

A PHILOSOPHICAL EVALUATION OF THE THEORY OF THE STATE IN HOBBS AND KANT

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ABSTRACT

The problem of human nature necessitated the establishment of the State. It has been argued from the Hobbesian and Kantian philosophical point of view that ethics precedes politics; so also the State is built on the solid bedrock of moral templates or normative principles. The freedom of the State is absolute, logical and necessary. The State has the power of life and death. The State is simply a creation of man. The State is organized by existence of law, order, justice, morality, democracy, good governance, and the idea of the common good. But taking a critical look at these fundamental bases for the State, one would simply say that the State has an important role to man. The objective of this paper is that the State is equivalent to the individual and its major role is to ensure the administering of justice to the people. Justice is simply the correct and legitimate ordering of the political State. The main objective for the establishment of the State is to guarantee the common good of all. This paper shall look at these major fundamentals or bases that governed the creation of the State. Hobbes and Kant shall serve as the philosophical straw men in order to find a meaning to the creation and the moral bases of the State. The State is a political entity aimed at ensuring security of life and property. This paper adopts the method of analysis in navigating through the major objective for the formulation of the State. This paper, therefore, concludes that the State is a political entity formed by human creation. The State serves as an avenue for man to meet up with his full potentials. The State is known for the comprehensive conception of the good life.

Keywords: Common Good, Governance, State, Law, Happiness.

1.1 Introduction

The problem of human nature was fundamentally inspired by the establishment of the State. The major objectives for the establishment of the State are security and protection of life and property. The State is a political institution and it is characterized by a monopoly of legitimate force and for the maintenance of law and order of a particular territorial boundary. The objective of this paper is that the State is equivalent to the individual and its major role is to ensure the administering of law, order and justice to the people. Justice remains the correct ordering of the State as a political organism. The State is not only characterized by a legitimate

force for the maintenance of a particular territorial boundary but to guarantee commodious living, social solidarity, law and order, social justice, security of life and property, stability, accommodation, normative peace, and the normative possibility of the common good. The State is the sole creation of man. The State serves as a search light for human flourishing. But how really flourishing is man in the State? From the Marxian perspective, the State has served as the avenue to hamstringing man in all its ramifications. The creation of the State by human beings is not really a bad idea but its main objective for its creation has long been defeated. This paper shall streamline the meaning of the State from the Kantian and Hobbes's philosophical point of view, the moral bases of the State such as democracy and good governance, the idea of law and justice in the State, the idea of freedom in the State, and the idea of the common good in the State. The need for moral value in the State is a paramount issue. This paper shall critically look at the areas where the State can help in aiding man's full potentialities in his politico-existential relations. The failure of States is a global phenomenon. This paper is subdivided into eight subsections. Section one is anchored on the introductory remarks. Section two talked about the conceptual clarification of the State. Section three discusses Hobbes's nature of the State and the logic of legal morality. Section four focuses on Kant's conception of the State. Section five discusses about the principles and the bases of the modern State. Section six is hinged on the failure of the modern States. Section seven is aimed at the evaluation of Hobbes and Kant's theory of the State. Section eight is anchored on the concluding considerations. This paper concludes that the State is a political entity and it is governed by the logic of legal morality. The State is a political organism formed by human association. The State has a great role to play in order to guarantee human dignity, human flourishing or the general happiness of all mankind.

1.2 A Conceptual Clarification of the State

States are organized entity where all political activity has to do with making, applying, interpreting or enforcing the law (Raphael, 1976:28). It seems best to regard the State as an association rather than a community. The State is certainly organized, indeed the most highly organized of all forms of human association (Raphael, 1976:39). For Raphael:

One might argue that the whole of the life of the community should be organized by the State, that the State should identify itself with the community whose membership it shares, as was true of the Greek city-State, where religion, morals, and art, as well as order and defence, were all part of the business of the polis. The state in the modern world is often a Nation-State, i.e a nation organized as an association. The nation is a community, a group with all the conditions for a common life and giving rise to natural sentiments of loyalty and identification, but not limited to a specific set of purposes (Raphael, 1976:39-40).

