The members of this body are called magistrates or kings, that is to say governors, and the whole body bears the name prince". That is, government or supreme administration, the legitimate exercise of the executive power and prince or magistrate the man or body entrusted with that administration. Government is a new body within the state, distinct from the people and the sovereign, and intermediate between them. Rousseau identified three kinds of government;

- (i) Democracy
- (ii) Aristocracy and
- (iii) Monarch.

DISSOLUTION OF GOVERNMENT

According to Rousseau, 2007: 419 the dissolution of government may come in two ways;

- 1) When the prince ceases to administer the state in accordance with the laws, and usurps the sovereign power. It means the state is dissolved and another is formed within it, composed solely of the members of the government, which becomes for the rest of the people merely master and tyrant. The moment the government usurps the sovereignty, the social compact is broken, and all private citizens recover by right their natural liberty, and are forced, but not bound to obey.
- 2.) When members of the government severally usurps the power they should exercise only as a body; this is an infraction of the law and results in disorder. There would be many princes as there are magistrates, and with the state divided would perish or change its form. When the state is dissolved, the abuse of government, what it is, bears the common name anarchy.

SOVEREIGN AUTHORITY

According to Rousseau, 2007: 420, the sovereign has legislative powers and act only by means of the laws; and the laws being solely the authentic acts of

the general will; the sovereign cannot act except when the people are assembled. There must be fixed periodical assemblies which cannot be abrogated so that on that proper day the people is legitimately called together by law, without need of any formal summoning. This is apart from extraordinary assemblies that unforeseen circumstances may demand. In assemblies authorized by their duties alone, it must be summoned by the magistrate appointed for that purpose, and in accordance with the prescribed form, otherwise it should be regarded as unlawful and all its acts null and void, because the command to assemble should itself proceed from the law.

THEORY OF REPRESENTATION

Sovereignty is inalienable and cannot be represented. According to Rousseau,2007: 422 "It lies essentially in the general will and will does not admit of representation: it is either the same, or other; there is no intermediate possibility. The deputies of the people, therefore are not and cannot be its representatives: they are merely its stewards", and can carry through no definite acts. Every law the people have not ratified in person is null and void – is in fact not a law. Explaining further on the issue of representation, Rousseau

said; "Law being purely the declaration of the general will, it is clear that in the exercise of the legislative power, the people cannot be represented: but in that of the executive power, which is only the force that is applied to give the law effect, it both can and should be represented".

Rousseau extolled the Greek method of direct representation and in Rousseau words, 2007:422

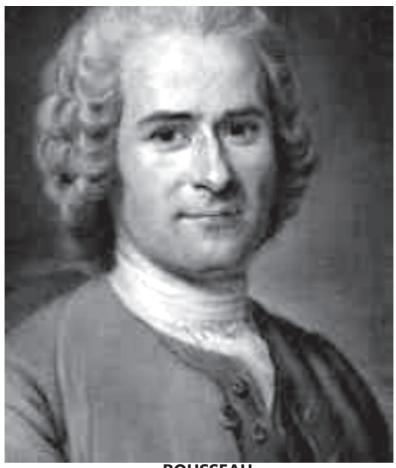
In Greece, all that the people had to do, it did for itself: it was constantly assembled in the public square... in case the moment a people allows itself to be represented, it is no long(er) free: it no longer exists

CONCLUSION

It has not been possible to interpret Rousseau within a single framework (Subrata: 2007). He has been much criticized for seeming ambiguities, contradictions and evasions within his work. He has been labeled an extreme individualist. The individual entered into the social compact in his individual capacity. Although he has given everything to the society he as a member of the society retained everything with himself: Rousseau is also an absolutist. There is no difference between

Rousseau's sovereign and Hobbes.

The people do not have the right to question the authority of the sovereign. His social contract is simply totalitarian. Rousseau's general will is the will of the people and the duty of government is to carry out the wishes of the people and implement the laws enacted by them. The egalitarian, antihierarchical, republican and democratic nature of his theory no wonder attracted the attention of the French revolutionaries in 1789 whose slogan was "liberty, equality and fraternity which were all derived from his philosophy of general will.



ROUSSEAU June 28, 1712

CHAPTER TEN

arl Marx was born on May 5, 1818, in the ancient city of Trier in the Rhineland. His father was a prosperous lawyer, holding an official post in the Prussian Service. At seventeen Marx was sent to the University of Bonn to study law. At 19, he became a member of a group known as young Hegelians who were devoted to criticizing religious orthodoxy. In 1841, Marx submitted his thesis and received his doctoral degree from the University of Jena.

