

**Ibadan Distance Learning Centre Series**

**PHI 305**  
**Social and Political Philosophy**

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## Study Session 1: Political Philosophers

### Introduction

Political philosophy has been a branch of philosophy over so many centuries. It started in ancient Greece and the first major publication in that genre of philosophy is **Plato's Republic**.

Political philosophy can also be defined as a branch of philosophy with a normative discipline in the sense that it deals with ideal situation rather than raw facts. Political philosophers are group of philosophers that are specialized in the field of philosophy.

In this study session, you will learn about political philosophy, **Plato's** concept, the link between the concept of justice and the guidance, and the Aristotle's typology of government.

### Learning Outcomes for Study Session 1

After you have studied this study session, you should able to:

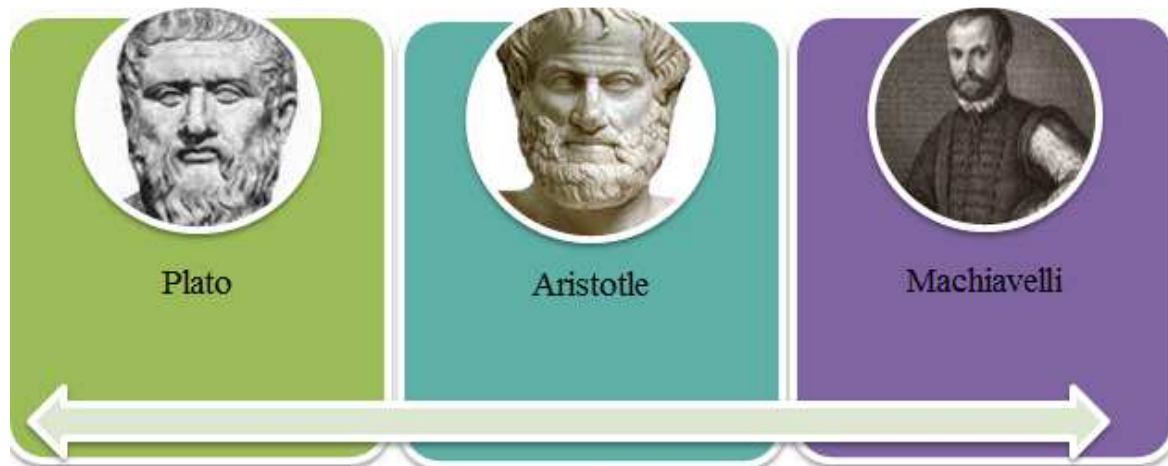
- 1.1 Explain the term political philosopher
- 1.2 State Plato's concept of the guardian.
- 1.3 Discuss Aristotle's typology of government.

### 1.1 Political Philosophy

Political philosophy has been a branch of philosophy over so many centuries. It started in ancient Greece and the first major publication in that genre of philosophy is Plato's *Republic*. You have also other philosophers in ancient Greece like Aristotle who wrote *Politics*. Political philosophy as a branch of philosophy is a normative discipline in the sense that it deals with ideal situation rather than raw facts.

If one looks at what political philosophers have done it would be discovered that most of their works have prescribed an ideal social order. What this means is that what ought to be rather than what is the case.

In the works of **Plato, Aristotle, Machiavelli** and others, what these political philosophers have done or theorized is simply a social order which they feel will bring about a well ordered society or community as the case may be.



**Figure 1.1:** Political Philosophers.

**Source:** SchulPortals Inc. ©.

This is why political philosophy differs from social sciences especially political science which is nearer to it. Social scientists investigate factual social orders, that is, they look at the existing social order and in doing that they theorize or propose a theory in a generalized form. What they do is to look at certain instances and propose a theory that will cover other instances in a similar situation or scenario that might occur in future.

■..... can be defined as a branch of philosophy is a normative discipline in the sense that it deals with ideal situation rather than raw facts.

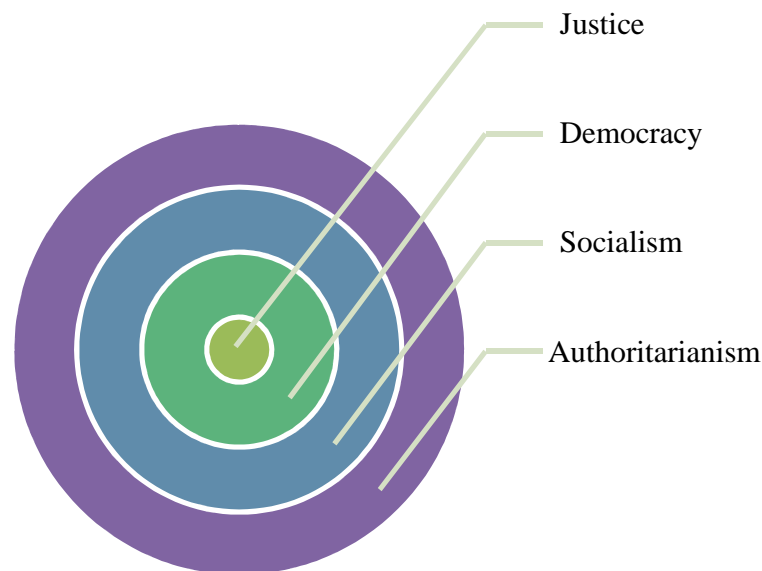
- (a) Political Sociologist
- (b) Political Geographer
- (c) Political Scientist
- (d) Political Philosopher

□ (d) Political Philosopher

Social science is therefore not a discipline that engages in normative judgment as in political philosophy. However, there is no rigid demarcation between political philosophy and social science because both of them deal with existing social systems and from these social orders they abstract from them and propose a theory that could deal with a similar situation in future.

Another basic difference that can be noticed is that political philosophy deals with conceptual analysis. In this engagement of conceptual analysis what political philosophers do is to analyze concepts; that is they break down certain concepts of political terms.

These concepts include



**Figure 1.2:** Concepts of Political term.

**Source:** SchulPortals Inc. ©.

If you look at the works of political philosophers from the ancient times to contemporary times, one would notice that conceptual analysis has featured prominently in their works. In a nutshell political philosophy is a discipline or a branch that is normative as earlier pointed out and this is what makes it quite different from disciplines that are factual in orientation.

In political philosophy you ask certain questions:

- ❖ Who should rule?
- ❖ When is a government legitimate or not legitimate?
- ❖ What is authority?
- ❖ What is power?
- ❖ What is force?

These are questions that are grappled with in political philosophy. Political philosophers have grappled with these questions and theorized about them. If one looks at the works of **Plato**,



**Aristotle, Machiavelli, Aquinas, Augustine, Hobbes, Locke, Rousseau**, down to the present philosophers, like Rawls, they have all grappled with questions of social orders in the society.

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### Activity 1.1:

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*Allowed Time: 1 Hour*

In what ways did political philosopher prescribe social order which they believe would be suitable for the citizens in that society from a normative angle?

## 1.2 Plato's Concept of the Guardian.

He was a philosopher in the ancient Greek city of Athens. He was a student of Socrates and the ideas of Socrates had tremendous influence on him. In fact many people or philosophers believe that it is difficult to demarcate Socrates' political ideas from Plato's. All his philosophical writings are couched in a dialogical form.

His writings have Socrates as the main speaker in all these dialogues. In his main book on politics entitled *The Republic* he sets all his ideas on how society should be run from a normative point of view. He believes that in a well ordered society certain set of people should rule whom he called the guardians.

He believed the guardians would have gone through certain training which would have prepared them to be ready to take up the leadership of the state or society. In fact the guardians are chosen on merit since there are certain sets of examinations which they would have gone through.

### Box 1.1: Plato's Main Concept of the Guardian

Plato believed that the guardians would have been taught mathematics, music, gymnastics or physical training as the case may be. Before anybody can become a guardian he must pass these trainings which are rigorous. At the end of the training over some period, those who are fit would have emerged from those rigorous trainings.

He claimed that the guardians would have imbibed the form of justice which would help them to rule properly in the state. The theory of form in Plato's political ideas is enormously important. It is in fact the foundation on which all his other ideas are grounded or it is like a foundation on which all his other ideas are erected.

**Plato** believed that all states should be placed on the idea of justice because if you have a just state, the state will be well ordered.

He believed that each individual has an ability to do certain jobs and in view of this he believed that by the training of the guardians or what they have gone through in terms of training they will be able to rule properly and as earlier hinted they will be able to comprehend the form of justice and if this is the case they will rule justly in the state.

**Plato's Republic** is a sort of blue print for an ideal society and he aims at a well ordered and just society where everybody has a job that is suitable for him in the state. His *Republic* has been criticized on many fronts from both the left and the right (Liberals and Marxists or radicals).

From the liberals' point of view, they have termed his *Republic* as a closed society in the sense that **Plato** has given us a society that denies freedom to the society as well as being not democratic (that is no freedom of choice, a structured society with no alternative).

Moreover, it has been alleged that his *Republic* is utopian in nature. From the radical point of view, **Plato's Republic** is a class structured society because in that society you have those who are rulers and those who are simply to be ruled.

The guardians have been programmed to rule and the auxiliary class as well as the slaves and the women are simply there as onlookers who cannot partake in the public sphere or hold any public office. It is also hierarchical in nature.

### 1.3 Aristotle Typology of Government

Aristotle could be described as the father of political science. His political ideas are coloured with empirical concepts. He was a scientific genius and this left a mark on his political writings. He could, as earlier adverted to, well be described as the father of empirical political science because his work in politics was based on actual study of societies.



**Figure 1.3:** Aristotle

**Source:** [http://www.emersonkent.com/history\\_notes/aristotle.htm](http://www.emersonkent.com/history_notes/aristotle.htm)

**Aristotle** did not fly into speculative idealism, as you have in **Plato**, but remained in the *terra firma* of concrete existence in his discussion of politics. He is a sort of dialogic conversation with **Plato**. Yet his conclusion is platonic.

**Aristotle** is opposed to **Plato's** theory of form and instead believes that forms exist in particulars, in fact they are concrete objects. He has a teleological view of things of the world, that is, all things in the world are to be understood in terms of the ends toward which they tend to achieve. His works are immensely influenced by science, for he was a scientist of the first order. One cannot understand **Aristotle's** political ideas without first understanding his ethical ideas, for both are closely related. The ethical thrust of **Aristotle** is directed at virtue *arete* and happiness *eudemonia*. The word *arete* normally refers to excellence or happiness.

#### **Box 1.2: Aristotle definition of human excellence**

Aristotle refers to human excellence or good as what human beings strive to achieve. Happiness is the final goal of man and he desires other things for the sake of happiness or goodness. And what is happiness for man? He contends that, it is the essential nature in a life lived intelligently and wisely.

The end of man is that he lives an integrated complete life, just as the end or *telos* or goal of the acorn is that it becomes an oak tree. In this way the potentialities become actualized and the essential nature is fulfilled.

■..... refers to human excellence as what human beings strive to achieve.

- (a) Plato
- (b) Aristotle
- (c) Henri Ford
- (d) Charles Babbage

□ (b) Aristotle

The virtue, or excellence, of anything is that the full flowering of the potentialities of the essential nature or form. Man is essentially a rational animal. The good, then, for man is the activity of his human nature which should be in accordance with the right reason and accompanied by right reason. The good for man is that he should be a rational animal.