For Plato, the State is equivalent to the individual writ large; that the best way of proceeding is to study justice in the state and then transfer our findings to the individual (Warburton, 2006:8). The State is organized by prudential and moral obligation (Raphael, 1976:78). The State is governed by democratic ideals. Liberty and equality are what distinguished the democratic ideal from other political ideals. Liberty and equality are the distinctive features or aims of democracy (Raphael, 1976:142-143). The distinctive features of democratic

government, at least as we understand it in the Western world is intended to secure a maximum of liberty of citizens. The democrats hold that all men have an equal right to liberty and self-direction (Raphael, 1976:142). It is worthy of note that democracy is a matter of liberty as well as equality, and liberty includes the freedom to express one's opinions and one's criticisms of those who have the whip-hand (Raphael, 1976:164). The State is governed by normative principles such as politics, morality and law.

1.3 Hobbes's Nature of the State and the Logic of Legal Morality

Hobbes was a political absolutist. His political absolutism presupposes the fact that the State has absolute power. He posits that every individual must subject his natural rights to the sovereign power of the State. Hobbes's political absolutism presupposes that the State is characterized by a legitimate force. Force remains the legal instrument of the State. He argues that the individual is obsessed with appetites and aversion. Hobbes argues that the life of man in the state of nature is solitary, brutish, poor, nasty and short. He argues that ethics must precede politics. Hobbes believes that man's life is governed by major factors such as competition, self-preservation, fear, vain-gloriousness and diffidence. Hobbes's introduction to political philosophy and contemporary political thinking presupposes the fact that ethics precedes politics. Hobbes argued that it was necessary for all the rights of the individual human persons to be yielded to the sovereignty of the State and the State remains absolute in all its ramifications. According to Tom (1996: 28), the reasons that made sovereignty necessary also made it absolute. Hobbes believed that ethics precedes politics; his conception of ethics forms the normative foundation for his moral philosophy. According to Tom (1996: 175) the first issue to consider is just what Hobbes understood by "moral philosophy" and in particular how he differentiated it from politics. On number of occasions, he tried formally to define the place of "ethiques" (ethics) or "moral philosophy" inside his grand system of human knowledge. Ethics tracing back in the period of antiquity to Plato and his pupil Xenocrates that ethics, according to this scheme, comprehended politics, the most vivid expressions of this being the fact that Aristotle's ethics or if you like moral philosophy and his politics were two works in a single whole. According to Plato, Xenocrates and Aristotle ethics and politics are like two sides of the same coin. Hobbes's moral philosophy paved the way for his theory of political obligation and that of universal consent. According to Ryan (1996:217) thinking of humanity as morally, politically, and intellectually on a level re-inforced the view that the state rested on universal consent rather than on a tendency toward a natural hierarchy. Moreover, ethics and politics went together as a single science (Tom, 1996: 176). The State ought to be governed by ethical principles. Hobbes however, iterated that:

The contents of moral philosophy according to both the old tradition and our own view of the matter are, after all, precisely such things as "justice and all the other virtues" which Hobbes assigned to the domain of civil philosophy, whereas ethics for him was conversant instead with the passions and manners of men. To see what he understood by this, we should first look carefully at the structure and argument of *De homine*, since only there did he specifically and exclusively address the issue of ethics as distinct from politics (1996: 180).