While in Paris, Marx met Frederick Engels (1820-1895) with whom he began a life-long friendship and collaboration. Together they wrote the German ideology which was published in 1932. Both also produced the communist manifesto. In 1859 he produced the Critique of Political Economy and the first volume of Capital in 1867.

In 1884, Marx and Engels helped in founding the communist league which existed till 1850. In 1849 Marx was expelled from Prussia.

Marx later led a life of poverty. He died on March 14,

1883.

MARX THEORY OF STATE

For Karl Marx, the state didn't exist from eternity. It has its origin in the division of society into two classes. The state for Marx is a creature of bourgeoisie's economic interest. The idea was expounded in the communist manifesto:

The Executive of the modern state is nothing but a committee for managing the common affairs of the bourgeoisie.

Marx and Engels further said that:

Political power so called, is merely the organized power of one class for oppressing another.

Hal Draper, in his work, *Karl Marx theory of Revolution* adumbrated Marx definition of state in the following words:

The state is the institution or complex of institutions which bases itself on the availability of forcible coercion by special agencies of society in order to maintain the dominance of a

ruling class, preserve the existing property relations from basic change and keep all other classes in subjection.

The state, therefore, is fundamentally an instrument of class domination. It is an organized power of one class; the bourgeoisie for oppressing another class; the working class or the proletariat. It is a machinery for exploitation. The origin of the state for Marx has nothing to do with the social contract or the divine right theory.

THE BASIC PRINCIPLES OF KARL MARX POLITICAL PHILOSOPHY

THE DOCTRINE OF DIALECTICAL MATERIALISM

Dialectics comes from the Greek *dialego*, to discourse, to debate. In ancient times, dialectics was the art of arriving at the truth by disclosing the contradictions in the argument of an opponent and overcoming these contradictions. There were philosophers in ancient times who believed that the disclosure of contradictions in thought and the clash of opinions was the best method of arriving at the truth. (Stalin: 1938).

Dialectics holds that nature is not a state of rest and immobility, stagnation and immutability, but a state of continuous movement and change, of continuous renewal and development, where something is always arising and developing, and something always disintegrating and dying away.

The dialectical method therefore holds that the process of development from the lower to the higher takes place not as a harmonious unfolding of phenomena, but as a disclosure of the contradictions inherent in things and phenomena, as a "struggle" of opposite tendencies which operate on the basis of these contradictions (Stalin: 1938).

"In its proper meaning", Lenin says, "Dialectics is the study of the contradiction within the very essence of things" (Lenin, Philosophical Notebooks; 265). He also said that "Development is the struggle of opposites".

Karl Marx borrowed the concept of dialectical materialism from Hegel. Hegel and other idealists believe that consciousness is developed at the level of the spirit (mind) and that it is the consciousness of the individual that determines his ideas on his/her mind that is the primary of the spirit. Hegel asserts that nature was dynamic and not stagnant and that human history moves or develops in a gradual and progressive way through a conflict of thesis, that ,is an idea, usually an intellectual proposition, and anti-thesis which refers to the refutation of the idea, which produces the synthesis, which is the molding of the idea and its refutation into a new idea. Hegel used this dialectical method to explain the progress of society and the development of its institutions. Karl Marx borrowed and applied this concept of the interpretation of human history. His dialectical materialism emphasizes the contradictory nature of the society; male and female, day and night, motion and rest, positive and negative, bourgeoisie and proletariat (Anifowose: 1999). He agreed with Hegel that there was a constant movement in the dialectical process, but emphasized the real rather than the ideal, the social rather than the intellectual, matter rather than the mind (Subrata: 2007). Contrary to Hegel's idealism which regards the world as the embodiment of an "absolute idea", "universal spirit", "consciousness", Marx as a materialist holds that the world is by its very nature material, and that multifold phenomena of the

world constitute different forms of matter in motion, that the world develops in accordance with the laws of movement of matter. Marx postulated that the dialectical nature of society is the basis of its laws; "law of motion of development". He further asserted that history was nothing but evidence of class struggles. The struggle between the poor and the rich, between the bourgeoisie and the proletariat, between the have and the have nots, between the oppressor and the oppressed. For Karl Marx, therefore, the Hegel's thesis, anti-thesis and synthesis of dialectical materialism were nothing but struggles of the economic classes which will eventually lead to a classless society.

HISTORICAL MATERIALISM

Central to understanding historical materialism was Marx economic theory of history or economic determinism. Marx elevated economics as the main force that shaped a civilization. Economic determinism meant that society took its shape or was determined by the specific economic structures and relationships in place at a given time.