The end of man is to be found in his form, which is the soul. This form has various 'powers' or faculties. What distinguishes man from other things is reason.

The good man lies in activity that is in accordance with reason, which is his entire nature. It is through the activity of reason that his entire nature that his entire is revealed, and thus can man be seen at his human best.

The striving to be human, that is, to be rational, is habitual. Goodness of character and disposition is developed only through constant repetition of good acts. In this manner, good habits are acquired. Good habits or virtue, give rise to a good disposition, thus, the importance of virtuous education in childhood and adolescence.

Now, to act in accordance with reason, to be virtuous generally, involves a choosing of a certain mean between extremes of conduct. Thus, for example, courage is a mean between rashness, a vice of excess, and cowardice, a vice of defect.

The doctrine of the mean then, is like a scale between extremes of doing things: it is in fact an intermediate between extremes of virtue and vice, though it is not like arithmetic. You must constantly take all the individual cases into account and strike a balance. It, therefore, follows that to find the mean is a complex and difficult task.

Virtue or excellence constantly involves acting rightly in relation to time, manner, motives objects and people, and it involves finding the proper mean. Some actions are intrinsically bad, such as hatred and murder and in these cases; the doctrine of the mean does not apply. In fact,

there is no way one can apply the doctrine in these cases because the virtuous mean is excellence. It is not an aberration, neither is it mediocrity.

Although the doctrine of the mean apply to most human behaviour, feels it does not apply to the virtue of justice, hence it is not in all cases that virtue is doing things in accordance with the doctrine of the mean.

The Aristotelian conception of justice is different from the Platonic one, in that, in the latter case, justice, is particularized: it is used for distributive and rectificatory justice, and applies also to political justice, and shows the difference between natural and merely conventional justice.

- ❖ Distributive justice is a proportional relation between persons (or goods).
- ❖ Rectificatory justice involves righting of wrongs while political justice involves the equity of justice.

### 1.3.1 Ethics

The *Ethics* is a treatise or portrait of the good and happy man and is premised on **virtue** and **happiness** and these two relate to how men should live together in society. This logically leads to his political ideas which are articulated in *Politics*.

He believes that men are not isolated individuals and that virtue cannot be practiced by solitary hermits. Man, **Aristotle** contends, is by nature a social animal. Men have a common activity peculiar to them. They can perceive the good and the bad, the just and the unjust and it is partnership which makes this perception possible and these things can only be realized in a state. Society and state are not artificial but natural to man. In fact, they are manifestations of human nature. **Aristotle** argues that every state is a partnership, and it is through it that man can attain physical, moral and intellectual perfection.

It is for this reason that he places utmost importance on the state. He contends that the state exists to provide the bare necessities of life. The state is not an alliance because it has a moral aim, that is to ensure the good of the community as a whole, whereas, an alliance exists for mutual protection. It differs from a nation in that the state is a well-knitted political association whereas a nation is a large amorphous entity.

A state is not an aggregate collection of individuals; it is a community under a single constitution and law. The state is united not necessarily because of its location and size but rather because of its constitution.

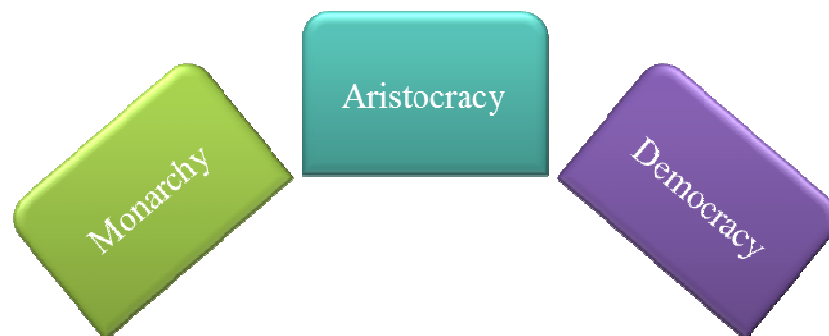
The state evolves through a whole complex of development: family household which evolved into a village and family villages into a state. A state, Aristotle believes, must be self-sufficient in order to provide the bare necessities of life. Aristotle romanticizes the state so much that he hails the unknown law-giver who founded the first state as one of a “man’s great benefactors”.<sup>4</sup>

In a state, citizenship is not exercised in a vacuum but in a particular type of state and there are many types of states or governments. There is, for example, the Spartan State which is inclined towards conducting wars; there is the Cretan State, established in the interest of the rich; and the Carthaginian State which relies on a policy of emigration to keep down insurrection.

**Aristotle** believes that citizens of the state should participate in its political and judicial affairs. Each citizen will be a member of the assembly or deliberative body, and will be eligible for any office of the state.

The type of political power that exists in the state depends on the constitution. Aristotle produces taxonomy of constitutions,

The three main types of political power which are:



**Figure 1.4:** Types of political power.

**Source:** SchulPortals Inc. ©.

The corresponding states are **tyranny**, **oligarchy** and **radical democracy** or (mob rule). In certain circumstances, **Aristotle** favours monarchy if it is in the interest of all while in other circumstances he is for democracy where a constitution is operative in the state.

In a democratic set –up offices rotate frequently and there is a wide participation in government by the citizens. However, citizenship does not include slaves as well as servants, manual workers and artisans.

The goal of the state or government, as I have intimated, is the general happiness of the citizens. This, **Aristotle** argues, can be achieved only through the practical wisdom of the sound statesman. Those statesmen who are responsible apply their knowledge of good principles, common sense and sound judgment to solve specific problems.

The Platonic element in **Aristotle** could be gleaned from the fact that he believes that the most satisfying life is that which combines wisdom to practical political problems. **Aristotle** contends that the good of political power can never be the highest good because political activity is a degrading activity.

The statesman can only develop his capacities through the guidance of right reason, which can lead to the attainment of the philosophical ideal of wisdom.

The business of law-making should be left to the leisured class which has the time to contemplate because the class has wisdom. The other citizens have to be educated by the legislative body in the spirit of the constitution.

**Aristotle** argues that citizenship is a life-time affair. Citizens devote all their lives to the service of the state. At a young age, they are soldiers, and when they are in the middle age they are assembly members and jury men and when old they are priests of the state.

**Aristotle** contends that when the individuals attain their proper end as moral human beings, the state would prosper. As I have said earlier, the state exists for man, and not vice versa. In fact, it exists for the moral aim that is it aims at moral goodness. The basic focus therefore, of *Politics*, is that the state exists for the happiness of its citizens.

There is no doubt that **Aristotle's** political ideas are grounded in historical experience; he did not fly into the speculative terrain as you saw in **Plato** but remained here on earth. Yet his theory in the last instance comes close to that of **Plato** in his belief that it is only those who have attained philosophical wisdom who can give a proper direction to the state.

He was also much a child of his age. He looked at the ancient Greek states and the surrounding states to postulate his types of government and this influenced him considerably; he could not go beyond his age.

He oscillates between the democratic institution and aristocratic one, and on some occasions gives the impression that the democratic institution is not good because it can lead to mob rule. In this, he shows the aristocratic streak in him.

He places much emphasis on the moral virtue of the citizens. As **Lloyd** has pointed out, “he believes that the stability of the state depends much on the character of the citizens than on constitutional or economic factors”.

Yet you know that moral character is not enough, the constitutional and economic factors are also important in the stability of any state, and economic factors can either lead to the satisfaction of the citizens or to downright unsatisfactory conditions which can lead to a revolution. **Aristotle** too was aware of this fact.

**Aristotle**, like **Plato**, also believes in a class society, and this belief leads him to believe that only a certain class can rule those who have attained wisdom the so called leisured class. One cannot but conclude from this last point that, though he differs from **Plato** in many points, he returns to the old idea of philosopher-king.

However, there are positive aspects in his political theory. He believes that the state exists for the good and happy life of its citizens. Further, the state should promote the common interest of the whole populace, though this conflicts with his class-structured conception of society for if the state has classes it will be difficult for this common interest to be protected.

But the chief merit, as **Lloyd** has rightly pointed out, is that he gave politics a new dimension by grounding it on empirical study, so he could be rightly called the father of political science.

He refers to concrete examples to illustrate what could bring about stability and instability. And his classification of states is firmly rooted in an empirical study of the states of his days.

## Summary for Study Session 1

In this Study Session 1, you have learnt that:

1. Political philosophy has been a branch of philosophy over so many centuries. It started in ancient Greece and the first major publication in that genre of philosophy is Plato's *Republic*. You have also other philosophers in ancient Greece like Aristotle who wrote *Politics*. Political philosophy as a branch of philosophy is a normative discipline in the sense that it deals with ideal situation rather than raw facts.



2. Plato was a philosopher in the ancient Greek city of Athens. He was a student of Socrates and the ideas of Socrates had tremendous influence on him. In fact many people or philosophers believe that it is difficult to demarcate Socrates' political ideas from Plato's. All his philosophical writings are couched in a dialogical form.
3. **Aristotle** is opposed to **Plato's** theory of form and instead believes that forms exist in particulars, in fact they are concrete objects. He has a teleological view of things of the world, that is, all things in the world are to be understood in terms of the ends toward which they tend to achieve.
4. The *Ethics* is a treatise or portrait of the good and happy man and is premised on virtue and happiness and these two relate to how men should live together in society. This logically leads to his political ideas which are articulated in *Politics*.

### Self-Assessment Questions (SAQs) for Study Session 1

Now that you have completed this study session, you can assess how well you have achieved its Learning Outcomes by answering these questions. You can check your answers with the Notes on the Self-Assessment Questions at the end of this Study Session.

#### SAQ 1.1 (Tests learning outcome 1.1)

Lists the concept of political terms

#### SAQ 1.2 (Tests learning outcome 1.2)

State the liberals' point of view of Plato's Republic

#### SAQ 1.3 (Tests learning outcome 1.3)

Examine Aristotle definition of human excellence

### Notes on the Self-Assessment Questions (SAQs)

#### SAQ 1.1

- ❖ Justice
- ❖ Democracy
- ❖ Socialism
- ❖ Authoritarianism.

**SAQ 1.2**

They have termed his Republic as a closed society in the sense that Plato has given us a society that denies freedom to the society as well as being not democratic (that is no freedom of choice, a structured society with no alternative). Moreover, it has been alleged that his Republic is utopian in nature.

**SAQ 1.3**

Aristotle refers to human excellence or good as what human beings strive to achieve. Happiness is the final goal of man and he desires other things for the sake of happiness or goodness. And what is happiness for man? He contends that, it is the essential nature in a life lived intelligently and wisely.

## Study Session 2: Social Contract Theory Philosophers

### Introduction

Social contract theory, virtually as old as philosophy itself, is the opinion that persons' moral or political obligations are reliant upon a contract or agreement among them to form the society in which they live.

Hobbes, John Locke and Jean-Jacques Rousseau are the best identified advocates of this enormously significant theory, which has been regarded as one of the most dominant theories within moral and political theory during the course of the history of the modern West.

In this study session, you will learn about the concept of social contract theory and social contract theory philosophers.