1.4 Kant's Conception of the State

Kant's conception of the State is anti-revolutionary. He kicks against violent resistance against the State during the French revolution of 1789. He has a staunch support for civil disobedience. As observed by Wolfgang Kersting (1992), the idea of civil disobedience and violent revolution has been misconstrued. Kant's conception of the State is glaringly anchored on integrating morals with politics revoking the Machiavellian tradition in separating morals from politics. Kant's political philosophy abhors violence in the State. Kant's doctrine of political philosophy encapsulates the realms of philosophy of right and the philosophy of history. The utopian vanishing point on the horizon of this practical philosophy of history is the highest political good, perpetual peace. It is worthy of note that:

When one looks for political philosophy in the structure of Kant's practical philosophy, one finds it in the realms of philosophy of right and the philosophy of history. Kant revoked Machiavelli's separation between morals and politics, and by integrating political philosophy under the authority of pure practical reason re-created the old unity of morals and politics in a revolutionary new conceptual framework and on the basis of a revolutionary new theory of justification (Kersting, 1992:343).

Accordingly, Kersting (1992:347) asserts that the justification of Kant's philosophy of right depends on his moral philosophy. Thus, the claim to validity of his political philosophy is also connected to the emphatic concept of reason in his moral philosophy and to the reality of transcendental freedom. The fate of the justification of Kant's philosophy of right and his political philosophy therefore lies precisely where Kant's moral philosophy is most vulnerable. However, the State in its normative structure ought to enjoy relative peace, political and economic stabilization, communicative solidarity and accommodation of all the individual human persons. Political leaders ought to abide by the rules governing stability, solidarity and accommodation. The idea of the fundamental principles of stability, solidarity and bargaining or dialogue and accommodation is what we may refer to as "consociational democracy" (Jay, 1992:177). The idea of the State is mainly governed by the fundamental principles of "consociational democracy" such as stability, solidarity and accommodation. According to Jay:

Theorists of 'consociational democracy' abstracted three factors from states which had achieved stability. First, stability was promoted by the very separation of peoples into distinct social and political blocs, since 'high fences make good neighbours'. Second, the solidarity of these groups promoted a concentration of authority in the hands of their representative leaders, giving them power to control dissidents and freedom of political manoeuvre. Third, the elites recognized that open political confrontation would have disastrous consequences, and hence by a process of bargaining and accommodation produced agreed policies that reconciled the contending claims and interests (Jay, 1992:177).

Moreover, the State must ensure every measure of political accountability and the scale of human interdependence in the modern world; all these, and more, erode the conditions under

which 'the people can effectively rule over their own lives (Jay; 1992:181). The idea of the State is synonymous with Hobbes's idea of man's self-interest gravitating into that of the public interest. Bernard Gert, for instance, posits that by considering the way in which passion and reason can interact to produce the behaviour called for by Hobbes's moral philosophy; although, self-interest is crucial to the rational control of the individual passion. Gert denies that for Hobbes, it provides the sole motivation for doing anything (Gert, 1996: p.6).

Furthermore, the idea of the State is completely anchored on the need for a moral philosophy, and moral philosophy specifies the different sources principally linguistic-of illusions about the good and conflict between human beings. Moral philosophy then hits upon a good that is likely to be universally acknowledged as such self-preservation and tries to present certain behaviour-the ones traditionally regarded as virtuous- as means to self-preservation or normative peace. Richard Tuck is struck throughout by the way that Hobbes can have it both ways in his moral philosophy-being subjectivist about valuations but objectivist about the moral law. Moral laws can be objective in the sense of commanding universal assent and leading to a normative condition [peace] that everyone will find subjectively preferable to its absence [war] without there being an independent existing rightness that they conform (Tuck,1996:7).Hobbes's idea of the State has to do not just with the idea of moral philosophy but about his skepticism about the objective values. Bernard Gert believed that Hobbes theory of human nature is never all about human beings, but plenty of room is left for variety of motivation not only between human beings but within human beings over time (Gert, 1996:op.cit). In the Kantian philosophy the state is not demanded by prudence and utility, but is called for by reason and thus equipped with the property of juridical necessity (Kersting, 1992:352).