For Marx, you cannot understand the past by focusing on its people, politics, wars, legal,

tradition, philosophy, religion etc, rather you look at how history was shaped by the material condition of the people; how they changed over time, and the struggles between those in power and the subjects of their oppression. The conditions of material life of society determines the physiognomy of society, its ideas, views, political institutions, etc. According to Marx, the history of all hitherto existing society is the history of class struggles. Class struggle is the tension or antagonism which exists in society due to competing socio-economic interests and desires between people of different classes. Historical materialism explains how human society moved through the various epochs of history and the nature of the society at each epoch can be ascertained only on the basis of the mode of production of the whole society. Marx theory divided history into six stages, viz, the primitive/communal system, the slave system, the feudal system, the capitalist system, the socialist system and the communist system which according to him is the last stage of history. The different systems are further explained thus:

i) Primitive/Communal System In this early human history, there was no state. The

era was marked by shared ownership and collective labour. It was more of a social state and not a political state. The society was not divided into two antagonistic classes. There was no property and therefore no exploitation.

ii) The Slave System

This era was marked by the emergence of private property and class. The advent of agriculture, animal husbandry and crafts brought about private property. Division of labour emerged. Exploitation became manifest and the society became divided into masters and slaves. The slaves became the property of their masters. This era marked the origin of state and generated the beginning of class struggle.

iii) The Feudal System

The basis of relations of production under the feudal system is that the Feudal Lord owns the means of production but does not fully own the worker in production – the serf. The means of production consisted primarily in the form of land which was owned by feudal lords and labour was supplied by the serfs or peasants. Along side the feudal ownership there exists individual ownership by the

peasant and the handicraftsman of his implements of production and his private enterprise based on his personal labor. There was further improvement in the smelting and working of iron; the spread of the iron plow and the loom; the further development of agriculture and horticulture; the appearance of manufactories alongside of the handicraft workshops – such are the characteristic feature of the state of the productive forces. Here private ownership is further developed. Exploitation was also severe and there was a class struggle between exploiters and the exploited.

iv) The Capitalist System

The basis of the relations of production under the capitalist system is that the capitalist owns the means of production, but not the workers in production. In place of the handicraft workshops and manufactories there appear huge mills and factories equipped with machinery. In place of manorial states tilled by primitive implements of production of the peasant, there now appears large capitalist forms run on scientific lines and supplied with agricultural machinery. The means of production are in the hands of a few capitalists and the majorities are merely wage earners. Capitalist

system therefore, created two antagonistic classes, the bourgeoisie and the proletariat. The state serves the interest of the bourgeoisie and maintains a socio-economic structure that favours their capital accumulation. It does this through laws, regulations and enforcement mechanisms that protect property rights.

v) The Socialist System

The socialist system comes into existence after the overthrow of the capitalist system through a proletarian revolution. "The proletariat" says Marx," during its contest with the bourgeoisie is compelled by the force of circumstances, to organize itself as a class... by means of a revolution, it makes itself the ruling class, and, as such, sweeps away by force the old conditions of production..." (Marx and Engels 1938:52) And further: "The proletariat will use its political supremacy to wrest, by degrees, all capital from the bourgeoisie, to centralize all instruments of production in the hands of the state, i.e. of the proletariats organized as a ruling class; and to increase the total productive forces as rapidly as possible (Marx and Engels: 1958:.50).

THE NATURE OF MODE OF PRODUCTION

So it can be observed that each of the stages or

economic system has its own mode of production and each mode of production has its own peculiar social classes, class relations and contradictions of the two classes in any economic stage; and that brings about change and development, inevitably.

Mode of Production: The mode of production is the combination of productive forces and the instruments of labour. Productive forces embrace labour power. This comprises the physical, psychological and intellectual capabilities of man, the worker (Ake: 1983). Development of the productive forces entails the quantitative and qualitative improvements in labour power, for instance when people acquire more scientific education and technical skills. On the other hand the instruments of labour are the accompanying tools which labour power will be combined effectively with to act on the objects of labour. For example, computers, technology, machines, robots etc. The objects of labour are the material and natural resources upon which labour power is exerted for the production of material goods and product (Anifowose: 1999). The relation which people enter into with each other in the course of production are called the social relations of production or relations of production (Ake: 1983). The relationship between the peasant and the feudal lord under feudalism is an example of social relations of production. Their social relation of production devolved around land; obligations and rights were defined in terms of the land and the feudal lord was dominant in the social relations of production, (over the peasant) because he owned the land. The organic unity of the productive forces and the social relations of production constitute the economic system, alternatively referred to as the mode of production.