### Learning Outcomes for Study Session 2

After you have studied this study session, you should be able to:

- 2.1 Examine the concept of social contract theory.
- 2.2 Discuss the social contract theory philosophers.

### 2.1 Concept of Social Contract.

The idea of social contract theory is grounded on the fact that the citizens and the government must have a sort of agreement that binds both together. Moreover the idea of social contract theory is that there is an obligation on the part of government as well as the citizens to do certain things or provide certain things and the citizens are under certain obligations to obey political authority. It confers a sort of legitimacy on the government.



**Figure 2.1:** Citizens and Government on Agreement

**Source:** [www.voanews.com](http://www.voanews.com)

Furthermore the idea of the social contract is that the citizens should be able to have a say in the decision making process of the state. Thus, the idea of social contract theory is an important element in any governance.

The idea was started in the ancient period through what **Socrates** termed a binding obligation on the part of the citizens to obey the state because there is a pact between the state and the citizens since the state provides the basic needs of the citizens. It is also well discussed and articulated in the medieval period and down to the modern age.

It was discussed and worked out fully by the trio of **Thomas Hobbes**, **John Locke** and **John Jacques Rousseau**. It has also been discussed in contemporary social and political philosophy by important political philosophers like **John Rawls**, **Robert Nozick** and some other political philosophers. The idea social contract in modern philosophy was first introduced by Hobbes in his book entitled *Leviathan*

■..... theory is grounded on the basis that citizens and the government must have an agreement that connects both together.

- (a) Plato
- (b) Socrates
- (c) Contract
- (d) Richard

□ (c) Contract

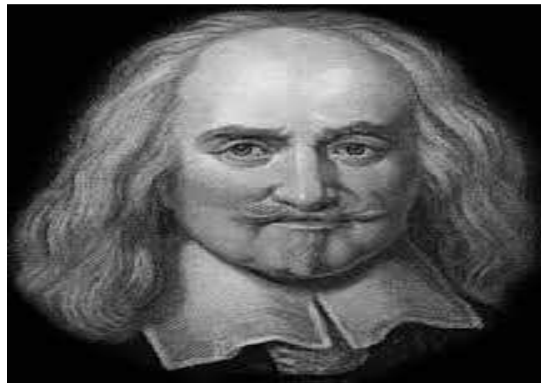
## 2.2 Social Contract Theory Philosophers.

Modern social contract theory is properly related with contemporary moral and political theory. However, **Thomas Hobbes**, **John Locke** and **Jean-Jacques Rousseau** are the best well-known proponents of this prominent theory.

### 2.2.1 Thomas Hobbes

In the book, Thomas Hobbes claims that human beings were first of all living in what he calls the state of nature. The state of nature was a state in which individuals behave as they like because there was no law which regulates their behaviors.

In that state of nature there were laws of nature but the laws of nature revolve round preservation of individual's life. The individuals were egoistic because the most important thing was simply to promote one's own interest at the detriment of other people's interest. He claims that in this state of nature, there was not any regulative authority to enforce any form of law.



**Figure 2.2:** Thomas Hobbes

**Source:** [www.rschindler.com/hobbes.htm](http://www.rschindler.com/hobbes.htm)

Hence the weaker could even conquer the stronger or the stronger could pounce on the weak. In this state of nature there was chaos or anarchy because anarchy reigns hence, according to Hobbes; life was short, brutish and nasty. There was no industry, no culture, and no civilization because nothing could have worked in this scenario.

Hence there was not any kind of cooperative venture because of the egoistic nature of the individuals that prevails in the state of nature. Thomas Hobbes gave a scary picture of the state of nature.

People then realized that life in that scenario was a precarious, insecure and perilous. Because of this scenario people realized through reason that, that kind of life characterized by insecurity should be stopped and hence they come together to deliberate on the way forward.

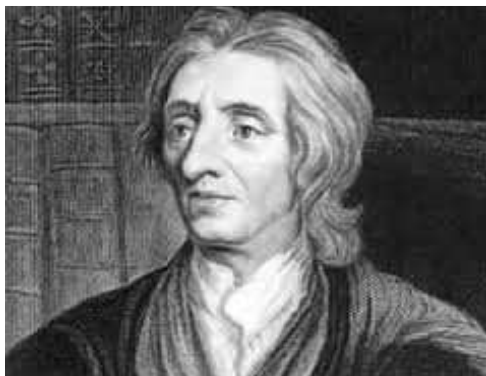
In this deliberation they would realize that it is better to have a state that is secured where life could flourish in a peaceful way. Hence they would come together and deliberate to surrender to a sovereign authority and this sovereign authority will have power over all individuals.

The individuals would have surrendered their rights because they believed to have a secured and well-ordered state than a state of nature. They don't have the right to rebel against the sovereign authority that is called leviathan because a peaceful state is better than an anarchical state.

In the end the leviathan is an all-powerful authoritarian sovereign entity that has authority over anybody's life.

### 2.2.2 John Locke

He follows the tradition of Hobbes in enunciating the state of nature. He has followed Thomas Hobbes in some ways but he deviated from Thomas Hobbes in the sense that he does not present the state of nature in the form of egoistic nature of human beings like you have in Hobbes.



**Figure 2.3:** John Locke

Source: [www.thefamouspeople.com](http://www.thefamouspeople.com)

He believes that by nature human beings are good natured because they could help each other. However, the nature of state has been structured in a way that there are some laws of nature which makes it impossible for a kind of joint enterprise by all individuals in a state of nature.

The laws of state of nature have made it impossible for the individuals to promote interest of all hence the individuals have to behave to preserve their own particular interest, preserve their lives and also promote their own selfish interest.

However, at a particular time the state of nature will become so dangerous that human beings will come to realize through rational means that they should have a state that could promote the interest of all, hence they will come together to deliberate on how to evolve from that state of nature to a well ordered society where there are rules enforced by a regulative authority.

The sovereign state evolves according to John Locke as a result of a pact. The argument is unlike that of Hobbes because the agreement is not a totalistic one whereby individuals surrender their liberty to the sovereign authority. The agreement that will be reached through their deliberation will be a two stage way.

The individual would agree among themselves to form a state where they would enjoy certain basic rights like right to life and property. After this there will be another pact between the individuals and the sovereign authority in which these rights will be protected and these rights cannot be infringed upon by the sovereign authority.

The reasons they have agreed to leave the state of nature are that their rights will be protected which was not the case in the state of nature and the rights are enumerated as the rights to life, liberty and property. As a matter of fact, right to property is highly valued by Locke because to him, this is more important to life. One's life is more enhanced by one's property.

The pact that could emerge between the individual and the sovereign authority could make it clear that this right has to be protected and if they are not protected the people has the right to overthrow the sovereign authority.

#### Box 2.1: Locke's Opinion

Locke believed that the sovereign authority should not be highly empowered to do whatever he likes. In view of this he advocated separation of powers. His own state of government was based on this notion of separation of power. In his final analysis he deviated from the Hobbesian theory of social contract in the sense that his own sovereign authority does not have that cohesive power entrusted to it.

### 2.2.3 Jean Jacques Rousseau

He completely deviates from his earlier predecessors who have ruminated on the social contract theory. He does not believe that the state of nature was a chaotic one neither does he believe that it was a state that people were not rational in their behavior as you have it in Locke.

He claims that the state of nature was a serene, peaceful world. He believes in the state of nature individuals were not egoistic but were cooperative, there was a sort of mutual cooperation, life flourishes in that state of nature, in such a way that people live among themselves without any conflict.



**Figure 2.4:** Jean Jacques Rousseau

**Source:** [www.thefamouspeople.com](http://www.thefamouspeople.com)

However at this change with the introduction of iron which brought about civilization, in other words civilization brought about a change in the situation since there were appropriate lands by individuals that made everyone to care for himself alone.

This led to the promotion of self-interest and those who have appropriated more lands have to protect themselves. Hence violence was introduced into the state of nature.

This brought about a chaotic situation and disorderliness hence there would have to be a deliberation which would lead to a sort of pact or social theory, in this pact that would be entered not everybody not everybody would give up individual will for the larger general will.

The general will unifies all the individual will. It is the sum total of the individual will. It promotes the common interest of everybody and it supersedes the interests of the individual.

Hence the general will is a cornerstone to **Jean Jacques Rousseau's** theory of social contract. In fact the general will is simply what could be termed Rousseau's legacy that he has bequeathed to political philosopher or subsequent political philosophers.

In conclusion the social contract theory is an important theory since it brings together the interest of all individuals in the state and makes government connected with the individual. It is not a real contract though but a hypothetical social contract.

■ ..... characterization of the state of nature is not anarchical.

- (a) Jean Jacques Rousseau's
- (b) John Locke
- (c) Locke and Rousseau
- (d) Lock and Hobbes

□ (c) Locke and Rousseau



## Summary for Study Session 2

In this Study Session 2, you have learnt that:

1. The idea of social contract theory is grounded on the fact that the citizens and the government must have a sort of agreement that binds both together. Moreover the idea of social contract theory is that there is an obligation on the part of government as well as the citizens to do certain things or provide certain things and the citizens are under certain obligations to obey political authority.
2. Thomas Hobbes claims that human beings were first of all living in what he calls the state of nature. The state of nature was a state in which individuals behave as they like because there was no law which regulates their behaviors.
3. John Locke believes that by nature human beings are good natured because they could help each other. However the nature of state has been structured in a way that there are some laws of nature which makes it impossible for a kind of joint enterprise by all individuals in a state of nature.
4. Jean Jacques Rousseau claims that the state of nature was a serene, peaceful world. He believes in the state of nature individuals were not egoistic but were cooperative, there was a sort of mutual cooperation, life flourishes in that state of nature, in such a way that people live among themselves without any conflict.
5. The contract theory of Hobbes, Locke and Rousseau is dealt with and the differences are noted in their contract theories. Hobbes's characterization of the state of nature is anarchical while that of Locke and Rousseau is not. The way the contract is agreed upon is different from each other. The three political philosophers agree that the state is based on contract between the rulers and the ruled.

## Self-Assessment Questions (SAQs) for Study Session 2

Now that you have completed this study session, you can assess how well you have achieved its Learning Outcomes by answering these questions. You can check your answers with the Notes on the Self-Assessment Questions at the end of this Study Session.

### SAQ 2.1 (Tests learning outcome 2.1)

Explain Socrates view on social contract theory.

### SAQ 2.2 (Tests learning outcome 2.2)

Examine Rousseau's concept of the general will.

## Notes on the Self-Assessment Questions (SAQs)

### SAQ 2.1

Socrates point of view was termed a binding obligation on the part of the citizens to obey the state because there is a pact between the state and the citizens since the state provides the basic needs of the citizens. It is also well discussed and articulated in the medieval period and down to the modern age.

### SAQ 2.2

The general will is a cornerstone to **Jean Jacques Rousseau's** theory of social contract. In fact the general will is simply what could be termed Rousseau's legacy that he has bequeathed to political philosopher or subsequent political philosophers.

## Study Session 3: Democracy

### Introduction

Democracy which derives from the Greek word demos or people by definition means the government by the people in which the supreme power is bestowed in the people and implemented directly by them or by their voted agents under a free electoral system." In the case of Abraham Lincoln, democracy is a government "of the people, by the people, and for the people."