1.5 The Principles and the Bases of the State Democracy and Good Governance

Democracy and governance are correlated. Both have many things in common. Where there are democratic principles, good governance is bound to exist. Governance guarantees a robust liberal democratic tradition, human rights, democratic accountability and participatory government. The State is characterized by democratic and accountable government and the ability to achieve sustained economic and social development. The State is governed by the emergence of stable and democratic principles. The elements of good governance are inter-dependent. Good governance is aimed at improving human lives and to ensure functional, transparent, accountable, and effective legal institutions and ensuring the effective implementation of the rule of law and political leadership structure. Democracy is commonly associated with a number of political principles and practices. Among them are popular sovereignty; voting; electoral representations; political equality; and majoritarianism(Jay, 1992:155).

Electoral representation: Democracies are frequently defined as systems in which leaders are elected to represent the people in political decision making. Rousseau's own vision-of direct democracy, in which citizens themselves are the lawmakers and public officials- has been regarded by many as applicable only to small, simple communities, and hence irrelevant to modern states (Jay,1992:158).

Popular equality:

According to Jay (1992:159) for some writers it is satisfied that the mere possession of formal voting rights-whether directly on legislation, or simply for representative: others insist that the mere possession of formal voting rights is worthless where economic and social inequalities tend to provide differential access to political power.

Majoritarianism:

Majorities might vote and act to strip away the legitimate rights of individuals or minorities, and, by behaving oppressively, contradicts the fundamental rationale for democracy itself. This possibility invites us to consider a central point made by both Mill and Rousseau- that a moral (and perhaps also pragmatic) case for majoritarianism exists only where either an oppressive minority denies effective rights to the majority, or where there is a fundamental consensus and high level of tolerance shared by all citizen body which will avert 'tyrannical' behaviour by the majority (Jay, 1992:160). Accordingly, Russell posits that:

Democracy, as it exists in large modern states, does not give adequate scope for political initiative except to a tiny minority. We are accustomed to pointing out that what the Greeks called 'democracy' fell short through the exclusion of women and slaves, but we do not always realize that in some important respects it was more democratic than anything that is possible when the governmental areas is extensive(Russell, 1977:59).

In addition, democracy is simply the rule by the people. Democracy means rule by the people. It is a form of decision making or government whose meaning can be made more precise by contrast with rival forms, such as dictatorship, oligarchy or monarchy (Harrison, 1998:867). Democracy as the rule by the people is aimed at promoting liberty and equality among the people in the state. Philosophical problems- connected with democracy relate both to its nature and its value. It might seem obvious that democracy has value because it promotes liberty and equality.....everyone has equal political power and is free from control by a special individual or group (Harrison, 998:op.cit). However, at least, on the voting conception of democracy, it is the majority who has the control. According to W.B Gallie cited by Ross Harrison (1998:867-868), the concept of democracy is an essentially contested concept. The nature and value fallen below its standard. What is today standardly called democracy is very different from what was standardly so called in the ancient world. We could analyze democracy as a system in which unanimous decisions are reached after a prolonged discussion which respects the equal autonomy and participation of everyone involved. Democracy is of value because it produces liberty and equality. Everyone has the same (political) power. So, democracy is egalitarian as compared with other forms of government or decision making (Harrison, 1998:868). Hence, democracy promotes liberty. There are several connected terms here; liberty, freedom, autonomy (Harrison, 1998:op.cit).Democracy means that the people rule themselves. Politics is all about the common good; it is not just of truth, but that of action. According to Mackenzie (2009:5), politics aims at the common good of all. In consonance with Benjamin Barber (1984), Harrison (1998:869) takes the area of politics to be one of action, not truth; and for her, democracy takes over in the area where metaphysics fails, creating its own epistemology. She says that for it is quite possible that the truth about

what in general the State should do is the kind of truth about which people have a roughly equal capacity.

Furthermore, democratic actions are right in as much that it promotes the general happiness of all in any normative society. Democratic principles are related with utilitarian principles. Actions are in so far as they promote the general happiness. One major defects with modern democracy is that, the interest promoted is that of the ruling group, not that of the people as a whole. However, if the people as a whole are put in charge, they will promote the interests of the people as a whole. Seeking their own interests, they will produce general happiness. Democracy treats all votes equally; and it is justified as a form of education or development. It is taken to be, however, voting rights and adopting the majority view is an efficient method to use in any democratic process or democratic decision making. For the majority, decision has a higher probability of being right than the minority view. Discussion rather than voting becomes the central feature of democracy and it is important that people can meet and talk together before decisions are made (Harrison, 1998:869-870).