The Doctrine of Economic Determinism: The Role of the Mode of Production. For Karl Marx, the prevailing mode of production and exchange determines the political, economic and social life of the people in that society. In other words, the religious, cultural, social and moral life of the people is determined by the economic life. According to (Ake: 1983) "Once the mode of production or the economic system is understood we have a fairly good idea of what the general character of the other aspects of the social system will be like"

INEVITABILITY OF A REVOLUTION

For Marx and Engels, the emancipation of the working class is never possible without the seizure of

state power which can only be done through protracted class struggles leading to revolution. In other words, revolution is the only solution to all the problems that are found in the bourgeoisie state. The task of the revolution or revolutionaries is to capture the state power from the hands of the bourgeoisie and to establish the complete authority of the working class which Marx and Engels designated "Dictatorship of the Proletariat".

Dictatorship of the proletariat denotes a state in which the proletariat or the working class has control of political power. It is a transitional phase on the track from capitalist to socialism and communism. It will raise the proletariat to a ruling class and by its actions lead to the withering away of the State.

DISSOLUTION OF THE STATE

According to Karl Marx, the existence of the state is temporary. He envisaged a stateless society, where the proletariat's rule would gradually render the state unnecessary, leading to its "withering away". This would, according to him, usher in a communist society characterized by:

i) A classless society, where there is no

distinction between owners and workers.

- ii) A stateless society, where there is no need for a state to mediate or oppress.
- iii) Collective ownership; property and resources would be owned collectively by all members of the society.

Engels adumbrated Marx's view of the "Withering away of the state with this statement. He said:

As soon as there is no longer any social class to be held in subjection... as soon as class rule.. are removed, nothing more remains to be repressed, and a special repressive force, a state, is no longer necessary.. state interference in social relations becomes in one domain after another superfluous and then dies out of itself.. The state is not abolished; it dies out – (or wither away)

CRITICISM AGAINST KARL MARX

The following criticism have been raised against Karl Marx's theory:

- i) Marx's theory overemphasizes economic factors in determining societal structures at the expense of other influences such as culture, religion or individual agency (Marxist theory of... textbook.com)
- ii) The feasibility of a stateless society is strongly questioned. The concept is often seen as utopian. The practicability of a society without a mechanism for managing its affairs, managing its resources, mediating in its conflict and upholding order is not feasible.
- iii) Marx's theory assumes that class conflicts are impossible to reconcile, especially the conflict between the working class and capitalists. There are today various methods of reconciling the disputes more particularly industrial ones. There are labour tribunals, trade unions etc which engage in the settlement of disputes between laborers and management.
- iv) As observed in Marxist theory of... political science notes.com) Marx and Engels made two predictions; one is that the bourgeoisie state would one day, be seized by the working class. The second is that communism would take the place of capitalism. But it is only in

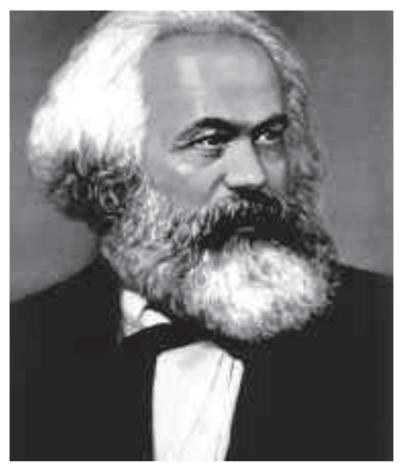
Russia that the working class captured power. But there is still doubt on what extent Russia was a matured capitalist state. There were (and still are) more matured capitalist states such as United States, Britain, France, Germany and no where has the working class been able to seize political power. The first prediction remains unfulfilled.

- As to the second prediction it can be naively observed that there is no doubt about to what extent Russia had succeeded in establishing socialism not to speak of communism. The "first socialist state" in the world collapsed in 1991.
- v) Communist party of China claims that China is a socialist state. But her acceptance of market economy casts doubt on that claim.
- vi) Marx and Engels predicted that the state would wither away. The gigantic state structure of the erstwhile Soviet Union has falsified this tall claim of Marx and Engels. The Soviet state was as powerful as were Britain, United States. China is another socialist state and today it is a big power. Her military strength is recognized by all big powers and

she is a nuclear power. It is not withering away.

CONCLUSION

- i) In spite of the criticisms, the Marxist theory of state despite its age, continues to stimulate intellectual debates worldwide. It has provided profound insights into understanding class struggles, societal structures and the state's role in a capitalist society.
- (ii) The theory offers an indepth analysis of the societal class structure and the in herent struggle within. It unearths the realty of the state as an instrument of the bourgeoisie.
- (iii) The theory provides a potent critique of capitalism and its inherent contradictions, exposing the economic disparities and exploitation embedded within capitalist societies (Marxist Theory of... textbook.com).
- iv) As Mukhl:(2010) observed, Marx's theory is appealing for the common man. His theory is today the only hope for the struggling masses and still a symbol of struggle and prophet of deliverance for the proletariats working under capitalist system.



KARL MARX May 5, 1818

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