In this study session, you will learn about democracy, history of democracy, ancient Athenian democracy idea and modern idea of democracy, direct and indirect democracies and characteristic features of modern democracy.

### Learning Outcomes for Study Session 3

After you have studied this study session, you should able to:

- 3.1 Define the term democracy.
- 3.2 Discuss the history of democracy.

### 3.1 Democracy

Democracy has become a sort of horrific term that most states claim to be a democratic system. Democracy is a system that has been given any sort of interpretation or that has been given many interpretations. Even an autocratic or totalitarian system of government could claim to be a democratic system.

Democracy is a system of government based on the concept of the ruled, in other words, it is a system of government that must be grounded on the people in terms of having their own consent through electoral system.

This definition is mainly that of liberal democratic system. However, most governments who are not of liberal democratic system would claim that their system has the consent of the people, hence it is democratic.

The simpler definition you can have has been provided by Abraham Lincoln that “democracy is the government of the people, by the people and for the people”.



**Figure 3.1:** Democracy

**Source:** [www.martinhilbert.net/democracy.html](http://www.martinhilbert.net/democracy.html)

What this means is that any democratic system must have the people at its base which means that the people must have willingly given their consent to that government. In other words, the government is not imposed on the people forcefully. If this is the case then that government is not legitimate hence it is not a democratic government.

The whole idea of democracy started in the ancient Greek city of Athens and in this city everybody participated in the decision making process of government except slaves and women who were not allowed to participate. Offices were thrown open to every citizen who resided in

the state. The people normally were meeting in an open space called *Agora* where decisions were taken in a consensual way.

■.....has become a sort of horrific term that most states claim to be a democratic system.

- (a) Democracy
- (b) Politics
- (c) Philosopher
- (d) Ancient Greek

☐ (a) Democracy

In other words there was a sort of dialogue among the participants in the *agora* till a decision would be taken which everybody would have consented to and the decision was binding on all.

Hence in Greek language, democracy means *demo- kratia* which means the rule of the people.

In contemporary time the idea of democracy has changed because the number of people has become much more increased exponentially.

Also you have vast areas that constitute a country. All these have made it impossible to have that kind of ancient Greek democratic system. Their own form of democracy was a direct one.

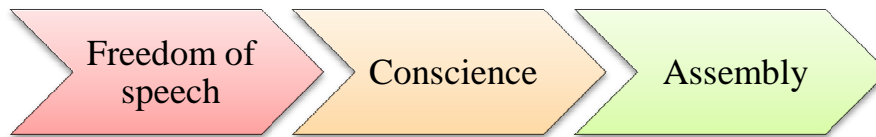
In the contemporary world the form of democracy that is practiced is an indirect form of democracy in that you have some people representing others. This is because vast majority of the population and vast expanse of lands have made direct form of democracy that was practiced in the ancient Greek city impossible.

■ In Greek word, Democracy means.....

☐ Demo- kratia

In the world today what obtains in terms of democratic system is liberal democratic system of government. This system is what is practiced in many western countries like U.S.A, Britain, etc.

This form of democracy has certain basic features but what is of paramount importance is that the whole idea of that democratic system is based on



**Figure 3.2:** Idea of democratic system

Source: SchulPortals Inc. ©.

The liberals believe that these freedoms are the most distinguishing features of any democratic system and they should not be compromised. The other basic feature that is of paramount importance is the rule of law.

The rule of law upholds the supremacy of the constitution which could be either written or unwritten and based on tradition. The other feature of democracy is based on majoritarian rule. It is also based on party system either two party or multiparty system.

Besides this the system is also based on periodic elections. That is having elections periodically every four, five or six years.

In all these distinguishing features of democratic system what is of uttermost importance is that the consent of the people in the electoral system is what gives the system its legitimacy.

However, what can negate democratic system is inequality of power and wealth and these are what you find in most democratic systems in western states.

### 3.2 History of Democracy

When one particular person rules. Such a system could be regarded as a monarchy (Greek for 'rule by one') in a situation when the post can be inherited within a family. It is expected to be given such names as tyranny or dictatorship (from Rome) when power is held by or granted to an individual member of society.

The other extreme is democracy, in which ideally every adult can effect group decisions. Such an egalitarian method is accustomed to anthropologists, learning the customs of small tribal groups, but it has been a rarity in more developed societies.

Between the two extremes is oligarch. In a sense all early clashes between oligarchy and democracy are an argument over how many to include in the few, with democrats pressing for a higher figure than oligarchs can accept. Even in Athens, where cultured democracy starts, only a small part of the community can vote.

### 3.2.1 Athenian Democracy: 5th Century BC

In the 5th century BC Athens founds an experiment in direct democracy, as conflicting to the representative democracy of contemporary societies. It is copied by her Greek associates and colonies at the time, but it has hardly been tried anywhere else since (Switzerland in the 13th century is one example).

Democracy of this type has two requirements. The community must be lesser enough for citizens to be capable of joining debates and voting on problems. And its economy must give these citizens enough freedom to involve in politics; in the ancient world this indicates that there must be slaves to do most of the work. Both situations triumph in Athens.

The citizen democrats of Athens are those males, over the age of eighteen, who are sons of an Athenian father (after 451 BC the mother must be Athenian as well). They number no more than 50,000 in the whole of Attica.

In addition to these citizens the population includes about 25,000 metics (metoikoi, or foreigners trading in Athens, for this is a major commercial centre), together with free women and children and perhaps 200,000 slaves. This gives a total of about 400,000 people. So the voting citizens form at most 30% of the population.

Democracy is accomplished in numerous phases, through alterations linked with Solon in 594, with the Ten tribes of Cleisthenes in 508, and with Pericles in 462.

### 3.2.2 The people's army: 6th - 5th century BC

The move in the direction of democracy redirects other modifications in society. In the

- Prehistoric period,
- Throughout Greece,
- Aristocratic families have provided the main fighting force,
- Cavalry.

In the 7th century the Greek city-states create the new military idea of the heavily armed infantry man, the hoplite.

A remorseless phalanx of hoplites becomes as dynamic on the field as the tank in current times. These soldiers create their own weapons and armour but this is costly. Several of the Greek oligarchies, including that of Athens in the 6th century, reveal the power of this middle class of citizens.

The poorer citizens of a Greek state, unable to pay for armour, can only serve in the army as light infantry useful in a skirmish, but moderately insignificant on the battlefields of the day.

A tactical alteration of direction by Athens, early in the 5th century, offers these poorer citizens a new power. The military strength is averted into building up an Athenian navy. Triremes, the fast warships of the time, need men to row them.

However, every citizen has a role to play, and the crews of a fleet of warships have a self-evident political power. A more radical democracy, introduced by Pericles in 462, is almost an unavoidable result.

### 3.2.3 The mechanics of Athenian democracy: 5th century BC

The system which performs in the mid-5th century includes citizens in government in a diversity of ways.

Each one has a voice in the utmost forum of the nation, the ecclesia or assembly, which sees four times a month on the Pnyx, a flat-topped hill in Athens. On key occasions, with essential matters to be decided, as many as 5000 citizens attend.

It is not easy to gather a large crowd. Scythian slaves are much in indication at the begin of each meeting, tightening a long red-dyed rope to net any nearby loiterers. In about 400 BC pay is introduced for attendance, to reward for loss of working time.

Any national may answer the representative's question 'Who is willing to speak?', but addressing such a huge crowd in the open air is hard. Most of the discussion is carried on by regular speakers - in effect the leading politicians, who are known as rhetores (orators).

The business of the day is secure by another body of 500 members, known as the boule or council. Here the principle of amateurism is more firmly developed, for the members are chosen by drawing lots. Fifty are chosen at village stage by each of the ten tribes which make available the Athenian society.

The standard of chosen by lot is done even further in the council of 500. Each member functions for a month as one of the 50 presidents, who is in charge of day- day administration of the city).

Therefore, the chairman of the boule reforms every day, again chosen by lot from the 50 president. So almost each councilor is efficiently head of state for one day of the year.

Non-specialization can barely be done further. But the Athenians do have the mutual sense to use election, without any time boundary, for the most essential posts.

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### Activity 3.1

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Time: 1hr

Wealth and power can vitiate democracy". Discuss this in relationship to modern day liberal democratic system.

## Summary for Study Session 3

In this Study Session 3, you have learnt that:

1. Democracy is a system of government based on the concept of the ruled, in other words, it is a system of government that must be grounded on the people in terms of having their own consent through electoral system.
2. When one particular person rules. Such a system could be regarded as a monarchy (Greek for 'rule by one') in a situation when the post can be inherited within a family. It is expected to be given such names as tyranny or dictatorship (from Rome) when power is held by or granted to an individual member of society.
3. What makes democracy a confused idea is that it is now embraced by every part of the political spectrum and as such every political ideal claims it. The idea of modern democracy is different from that of the ancient Athenian Greek city-state where direct democracy was practiced.
4. There are certain distinguishing features of modern democracy like rule of law, consent of the people, two-party system, etc.

## Self-Assessment Questions (SAQs) for Study Session 3

Now that you have completed this study session, you can assess how well you have achieved its Learning Outcomes by answering these questions. You can check your answers with the Notes on the Self-Assessment Questions at the end of this Study Session.



**SAQ 3.1 (Tests learning outcome 3.1)**

Why is democracy such a confusing concept?

**SAQ 3.2 (Tests learning outcome 3.2)**

Discuss the Athenian Democracy

**Notes on the Self-Assessment Questions (SAQs)**

**SAQ 3.1**

Democracy is a system that has been given any sort of interpretation or that has been given many interpretations. Even an autocratic or totalitarian system of government could claim to be a democratic system.

This definition is mainly that of liberal democratic system. However, most governments who are not of liberal democratic system would claim that their system has the consent of the people, hence it is democratic.

**SAQ 3.2**

In the 5th century BC Athens founds an experiment in direct democracy, as conflicting to the representative democracy of contemporary societies. It is copied by her Greek associates and colonies at the time, but it has hardly been tried anywhere else since (Switzerland in the 13th century is one example).

Democracy of this type has two requirements. The community must be lesser enough for citizens to be capable of joining debates and voting on problems. And its economy must give these citizens enough freedom to involve in politics; in the ancient world this indicates that there must be slaves to do most of the work. Both situations triumph in Athens.

## **Study Session 4: Marxism**

### **Introduction**

Marxism is a system of economic, social, and political philosophy based on concepts that opinion social transformation in terms of economic factors. A central opinion is that the means of production is the economic base that effects or determines the political life.

In this study session, you will learn about concepts of dialectical and historical materialism of Marxism, superstructure in Marxism, socialism and communism political systems in Marxism, and basic principles of Marxism.

### **Learning Outcomes for Study Session 4**

After you have studied this study session, you should able to:

- 4.1 Examine concepts of dialectical materialism and historical materialism of Marxism.
- 4.2 Define the superstructure in Marxism.
- 4.3 Explain socialism and communism political systems in Marxism.
- 4.4 Discuss the basic principles of Marxism

## 4.1 Concepts of Dialectical and Historical Materialism of Marxism.

**Karl Marx** and **Fred rich Engels** were two lifelong friends who formulated the ideas known as Marxism. Though **Marx** would disclaim that he was a Marxist, nevertheless Marxism became an ideology that was embraced by those who believed in the ideology of Marxism.