Moreover, democracy is all about the truth and democracy will not be inferior in discovering of the truth, and will have other advantages. It is worthy of note that other justifications for democracy are possible. One standard device for justification, for many areas, is utilitarianism. Something is justified if it promotes general happiness or public utility (Harrison, 1998:870). It is germane to assert that the happiness of society at large outweighs the happiness of a few privileged individuals (Hayry, 1994:1). Democracy is seen as a form of an applied ethics and it is devised as a fully comprehensive model of normative decision making; the greatest happiness principles states that all human efforts ought to be aimed at maximizing suffering in the world (Hayry, 1994:2-3). Goodin (1995:28) observes that in the utilitarian dimension, there is a legitimate role for State action at all. The State has the duty to organize and the power to enforce, as necessary-various sorts of coordination schemes and its citizens in discharging their individual (albeit imperfect) moral duties (Goodin, 1995:44).

Broadly speaking, democracy encourages economic dynamism. However, if people were only to support democracy because they thought that it encourages economic dynamism, then the democracy would not work, and so the economic dynamism would not follow either. Democracy should be held as a device in which people develop and discover their views about what is right. And, in thinking about what is right, they should think about what is right for the group as a whole, and not just for themselves. People should therefore, participate in a form of decision making in which they share their ideas, discuss together andeventually reach general agreement (Harrison, 1998: 871). However, democracy is a political system in which individuals are made to think for themselves. Democracy can bring about the promotion of vibrant economic system. Democracy is the supposed promotion of dynamic economic activity. Democracy does correlate with beneficial economic circumstances (Harrison, 1998:870-871).

Law

The State (or commonwealth) can make laws. Laws are rules commanded and promulgated to subjects by an authority superior to them (Goldsmith, 1996: 277). Hobbes is not only a command theorist but also a legal positivist (Goldsmith, 1996: 275) Law is the basis of social

order in the modern state. A proper understanding of law is instructive to the groundings of a normative society. Law is the body rules. The moral welfare of any State is anchored on the effectiveness of law. A firm understanding of law is hinged on the preservation of social institutions and social engineering. Law is characterized by a social control mechanism. Law is the vehicle which the state is itself the source of the law. Nevertheless, the State reflects the social control of the dynamic nature of the State. Laws are made to regulate the conduct of behaviour in the society (Richmond; 2013:269-271). Law provides the general standards of moral behaviour for the individual and groups of individuals; it is also the basis for the existence of government. Law spells out the general standard of behaviour for the metaphysical foundation of the state. The idea of law has been one of the driving concept or hottest debates in philosophy. Law has been a significant concept in philosophical analysis. Law presupposes the need for the principle of cosmic order. According to Brown (1998:463-464) law has been a significant topic for philosophical discussion since its beginnings. Attempts to discover the principles of cosmic order, and to discover or secure the principles of order in human communities, have been the well springs of inquiry into law.

Nonetheless, the idea of law presupposes the dialectics of reason and will of the State. The State has the law as its instrument and this principle of law presupposes the dialectics of reason. According to Brown (1998:462-463) a dialectics of reason and will is to be found in philosophical speculation about the underpinning principles of law. There is the idea that the cosmos itself and human society too, contain immanent principles of rational or reasonable order. And this order must be capable of discovery or apprehension by rational (or reasonable) beings. There is the view that order especially in society and in human conduct, is not found but made, and not disclosed to reason but asserted by acts of will. For law is about human practice, about societal order enforced and upheld. If there can be a law of reason, it must be that reason is a practical as well as speculative faculty.

In addition, there is a fundamental linkage between legal matters and political matters. Law is subjected to the fundamental nature of politics. Law and politics aim at the idea of the good and the normative foundation of good order. Law becomes the basis for social order in the state. Where there is no law, there is no transgression; and there is chaos or social disorderliness. Law is very fundamental about the shaping and the limitation of power structure in the state. What determines good order is the existence of law and politics. Accordingly, it is worthy of note that:

A further fundamental set of questions concerns the linkage of the legal with the political. If law concerns good order, and if politics aims at good order, in a polity, law must be a crucial part of politics; but in this case a subordinate part, for politics determines law, but law not politics....we may see law as that which can in principles set limits on and control abuses of power. Politics is about power, law is about the shaping and the limiting of power structures (Brown, 1998:464).

Moreover, law in its fundamental principles is discoverable by rational and discursive means. The issue then is how to make law a master of politics rather than its servant. Law is guaranteed in the State and the will of the State as a rational association is also a logical necessity in Hegelian vein (Brown, 1998:466). It is germane to note that to secure the rule of

law it is necessary to have prospective rules published to all (Brown, 1998:467). It is worthy of note that taking an overall view, the project of establishing the rule of law as an independent base for the critique and control of state action is put in serious doubt, since interpretation is through and through political; and appeals to the rule of law can themselves be moves in a political game, expressions of ideology, rather than of higher values. It is believed that the theatre of law is simply a theatre presenting endlessly the power play of rival wills and vision of the good (Brown, 1998:468).

Freedom

Freedom is power and it is generally and rhythmically defined as the absence of constraint or impediment; it presupposes self-determination. Freedom is not the only basis for the principles underlying the normative foundation of the state. Freedom simply means the autonomous rights of every individual in the state. Freedom defines the political structure of every state. The State is justified by the freedom of actions of every individual. Freedom of action experienced by individuals in a state of nature without legal control and moral precedence would lead to chaos or anarchy. The idea of individual autonomy and self-determination or actualization dominates contemporary political philosophy. The concept of individual autonomy is fundamental and foundational largely by the procedural and distributive principles of the state. The State is the presuppositions of individual self-determination and self-actualization.

Nevertheless, freedom is the guiding principle of the state formation. Freedom is seen as the basis for mutual recognition. The potentiality of freedom is an inexplicable canon inherent in the moral adherence as the cornerstone for the greatest part of the democratic State and democratic interaction is the key to the normative foundation of the state. Freedom is the reciprocal recognition of the structure of social interaction. The individual can only achieve the fullest fulfillments of their goals. The idea of individual freedom is hinged on social engagements. The individual person is only free to the extent that he can only succeed in articulating his authentic needs, goals and aspirations. The achievement of freedom is bound to the presupposition of political participation. Freedom is the metaphysical legitimacy of every individual person. The freedom of the individual human person is guaranteed by the State protection and the civil society.

The Idea of the Common Good

It is worthy of note that the common good offers us a clear platform to show concretely our commitment to the joy of being as the ultimate transcendent foundation of meaning in our actions. The common good is the ultimate authenticating anthropological basic constant of human life. The common good refers to the authenticating normative and the metaphysical foundation of all interpersonal relation in society (Asouzu, 2004:380). The common good refers to the authenticating foundation of interpersonal relationship in society, expressible in all those socio-empirical goods and services we own in common whose upkeep is necessary for well-coordinated and contented existence (Asouzu, 2004:380-381). It is however, germane to note that:

In any complementary relationship, a profound and well developed sense of common good is essential towards upholding even one's autonomy and preventing a relapse into the destructive canons of self-interest. It is therefore

very essential to have a very balanced idea of the common good should an individual be in a position to manage the tensions arising from the ambivalence of his situation well. The common good refers to a common source of collective legitimization beyond the dictates of the ego. The common good thus negates the idea of absolute possessiveness and exclusiveness (Asouzu, 2004:381).