Eastern European countries were until recently following Marxist ideology and some other countries in the world like Cuba and China adopt Marxism as the state ideology.

**Marx** and **Engels** were revolutionists and they posited a revolutionary idea which was against the capitalist system. Their idea is grounded in what is called

- ❖ Dialectical Materialism.
- ❖ Historical Materialism.

**Dialectical materialism** is supposed to be the philosophical creed of Marxism and what this means is that matter is the basic feature of reality.

### Box 6.1: Dialectics

Dialectics is a process that occurs in reality. Dialectical process occurs when there is a change from one form to another form brought about by praxis which is human kind's manipulation of nature. Marx and Engels got the concept of dialectics from Hegel.

The concept of dialectics has three categories or features - **thesis**, **anti- thesis** which is a negation of the thesis and from this anti thesis you have synthesis which is a complex mixture of both thesis and anti-thesis.

They believed that all these things were also manifested in the historical process hence they called this **historical materialism**. They laid out the process which societies have gone through.

They claimed that all societies have gone through communal system and from this emerged feudal system and the capitalist system emerged from the feudal system. They claimed that capitalist system would eventually evolve in communist system which is the ultimate end of the process.

To them these processes occur in all societies because of the contradictions in those societies. They claimed that all societies have what they call base and super structure. The base is made up of relations of production and forces of production.

The base is essentially the economic foundation of the society and the base as earlier pointed out, consists of the means of production which are simply the machinery with which economic

activities could be carried out while relations of production are mainly the class standing of the individuals in that economic activity.

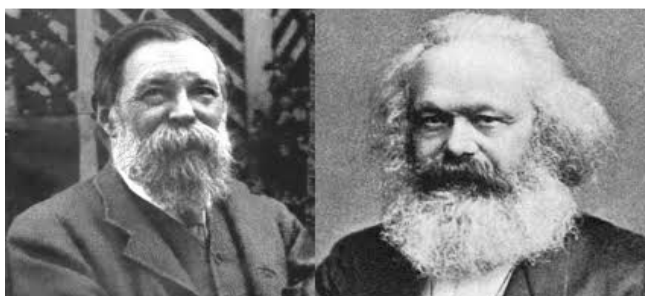
■ The concept of dialectics has.... and ..... features

□ Thesis, anti- thesis.

## 4.2 The Superstructure

The superstructure is simply the beliefs, ideology of that society. **Marx** and **Engels** claimed that in any epoch the ruling class controls both the economic base and as such the super structure, hence the ruling class's ideas to them are the ideas of the totality of the society.

**Marx** and **Engels** claimed that historical evolution has from communalism through feudalism to capitalism has always been driven by certain contradictions in the society and these contradictions are brought about in the economic base.



**Figure 4.1:** Engels and Marx

**Source:** [www.smithsonianmag.com](http://www.smithsonianmag.com)

In each epoch the ruling class becomes obsolete in terms of the economic activities and as such a class would arise with a much efficient economic activity or machinery. This could bring about class struggle between the old ruling class and the new emerging class.

In most situations the new class triumphs over the old ruling class. They argued that this has been the scenario in all societies hence the phrase the history of all societies has been the history of class struggle.

They claimed that this scenario could happen in the capitalist society because the bourgeoisie class could be overthrown by the proletariat class since there are certain contradictions within the capitalist system. They believed that once the capitalist system is overthrown there will be socialist system.

■..... simply the beliefs, ideology of that society.

□ Superstructure

### 4.3 Socialism and Communism are Political systems in Marxism.

Socialism is superior to capitalism in the sense that it will be managed on another moral or ethical system. However socialism will be a stop-gap between capitalism and communism. It is meant as a system which will smash the remnants of capitalism in terms of the class stratification.

After socialism there will be communism. This is the ultimate end of all historical processes. In a communist state there will be no state or government as you have it, what will be present is the organization of things.

In this system all the needs of the people would be catered for. In conclusion, Marxism or the idea of **Marx** and **Engels** are seen as being utopian by some social theorists and as such as they criticize it on that ground.

### 4.4 Basic Principles of Marxism

Marxism is a viewpoint that comprises a number of differing "sub-perspectives" (that is, while there have a tendency to be a general arrangement about the need to construct a critique of Capitalist society, there are key disagreements between writers working within this perception). Keeping this in mind, you can review some of the key Marxist concepts in the following terms:

1. Marxism highlights the impression that social life is based upon "conflicts of interest". The most essential and important of these conflicts is that between the Bourgeoisie (those who own and govern the means of production in society) and the Proletariat (those who basically sell their labour power in the market place of capitalism).

2. Unlike the Functionalist version of Structuralist sociology, the idea of social class is more than a descriptive category; social class is used to explain how and why societies change.

Class conflict characterizes a process whereby alteration comes about through the opposition of social classes as they follow what they appreciate to be their (different and opposed) shared interests in society.

3. Marxism is a political theory whose main concern is twofold:

- ❖ To interpret the political and economic flaws essential in capitalism
- ❖ To show the way near the founding of a future communist society.

4. Essentially, there are measured to be two great periods in capitalist society (the Bourgeoisie and the Proletariat). Nevertheless, at any given moment a number of class fractions will occur. For example, the Bourgeoisie might be subdivided into:

**Box 4.2: Subdivision of Bourgeoisie**

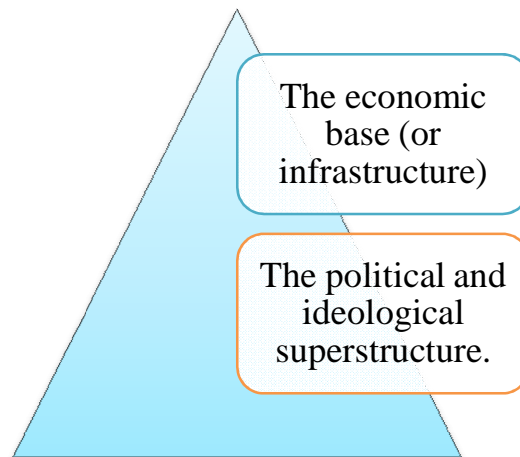
1. The Haute (High) Bourgeoisie (owners of big establishments)
2. The Petit (Small) Bourgeoisie (owners of small industries)
3. The Professions (people who, while not owners of the means of production assist to regulate every day running of businesses).

5. Marx categorized human history in relations of the way in which ownership of the means of production was the most vital single variable involved in the classification of each separate period (or epoch) in history.

He identified five major epochs:

- ❖ Primitive communism - representative of early human history where people held everything in mutual.
- ❖ The Ancient epoch (slave society) - societies based upon slavery where the means of production was possessed and measured by an aristocratic elite.
- ❖ Feudal society - where land was the most essential means of production. This was owned organized by an aristocratic class; the most of people have its place to a peasant class (who had few, if any, political rights).
- ❖ Capitalist society - where technological advancement (machinery etc.) has acceptable a bourgeois class to exploit factory kinds of production for their private gain.
- ❖ Communist society - where the method of production are held "in common" for the advantage of everyone in society. In this society class conflict is lastly determined and this indicates the "end of history" since no extra form of society can ever advance.

6. Marxists divide Capitalist society into two connected "spheres of influence":



**Figure 4.2:** Spheres of Influence

**Source:** SchulPortals Inc. ©.

7. Marxists use the idea of hegemony to direct this relationship. According to a Marxist such as Althusser there are two conducts in which a ruling class can unite its control over other classes:

- ❖ Through the use of force (the police and military, for example). Althusser referred these "Repressive State Apparatuses" (RSA's)
- ❖ Through the use of ideology / socialisation (the mass media, social workers, teachers and the like - a form of "soft policing") Althusser named these "Ideological State Apparatuses" (ISA's).

In Capitalist society, hegemonic control will continually be a mixture of the above, but in Capitalist democracies the last will be most vital since a ruling class search for to control and exploit the Proletariat by trying to influence them that this society is the best of all possible worlds...

8. Marxist theory highpoints the total evaluation of Capitalist society; in order to understand the way things seem you have to understand how social life is made through a combination of economic, political and ideological conflicts.

9. Individuals are not the focal point of Marxist theories (Marxists are mainly concerned with understanding social structures); "individuals" are only significant when they act together as a class.

That is, when people develop a consciousness of themselves as belonging to a particular social class (a “class in itself”) and acts upon that awareness to produce social change (a “class for itself”).

10. Most Marxists use the notion of wrong consciousness to explain how the Proletariat is co-opted by a ruling class into the values of Capitalist society (a member of the working class is incorrectly mindful of their true class position when they fail to understand themselves as a member of an exploited, oppressed, class).

### Summary for Study Session 4

In this Study Session 4, you have learnt that:

1. Marxism is based on two concepts – dialectical materialism and historical materialism. Dialectical materialism is the philosophical pillar of Marxism and historical materialism is the concept that explains the historical movement of societies.
2. There are also base and superstructure and the base is economic activity in the society while the superstructure is the belief system, ideology, etc of society and these are a reflection of the base since the base controls the superstructure. The ruling class in any society controls the base hence that class controls the superstructure.
3. The historical trajectory of any society had been simply made possible by the contradictions in the base which occurred because of changes in the base, and this would bring about class conflict in the society.
4. The end-result of that conflict would bring about a change of the ruling class in the society and the society would move from one form of system to another system – feudal, capitalism, socialism and lastly communism. **Marx** and **Engels** believed that communism would be the ultimate end of the historical process.

### Self-Assessment Questions (SAQs) for Study Session 4

Now that you have completed this study session, you can assess how well you have achieved its Learning Outcomes by answering these questions. You can check your answers with the Notes on the Self-Assessment Questions at the end of this Study Session.

#### SAQ 4.1 (Tests learning outcome 4.1)

Define Dialectics.



### SAQ 4.2 (Tests learning outcome 4.2)

What is super structure?

### SAQ 4.3 (Tests learning outcome 4.3)

Explain the Socialism.

### SAQ 4.4 (Tests learning outcome 4.4)

State the subdivision of Bourgeoisie

## Notes on the Self-Assessment Questions (SAQs)

### SAQ 4.1

Dialectics is a process that occurs in reality. Dialectical process occurs when there is a change from one form to another form brought about by praxis which is human kind's manipulation of nature. Marx and Engels got the concept of dialectics from Hegel.

### SAQ 4.2

The superstructure is simply the beliefs, ideology of that society. Marx and Engels claimed that in any epoch the ruling class controls both the economic base and as such the super structure, hence the ruling class's ideas to them are the ideas of the totality of the society.

### SAQ 4.3

Socialism is superior to capitalism in the sense that it will be managed on another moral or ethical system.

### SAQ 4.4

1. The Haute (High) Bourgeoisie (owners of big establishments)
2. The Petit (Small) Bourgeoisie (owners of small industries)
3. The Professions (people who, while not owners of the means of production assist to regulate every day running of businesses).

## Study Session 5: Social Justice

### Introduction

The issue of social justice is an important one. Social justice is about distribution of resources in the society or state. It involves the distribution of resources amongst individuals, groups and communities in the political system hence it is about distributive justice.