Furthermore, the common good presupposes the context of relational dimension and comprehensiveness. This relational dimension is basic towards understanding the relevance of the common good in politico-existential situations of life (Asouzu, 2004:382). The idea of the common good in any political State is anchored on the principle of objectivity, reciprocity and politico-existential relationality. The concept of reciprocity offers the normative framework for explicating the idea of the common good in this relational, comprehensive, and future oriented manner. It is worthy of note that, through reciprocity, therefore, the components of which a system is constituted, show that they share a common framework of action and meaning since all the units are necessarily bound to each other complementarily. However, human existence, in whatever form we conceive it, makes meaning only when viewed as a system typical act (Asouzu, 2004:383-384). It has been argued that:

The common good as an a priori basic anthropological constant is a guarantor of authenticity to human actions. In this capacity, the common good reveals to us that we cannot seek to act authentically without taking into account the interest of others. It is the fact of the precedence of the ultimate common good, expressed in the fundamental will to reciprocity that even all forms of egoism have their foundation and are conceivable the primacy of the ultimate common good remains (Asouzu, 2004:385-386).

Asouzu argues that in a conflict laden existential situations presupposes on the fact that the common good as the transcendent anthropological foundation of human action finds its expression in those authentic goods and services we share in common (Asouzu, 2004:386-387). It has been asserted that:

Thus, the survival of any human organization depends largely on the level of awareness concerning the legitimizing function of the absolute common good as it finds expression in those authentic goods and services that we recognize as common good. We evoke the idea of the common good as it relates to these objects to legitimize certain claims we make or certain expectations we place on individual and group of individuals (Asouzu, 2004:385-386).

To overcome the fundamental conflicts of interest in society, society ought to guarantee the idea of the common good which Rousseau refers to as the "General Will". Accordingly, the "general will" can emerge from the people, which will generate agreement on the laws and policies conducive to the common good, ensuring thereby that everyone is subject only to decisions they have themselves made (Jay, 1992:166).

1.6 The Failure of the Modern State

Today, the world is facing major crises due to the failure of the modern State. Violence, for instance, is on the increase. Violence does nothing good to any modern state. Violence begets violence. Human society cannot grow in an atmosphere of violence and chaos. Violence discourages economic development in all its ramifications. Violence and insecurity are correlated here. Where there is violence, there are usually states of insecurity. Violence and insecurity elicits fears in the minds of the people in the modern state. But, violence or insecurity could be drastically reduced in the state where there is effective internal security mechanism. Thus, violence and insecurity in the modern State is closely related to man's inhumanity to man through perceived injustice by some aggrieved groups in the modern state. The lack of moral accountability and the idea of the common good could account for these challenges faced by the modern state. The welfare of the people in the modern State is usually short-changed by some corrupt few who are the disgruntled elements in the modern states. The State is a political institutions governed by moral principles and the logic of legal morality. The State is simply governed by law and morality. Law has also failed us in its own right. Today, modern State is experiencing some high level of lawlessness and moral decadence due to loss of moral values in the modern state. The modern State is now facing untold level of lawlessness, terror and terrorism due to the failure of modern state political leaders.