In this study session, you will learn about social justice, utilitarian conception of justice. **John Rawl's** idea of Justice and **Robert Nozick's** entitlement theory of justice.

### Learning Outcomes for Study Session 5

After you have studied this study session, you should be able to:

- 5.1 Define the term social justice.
- 5.2 Discuss the utilitarian conception of justice.
- 5.3 Examine the **John Rawls**'s idea of justice.
- 5.4 Explain Robert **Nozick**'s entitlement theory of justice.

## 5.1 Social Justice

The issue of social justice is an important one. Social justice is about distribution of resources in the society or state. It involves the distribution of resources amongst individuals, groups and communities in the political system hence it is about distributive justice.

There have been many approaches in terms of social justice; there is the approach of need, and there is also the criterion of merit.

Also an approach that is used to distribute resources in the society is that of humanity. Philosophers who embrace this approach claim that resources should be distributed equally because we are all human beings and as such we are an end and not a means to an end.

All these approaches can be either

- ❖ Egalitarianism
- ❖ Utilitarianism
- ❖ Conservatism.

Most political philosophers, social theorists, political theorists embrace one form or the other of these perspectives or approaches and these approaches will be our next point of discussion.

■ .....is about distribution of resources in the society or state.

- (a) Social justice
- (b) Social freedom
- (c) Social worker
- (d) Social welfare

□ (a) Social justice

## 5.2 Utilitarianism

One of the approaches that are mostly embraced by political philosophers is utilitarianism. Utilitarianism is an ethical principle. The classical exposition was done by **Jeremy Bentham** through what he calls the *principle of utility*.

### Box 5.1 Principle of utility

The principle is that you promote our happiness to the fullest. In our daily life our happiness becomes important as the hallmark of our moral principle. **Bentham** believes that any social policy should be tailored towards the promotion of happiness of the people.

He claimed that the desire of everybody is that his or her happiness should be promoted hence the utility principle is simply that you should maximize the happiness of everybody although this maximization should be in such a way that the happiness of people are harnessed intensely in such a way that it is to the fullest. Hence you have the maxim of utilitarianism which is the greatest happiness for the greatest number of people.

■ The classical exposition was done by ..... through what he calls the principle of utility.

□ Jeremy Bentham

The state's policy will promote the greatest good for the greatest number of people in a society. This maxim (rule of conduct) in this way becomes corner stone of state policy. The promotion of peoples' welfare in a state should be the policy of any government.

However, there are some problems that this theory of social justice in promoting the greatest good for the greatest number of people might infringe upon the right and liberty of others and in doing this there might result unjust treatment of people in the state.

This has made some philosophers and social theorist to query utilitarianism as a theory of social justice because according to them no person in the state should be unjustly treated in terms of satisfying the goodness or happiness of others whether they are in majority or minority.

Most political philosophers have argued that in a well ordered society the state should just provide security for the people in the society or the equality of opportunity at the initial level and once this is done the state should hands off.

If the state should interfere in the distribution of the resources it will result in an unjust treatment of some people. One of the political philosophers who have examined the issue of social justice is **John Rawls**.

### 5.3 John Rawls

In his book entitled *The Theory of Justice*, he attacks utilitarianism as the theory of justice that may result in an unjust society. He terms his own theory of justice as justice as fairness. He uses the idea of social contract to formulate his own idea of social justice.

To posit his own idea of social justice his own social contract is *Kantian in nature*. He claims that his own social justice theory is an alternative to that of utilitarianism. He constructed a hypothetical situation which he calls original position.



**Figure 5.1:** John Rawls

**Source:** <http://en.wikipedia.org>

In this original position people gather together to agree upon certain principles that will operate in the society that they are trying to set up. He says that in this original position there is what you call veil of ignorance.

The veil of ignorance is instituted or proposed by **Rawls** to bring about a sort of impartiality in the original position. In this circumstance no one knows about his or her class, gender and what status he or she will occupy in the society that is being formed.

However everybody is a rational egoist and it is because of this that you will agree with some people which will favour everybody's interest.

People do not know how this principle will affect them individually. However they know that they need some primary goods like:



**Figure 5.2:** Example of primary goods.

**Source:** SchulPortals Inc. ©.

These are goods that will help one in pursuing the end or plan of one's life. **Rawls** then claim that in this original position people will agree on two principles.

1. The first one is that each person will agree that everybody should have equal liberty compatible with that of everyone.
2. Second, everyone should agree that they should have a chance not only to exercise their talent but to acquire that talent through equality of opportunity.
3. Third, **Rawls** argues that justice requires of us difference principle which is that you should make the worst off in the society as well off as possible.

**Rawls** claims that these principles are lexically prior to one another. The first principle is more important than the others that are the principle of liberty or freedom. Again the second principle takes priority than the third principle.

These principles are such that those in the original position would agree with them because it will be fair to everyone hence he dubs his own theory of justice as "*Justice as fairness*". He believes that his own theory of justice is superior and better than that of utilitarianism because the liberty of the individuals has been taken care of.

Moreover he believes that it accords with what you can call '*separateness of people*'. In a nutshell, **Rawls** theory of justice is egalitarian in nature because it gives allowance for the poor to be taken care of.

## 5.4 Robert Nozick

He was a colleague of **John Rawls** at Harvard University. He was not only a critique of **Rawls**, but he posited his own alternative theory of justice which he calls **entitlement theory**. He claims that **Rawls'** *theory of justice* deprives people of their liberty or freedom though **Rawls** claims that freedom or liberty trumps all other values.

He argues that in spite of the fact that **Rawls** claims that liberty is lexically important than the two other principles, there is still a flaw in what he has proposed as a theory of justice. He believes that the state, society or community does not have any right to redistribute resources or to tamper with the market because this will infringe upon the right or liberty of some people in the society.



**Figure 5.3:** Robert Nozick

**Source:** [www.organonarchitecture.co.nz](http://www.organonarchitecture.co.nz)

Furthermore, he argues that all forms of social justice that is end state or patterned ones end up by denying the freedom of some people in the state. He claims that anybody has a right over his or her property which must have been acquired in a legal way. This acquisition of property could be through three means:

- ❖ The first is that the acquisition must have been through mixing of one's body or labour on what one has acquired, the other means is through transference and the third one is that of rectification.

He claims that once you have acquired a property by mixing our labour to it the property belongs to the person with one exception that there is enough for others to acquire. This is based on **Lockian** idea that you should leave certain lands for others to acquire or put in another way, it is not right for anyone to acquire all the properties in a place. In fact his idea is based on **Locke**.

- ❖ The second one is that we can transfer our property to our children or through contractual or legal means to other people.
- ❖ The third aspect is that the state can rectify certain injustices by taking certain properties from those who have acquired them illegally which have resulted in an unjust situation.

■..... Postulate the alternative theory of justice which he referred to entitlement theory.

- (a) Rawls
- (b) Locke
- (c) Chamberlain

(d) Nozick

□ (d) Nozick

He claims that the state cannot and should not forcibly take anybody's property because in doing this the state has encroached on the right or freedom of the people. He argues that if one looks at **Rawls' theory** it is an end state or patterned one which allows for the state to redistribute resources in the market or means of production and this is an unjust one.

The state according to **Nozick** does not have to do this because people have the right to do whatever they like with their property if and only if that property has been acquired legally. They are entitled according to him to own these properties and can transfer those properties to anyone and as such there shouldn't be any form of interference with anybody's properties.

This is a flaw in **Rawls' theory of justice** according to him because he allows for the state to redistribute resources in order to help the needy or the poor.

He argues further that **Rawls'** idea that the talent that people have is a natural talent but not something they have acquired by themselves is wrong. He believes that if a person's talent is deployed in a legal way and acquires much property the state does not have any right to take that property from him either through taxation or any form.

He gives us an example of **Wilt Chamberlain**, he says that **Wilt Chamberlain** has a right to his income because of his talent and probably spectators are ready to watch **Chamberlain** play basketball because of his talent and they are ready to pay more to watch him. Moreover those who have paid more have done this in order to enjoy the talent of another.

Hence they are willing to depart with some money. If the state should tax the spectators or **Chamberlain** the state has interfered with their rights. He believes that it is also a matter of self-determination by individual spectators and if the state interferes with this then the state has completely eroded that self-determination of the individuals.

He claims that in this way the Kantian maxim that individuals should be treated as an end and not as a means has been infringed upon. He claims that the state does not have to interfere with the market because the market system allows people to enjoy their freedom.

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Activity 5.1

Time: 1hr

Does the difference principle in Rawls go enough in alleviating the poverty of the poor?



## Summary for Study Session 5

In this Study Session 5, you have learnt that:

1. Social justice is about distribution of resources in the society or state. It involves the distribution of resources amongst individuals, groups and communities in the political system hence it is about distributive justice.
2. Bentham claimed that the desire of everybody is that his or her happiness should be promoted hence the utility principle is simply that you should maximize the happiness of everybody although this maximization should be in such a way that the happiness of people are harnessed intensely in such a way that it is to the fullest.
3. John Rawls idea of social justice his own social contract is Kantian in nature. He claims that his own social justice theory is an alternative to that of utilitarianism. He constructed a hypothetical situation which he calls original position.
4. The idea of Nozick is a right winged one or conservative one and he belongs to the libertarian persuasion or ideology. He does not allow for the poor to be helped by the state. He believes in the Darwinian survival of the fittest.

## Self-Assessment Questions (SAQs) for Study Session 5

Now that you have completed this study session, you can assess how well you have achieved its Learning Outcomes by answering these questions. You can check your answers with the Notes on the Self-Assessment Questions at the end of this Study Session.

### SAQ 5.1 (Tests learning outcome 5.1)

List the approach that is used to distribute resources in the society is that of humanity.

### SAQ 5.2 (Tests learning outcome 5.2)

Explain principle of utility.

### SAQ 5.3 (Tests learning outcome 5.3)

State the primary goods needed by people in Rawls theory of justice.

### SAQ 5.4 (Tests learning outcome 5.4)

Examine Robert Nozick critiques of Rawls theory of justice.

## Notes on the Self-Assessment Questions (SAQs)

### SAQ 5.1

- ❖ Egalitarianism
- ❖ Utilitarianism
- ❖ Conservatism.

**SAQ 5.2**

The principle stated that you promote our happiness to the fullest. In our daily life our happiness becomes important as the hallmark of our moral principle.

**SAQ 5.3**

- ❖ Liberty
- ❖ Opportunity
- ❖ Income
- ❖ Wealth
- ❖ Social basis of self- respects

**SAQ 5.4**

He claims that Rawls' theory of justice deprives people of their liberty or freedom though Rawls claims that freedom or liberty trumps all other values.

He argues that in spite of the fact that Rawls claims that liberty is lexically important than the two other principles, there is still a flaw in what he has proposed as a theory of justice. He believes that the state, society or community does not have any right to redistribute resources or to tamper with the market because this will infringe upon the right or liberty of some people in the society.



## **Study Session 6: Social Equality**

### **Introduction**

Equality as a social and political principle is an essentially contested concept. In ordinary parlance, when you say that certain things are equal what you mean is that they have the same features or they are identical in all respects or they are uniform and this uniformity will reside in certain features that the things share.

In this study session, you will learn about social equality, various forms of social equality

### **Learning Outcomes for Study Session 6**

After you have studied this study session, you should be able to:

- 6.1 Discuss the term equality.
- 6.2 Examine the social equality.
- 6.3 Explain the concept of affirmative action.

## 6.1 Equality

Equality as a social and political principle is an essentially contested concept. In ordinary parlance, when you say that certain things are equal what you mean is that they have the same features or they are identical in all respects or they are uniform and this uniformity will reside in certain features that the things share.

However, in social and political philosophy, you are not talking about all these things. Many social thinkers or political theorists have viewed the concept of equality from different perspectives hence as earlier intimated; it is a highly contested concept.



**Figure 6.1:** Equality

**Source:** [www.featurespace.co.uk](http://www.featurespace.co.uk)

If you say that human beings are equal, in what respect are you saying they are equal? Are they equal because they are human beings or because they are rational or have the same needs as human beings? These are the issues that social and political theorists have grappled with and they have posited ways in which people should be treated as equal.

The first philosopher who really grappled with this problem was **Aristotle** and he postulated his own notion of equality thus: “*Equals should be treated equally and unequal should be treated unequally*”. But the problem is this, in what respect are you to treat people equally as well as treat them unequally?

The Aristotelian notion of equality is merely a formal principle in the sense that it states a formal procedure without giving us the material conditions which have to be satisfied. As earlier pointed out, most philosophers have argued that human beings should be treated equally because of their humanity.

What they are saying is that since you are human beings, it is morally defensible to treat all human beings equally. However, the notion of humanity must be stretched out; in other words, it

must be explained; if you are all human beings and you have to be treated equally, does it mean that morons have to be treated equally as others?

What is this humanness that is being appealed to? Are you all equals since you are all human beings and as such you should not differentiate between those who have merited something and have to be treated equally with those who do not?

One could see that the notion of humanity as the material principle in which you all have to be treated equally cannot be cashed philosophically since there are some difficulties embedded in it.

■..... postulated his own notion of equality thus: “*Equals should be treated equally and unequal should be treated unequally*”.

□ Aristotle

It is on this basis that some philosophers have thrown out the criterion on humanity on which you have to treat everybody equally.

Some philosophers have argued that since you are all human beings you have certain characteristics and one of these characteristics is that you can feel pain and in so far as you can feel pain, you should be treated equally.

However, this characteristic of pain does not seem to capture the concept of equality or, put differently, does not warrant an equal treatment. This is because different people have different capacity for pain and in so far as this is the case, you cannot all be treated equally.

Some philosophers have advanced that because you are human being then you are rational and morally autonomous and since this is the case you should be treated equally. This criterion is also faced with certain difficulties since you are not equally endowed with rationality.

Some people are more rational than others in the sense that they can reason more than the others and they have merited certain things as a result of this and since this is the case you could say that they should not be treated equally with others.

The other criterion that has been advanced as the basis on which you have to be treated equally is the criterion of need. It is argued that human beings need certain basic needs for them to have self-fulfillment and since this is the case you should be treated equally on this basis.

But this criterion does not take into account that human beings have different needs; in other words, the needs of all human beings cannot be treated equally since the needs of some are much higher than the needs of others.

From what has been said above it will look as if the concept of equality cannot be given substantive criteria since all the criteria that have been posited to substantiate the formal equality cannot withstand certain criticisms.

However, most philosophers have said that the most important criterion of equality is equality of opportunity.

## 6.2 Equality of Opportunity

Equality of opportunity is an important principle of the concept equality. The concept of equality, as earlier pointed out, is that you should all be treated equally in all the respects you are equal.

### Box 6.1: Aristotelian Dictum

In other words, to go back to the Aristotelian dictum: “Equals should be treated equally and unequal should be treated unequally”. If this is the case, in what sense can you be treated equally? Some philosophers have argued that in order for the criterion to have much bite, the principle of equality should be viewed as that of opportunity.

What this means is that the people should be given equal opportunity to start on the same level i.e., people should have the same baseline in starting their life. In **Plato’s Republic**, it is the position that everyone would have to start on the same clean slate or scratch and through this the best could then emerge.

You can use the analogy of a game. There are rules of game, for instance, football. What this pre-supposes is that everybody is equal before the rules and you can play the game according to the rules. What this means is that you have the same equal opportunity to display whatever you have talents, skills, etc.

And this might result in an outcome in which some are rewarded than others. In other words, the outcome of the game becomes unequal in the sense that you are differently rewarded. Now, if you look at the concept of opportunity, the social material conditions are the same for everyone but the outcome becomes different in the sense that some might have more rewards than others due to circumstances which might be natural or social, and which make some to have an edge over others.

It is in this regard that outcome of the game results in an inequality contrary to the initial condition of equality available to the participants in the game. Although what the condition of

equality of opportunity means is that certain conditions should be provided for everyone at the initial stage so that everyone has an equal chance of winning but the but the outcome of the game results in an unequal outcome.

It is because of this fact that some philosophers have argued that in real life situation a belief in equality requires us to equalize outcomes over and over again. In other words, you should tinker with the outcomes, if you want to have real equality, and this should be done at every stage of the lives of the participants in any social system.

And what this means is that there should be radical interference in the distribution of the benefits and burdens a society possess but this might not be acceptable to some social theorists who might think that the liberty of some individuals is being interfered with.

Now, I mentioned earlier that what equality of opportunity does is to put everyone on equal basis at the start of life. Another look at the structure of games will sort of provide a plausible resolution of this puzzle.

It has been noticed as stated earlier that a game secures an equality of opportunity for each player. This equality does not mean an equal chance of winning the game. This is because each player brings different skills and talents into the game and these increase her chance to win over that of other players less skillful or talented as she.

What the game only desires to do is

- ❖ Firstly, to put the player on a rough equal basis, a sort of material equality.
- ❖ Secondly, to ensure a procedural justice that treats the players fairly as they compete.

What should be clear is that while the procedural justice is required for the purpose of the game, the material equality is not; rather, the latter is instrumental to the result it will bring about. This material equality is essential to the display of the different abilities and skills of the players which increase their chances of winning.





**Figure 6.2: Equality of Opportunity**

**Source:** [www.espnricinfo.com](http://www.espnricinfo.com)

In the consideration of the talents and skills with which individuals are endowed, and which one can say they are not responsible for, it can be argued, as **John Rawls** has done, that since these abilities are rather got by chance, that their application in distribution of goods is unjust since they are not the rightful property of those that possess them, then they should not feature at all in the consideration of distribution of benefits and burdens.

So for **Rawls**, and still following the analogy of games, it will be gross injustice to distribute prizes on the basis of natural skills. This is so because the gifts are merely attributes that the individuals possess by chance and so does not reflect the merits they have.

In objection to this analysis, it should be noted that the concept of a person necessarily includes what makes a person what she is essentially. That is, a person is a being with all the attributes that go into the making of a being.

So, if the individuals are deprived of those characteristics that are essentially to them, as Rawls and other critics have suggested, then they cease being what and who they are. And moreover, in relation to game i.e. football, it would tantamount to depriving an individual of exactly these skills and abilities that matter most from the point of view of the game.

The main point of games in this respect is to fashion out rules that go into highlighting the skills and contribute to a win or a loss. Thus, the expression is to display those skills that are necessary to the game.

The application of these considerations to social life seems clear now. It will now be obvious that equality essentially remains of two sorts. The first sort is the equality that derives from the procedural justice mentioned earlier.

This equality ensures the impartial application of the rules of distribution, equality before the law or in the application of the law, so to say. But this does not imply any material equality among individuals.

This equality is valued for its own sake, and it has been stated that this procedural justice or a fair application of the law becomes significant against the background of the manifest inequality between the rich and the poor.

The second sort of equality material is not valued in itself, but for the end of the autonomy of the individual. In games, it is necessary to promotion of the skills and natural aptitudes that are necessary in playing those games.

In social interaction, it is valued to the extent that it contributes to the achievement of individual freedom which is the aim of human society. Several attempts have been geared towards achieving this aim.

One of the programmes that have been established to promote the aim of individual autonomy is the affirmative action programmes. The aim of the affirmative action is to assert that the quality of opportunity should be based on grounds which are strictly relevant in the distribution of benefits in the society.

It has earlier been noted that the equality of opportunity is not to be equated with an equal chance of obtaining something. But the considerations upon which the distributive frameworks are based should not be criteria that are totally irrelevant to the distribution.

It is cases where such grounds hold that affirmative action wants to tackle. For instance it is usually argued that a poor person does not stand a chance at an auction, or that she does not have an equality of opportunity relative to the affluent.

But proponents of affirmative action claim that the poverty or rather inability of the person to bargain at the sales, while it is necessary to the idea of the auction itself, is different from a restriction based on the person's race or gender.

To return to the distinction made earlier between procedural justice and material equality now in the context of the auction, it becomes clear what affirmative action is about. At the auction, all are said to have equal opportunity of success, though not an equal chance (due to the structure of auctions).

But this is quite different from a case where a bidder's inability to participate is not understandable or even relevant within the context of the activity. That is, his inability is not due to his less purchasing power, but rather due to other characteristics of his i.e. race, gender, etc. which are quite irrelevant.

Discrimination, according to the proponents of this idea, is not exactly wrong in itself, but when it involves irrelevant considerations, it becomes unfair. A belief in social inequality is thus a belief in equality of opportunity, and not of a chance of success, but equality that is so regardless of irrelevant characteristics.

### 6.3 Concept of Affirmative Action.

Affirmative action is then the programmes that gives serious consideration to individuals or groups that had been the subjects of such unfair treatment in the past in the distribution of socially generated goods.

The two most important characteristics that have been used in depriving individuals of an appropriate and just participation in the distributive framework are colour and gender.

Though one can indeed find the special situations in which these characteristics might justifiably be relevant in issues of social relations, all the same it seems proper to say that generally, both are irrelevant to any distribution of opportunities.

For example, a lot of arguments have been brought against the gender issue of sexual equality, one of which stems from the grounds that women are generally weaker, more emotional and less capable of detachment than men.

But it soon becomes obvious that the actual point is not being a woman, but possessing the features associated with women. The implication then is that were there to be a woman (and then are) who possesses contrary characteristics to these; there it becomes irrelevant and indeed unfair to still deprive her for being a woman.

So, the fact that someone is a woman is totally irrelevant to any consideration regarding the just distribution of opportunity. This same point also applies to argument favouring racial discrimination. Such argument derives from the assertion of the stupidity or idleness of the particular hated race.

But when faced with a member of that race that on the contrary exhibits the traits of cleverness and diligence, and then racists are forced to recognize or acknowledge that the issue of race is of no relevance to any distributive framework in the society.

A far more interesting issue arises from the question as to how far the society can legislate positively to redress social inequalities that result from such unfair discrimination against groups and individuals.

This is exactly the point of affirmative action or what is also called positive discrimination. It should be noted that the basic condition upon which a society is erected is that individuals be autonomous to freely pursue what they deem fit for themselves.

But a freedom that allows persons to do as they wish and also to do what they wish with what they own can only serve as a basis for unfair discrimination.