1.7 Evaluation

We have argued in this theoretical discourse that the State is hinged on legal morality. The existence of morality and law remains the most fundamental basis for the state. It is worthy of note that morality is a distinct sphere within the domain of normative thinking about action and feeling; the whole domain, however, is the subject of ethics. The state is governed by moral codes (Skorupski, 1998:564). It is plausible that moral codes have a social function, such as that of maintaining beneficial cooperation; but it does not seem an a priori truth. In contrast, it may be true a priori that moral obligations are supreme-accepting an obligation as moral, is accepting that it should be carried out whatever else may be said against doing so. Morality is but a part of the whole domain of normative thinking about action and feeling (Skorupski, 1998: 565). It is however, germane to note that all sustainable societies have spontaneous discipline-any system maintaining solidarity and prohibition- in the sense that they flow from spontaneously shared favourable and hostile attitudes to actions and are not codified systems of law enforced by instituted penalties (Skorupski, 1998:567). The State is saddled with the responsibility of protecting the freedom and the rights of the individual. The State is an arbiter to all individual human persons. Kant's conception of the state is simply the realization of rights and freedom of the individual human person. Kant understands that the realization of rights, freedom, and reason can take place only in the historical world and under the conditions of the historical world (Kersting, 1992:359), and that after freedom, and equality, self-sufficiency, is Kant's third a priori political principle (Kersting, 1992:357). The State is necessary and absolute. The state is an institution that claims a monopoly of legitimate force for a particular territory (Hoffman and Graham, 2009:501). The freedom of the State is absolute and unlimited. The freedom of the individual is limited but his desires are unlimited. The state has power of life and death but human beings remains the lord of the world. Wolfgang Kersting in his essay "Politics, Freedom, and Order: Kant's Political Philosophy", observes that the human being is the lord of the world, the world as the totality of usable non-human things

is at his disposition. Further the free will in its use of things can be limited only by the formal law of the right of reason (Kersting, 1992: 349). Kant posits that there is a correlation between the State and property right. Kant argues that the conception of the state becomes more apparent when there is the realization of human rights and the protection of the individual freedom. The dignity of human beings ought to be supervised by the state. It has been argued that:

The Kantian State is, to be sure, limited to the function of the realization of right and the protection of freedom but when one considers the dangers that threatens right, freedom and the dignity of humans from a market place-unsupervised by a social State and from radical libertarianism's politics of minimal state-restriction, then one sees that the philosophy of rights must require a compensatory extension of the principle of the State of right through measure toward a social and welfare state in the interest of the human rights of freedom itself. After freedom and equality, self-sufficiency is Kant's apriori political principle. The human being is free and equal qua human being (Kersting, 1992:357).

Furthermore, one of the sole objectives of the State is to ensure the security of its democratic citizens from both internal and external aggression. It is worthy of note that States are saddled with the responsibility of strengthening their security apparatuses for the realization of this objective. Be that as it may, in present day society there is an attempt to shift the issue of security from the conventional militaristic conception to accommodate other critical areas like economic development, equality, political accountability and good governance (Udo, 2021:168). The State should be equipped with political leaders who have the managerial skills or managerial competence to actually handle the affairs of the people.

1.8 Concluding Consideration

Having taken a cursory look at the metaphysical foundation, the normative dimension and the moral basis of the state, the State has an important role to play in man's self- fulfillment and self-direction. The State is a political entity and it is governed by the logic of legal morality and moral accountability. This research analyzes in great detail and navigating into the major objective for the formulation of the State. This paper concludes that the State is a political entity formed by human creation or association and also to guarantee human emancipation and human solidarity. The State serves as an avenue for man to meet up with his full potentials. The State from the Marxian perspective has serves as an instrument to keep man in a perpetual bondage. Ideology, for Marx has been one of the major instruments of the State to keep man in perpetual bondage. The freedom of man is not absolute but very limited. His desires and aspirations are unlimited. The state ought to begin to strengthen its internal mechanisms in order to guarantee man's safety and freedom in the State. The state has a great role to play in order to guarantee human dignity, human flourishing and the general happiness of all mankind. The sole objective for the creation or formulation of the State is not to hamstring man's freedom but to guarantee the harnessing of man's full potentialities in the State. The common good of all ought to be guaranteed by the State. State resources of the common wealth ought not to be hijacked by some disgruntled elements who are mainly corrupt politicians and their cohorts (those who are holding key positions as executives in government institutions). For instance, in contemporary Nigerian society, various institutions

of government are very corrupt. Today, all over the world, we are experiencing weak government institutions. The State should brace up to arrest this challenge of weak institutions of governments. Nigeria, as a country is a very prototype example of a country facing the challenge of weak government institutions. One might ask, what is really responsible for these weak government institutions? This fundamental reason is not far-fetched. It is as a result of corruption, lawlessness and injustice in contemporary Nigerian society.

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