A man may then be said to be free to decide not to sell his property to a woman or a black person because of gender or racial prejudices (real freedom must also include freedom to discriminate or act immorally).

The aim of affirmative action as regard the autonomy of individual stands then to be undermined. This fact of the freedom of individuals as led some to conclude that there cannot be any legitimate policy that seeks to eliminate social inequality among individuals and groups.

On the contrary, it has been argued that social discrimination should not be seen as the cumulative discrimination of individual's write large, but rather as a structural phenomenon, something intrinsic in the structural functioning of the society.

This may then explain the behavior of a person who refuses to sell his property to a black person as a prudential consideration concerning the values of properties in a society that discriminates on a racial basis.

To eliminate such ill, it will somehow be futile to restrict individual's freedom to do what he likes with his property, rather it will be imperative to undermine the conditions at the structural level that place a restriction on the autonomy of the person.

For instance, the society induces certain negative expectation in, say women that lead to a self-selected exclusion from certain social activities. This tactics is used to cover any overt discrimination; it legitimizes discrimination by encouraging the biases and prejudices that go around to sustaining the discrimination.

Thus, the belief and expectation that women are not relevant in certain social spheres actually make that consideration relevant in any social relation. Fighting against structural discrimination leads then to the promotion of individual's freedom.

Affirmative action does not claim to redress any unfair discrimination apparent in the individuals, but rather, it seeks an equality of opportunity for individuals, or groups that had been the butt of such systematic and unfair discrimination in the past.

Three basic objections have been raised against the affirmative action program me.

- ❖ The first one is the charge that the programmes is a futile one since its objective of seeking for an equal opportunity for, say, blacks as a group now cannot in any way

compensate for all the unfair discrimination that might have been perpetuated against them in the past.

To help black persons in getting the right steps into progress should not be taken to mean helping the whole black race nor being seen as a compensation for wrongs done the blacks long dead who could not achieve anything due to unfair discrimination.

It seems proper to say that though those who raise this objection are right to the extent that affirmative action cannot lay claim to the rationale of seeking redress for past wrongs; they are totally wrong in seeing their criticism as an objection against the programmes.

Rather, it should be seen as a means of redirecting its focus towards future action rather than past wrongs; it must seek the establishment of a future ideal society and cease being retroactive.

- ❖ The two other objections take this last point as the bone of contention. For these critics, whatever action may be proposed for any future society, affirmative action is itself wrong. The second objection's point is that the method which this programmes adopts cannot be justified.

The critics claim that the programmes itself is based on discrimination on grounds of colour and gender while supposing that the discriminations are unfair. They insisted that if it is unfair to discriminate against a person on irrelevant ground, then it is equally unfair to discriminate in favour of that person on the same grounds.

It would seem that this objection does not fully comprehend the whole objective of affirmative action. According to its proponents, since it is possible to have good and reasonable grounds for discrimination on irrelevant ground, and since their positive discrimination though based on such grounds is to eliminate the prejudices that go with discrimination, then their programmes is justified.

- ❖ The third objection raises the claim that if the assumption of affirmative action is true that those it is discriminating against are those who are the best and the talented in the society, then to discriminate against them and in favour of the worst off is to hinder the best and capable individuals from the various opportunities and by so doing violate their rights to those opportunities.

In other words, only the wrong people who are not capable because of their lack of necessary knowledge, skills and aptitude will be getting the required opportunities.

On the strength of this objection, the assumption of affirmative action has been modified to accommodate the claim that preference or rather discrimination is only permissible only if the two candidates are equally well qualified for the same job.

In this case, the job will not go to the wrong person if positive discrimination is carried out. But others have responded that this concession is unnecessary since the initial objection does not affect the programmes.

They believe that the objection is based on two false assumptions: one that is the person, has a right to the job. This is false because an offer of a job opportunity is a benefit and not an entitlement unless the offer constitutes a promise or is seen as part of a contract which the person offering the job is then obliged to obey.

The second false assumption is that you always know who the best candidate is independent of colour or gender and to the exclusion of the two. On the contrary, in certain specific circumstances, these two characteristics become relevant as qualifications for any opportunity. The colour of a person serves as a disqualification while it might qualify the person at some other time.

If you return to the second objection, a rejoinder of the critics is that a mere possibility of the reversal of negative discrimination which the proponents use as a justification for their programmes is not enough to warrant using the method of irrelevant characteristics in their discriminating in favour of certain groups.

The crucial test for the programmes, according to them is that it must be seen to actually make a difference between negative and positive discrimination. In other words, affirmative action must be seen to be actually effective.

The rejection of the objections hinges on the level of the observed effectiveness of the programmes. For the method of affirmative action to be capable of being adequately defended, then the motives behind it must be the best ones.

It has rather being the case that in most cases, the motives have always being the exact opposites of what advocates claim. It is either a motive arising from guilt or from revenge.

More importantly, the programmes must be opened to continuous empirical scrutiny if it is to be justified.

This is assuming that the right motives sustain the programmes. The difference the action makes in the society must be verifiable. This effectiveness is two-pronged.

First, it must be noticed that the prevailing prejudices and structural causes of unfair discrimination have been altered, and second, the point at which a tolerable equilibrium has been established between races and sexes must be observable. At exactly this point, affirmative action is both justified and at the same time begins to be phased out.

## Summary for Study Session 6

In this Study Session 6, you have learnt that:

1. The Aristotelian notion of equality is merely a formal principle in the sense that it states a formal procedure without giving us the material conditions which have to be satisfied. As earlier pointed out, most philosophers have argued that human beings should be treated equally because of their humanity.
2. The chapter surveyed different conceptions of equality and the principle of equality of opportunity is examined in detail and the concept of affirmative action is clearly examined in order to bring out vividly what the principle entails.

## Self-Assessment Questions (SAQs) for Study Session 6

Now that you have completed this study session, you can assess how well you have achieved its Learning Outcomes by answering these questions. You can check your answers with the Notes on the Self-Assessment Questions at the end of this Study Session.

### SAQ 6.1 (Tests learning outcome 6.1)

Explain Aristotle notion of equality.

### SAQ 6.2 (Tests learning outcome 6.2)

State the Aristotelian dictum: “

### SAQ 6.3 (Tests learning outcome 6.3)

What is concept of affirmative action?

## Notes on the Self-Assessment Questions (SAQs)

### SAQ 6.1

The Aristotelian notion of equality is merely a formal principle in the sense that it states a formal procedure without giving us the material conditions which have to be satisfied. As earlier pointed

out, most philosophers have argued that human beings should be treated equally because of their humanity.

**SAQ 6.2**

Equals should be treated equally and unequal should be treated unequally”

**SAQ 6.3**

Affirmative action is then the programmes that gives serious consideration to individuals or groups that had been the subjects of such unfair treatment in the past in the distribution of socially generated goods.

## **Study Session 7: Human Rights**

### **Introduction**

The concept of human rights has become an important concept in the world today. There is no single political organization which does not make protestations in respect of human rights.

In this study session, you will learn about human rights, Feinberg analysis of human right and united nation of universal declaration of human rights.

### **Learning Outcomes for Study Session 7**

After you have studied this study session, you should able to:

- 7.1 Explain the term human right.
- 7.2 State Plato’s concept of Feinberg analysis of human right.
- 7.3 Discuss united nation of universal declaration of human rights.



## 7.1 Human Rights

The concept of human rights has become an important concept in the world today. There is no single political organization which does not make protestations in respect of human rights. Having been denied man for so long in so many nation-states human rights and preoccupation with them were affirmed internationally when on the 10th of December, 1948.

The general assembly of the United Nations voted, under the title of Universal Declaration of Human Rights, for the charter proclaiming the principles which should animate the treatment of persons in all states of the world as well as the actions of the organs of the international community. Let us start our discussion with a cluster of questions.

In what sense can you say that human beings have certain rights because they are human? What are these human rights? In what ways can these rights be established? These are some of the questions that political philosophers have grappled with. In this lecture you shall go through some of the answers to these questions.

■..... has become a significant concept in the world today.

□ Human Rights

Before examining the concept of human rights, it would be instructive to clarify the concept of rights. It is important to make a distinction between legal and moral right<sup>1</sup>. The former type of rights is clearly stated in the legal system while the latter rights are not. They are referred to as **ideal rights**.

### Box 7.1: Concept of rights

The concept of rights has always been viewed as having certain relationship with claims which people have against others and these claims make it obligatory for others to respect the claims of the right holder. In other words, it is the duty of others to respect the claims of the person. Thus, there is a correlation of rights and duty.

If for instance, A has a claim-right against B, it is the duty of B to take certain actions concerning A. The right to a claim necessarily occurs within a structure of rules and regulations. The most important of these structures of rules occurs within the legal system.<sup>2</sup>

## 7.2 Feinberg analysis of Human Right

“Legal claim rights”, according to **Feinberg** “are necessarily the grounds of other people’s duties towards the right holder”<sup>3</sup> **Feinberg** claims further that “a legal right is a claim to performance, either action or forbearance as the case may be, usually against other private persons.



**Figure 7.1:** Joel Feinberg

**Source:** en.wikipedia.org

It is also a claim against the state to recognition and enforcement”.<sup>4</sup> An example of claim-right; if A owes B some amount, A has the duty to pay B the amount, and “that duty seen from B’s perspective is B’s right to receive (the amount from A)”.<sup>5</sup>

If A has a contract to deliver some goods to B, B has the right to receive those goods from A, and that rights springs from A’s contractual obligation to B.<sup>6</sup>

Legal claim-rights are usually well laid out in a legal system and it is because of this that a claim-right can be “urged, pressed, or rightly demanded against other persons”.<sup>7</sup>

**Feinberg** notes that “in appropriate circumstances the right-holder can urgently, peremptorily, or insistently call for his rights, or assert them authoritatively, confidently, unabashedly”.<sup>8</sup>

**Feinberg** makes an important makes an important classification of claim-rights.<sup>9</sup> According to him, there are important distinctions that can be made between impersonam and rein rights, between positive and negative rights, and between active and passive rights.

The simplest example of an impersonam right is that of a creditor against his debtor. If A owes B a certain amount, A has a duty to B to repay the amount, and B can insist that A should repay the amount, and can rightly show indignation if A does not pay.

**Feinberg** claims that the distinguishing feature of impersonam rights is that “they are correlated with specific duties of determinate individuals”.<sup>10</sup>

Rein rights on the other hand, are rights which are held against the “world at large”, that is, they are not held against any specific individual. An instance of this right is the right of a landowner to peaceful use of his land.

Feinberg notes that “corresponding to these rights are the legally enforced duties of non-interference imposed on everyone”.<sup>11</sup>

The distinction between *positive* and *negative rights* is that positive rights are rights “to other persons’ positive actions”.<sup>12</sup> If there is a right, someone has a duty to do something. A *negative* right entitles someone to other persons’ omissions or forbearances. For every negative right one has, someone “has a duty to refrain from doing something”.<sup>13</sup>

#### Box 7.2: Active and Passive rights

Active rights are “rights to act or not to act as one chooses”<sup>14</sup> while passive rights are “rights not to be done to by others in certain ways”.<sup>15</sup> Active rights, according to Feinberg, can be referred to as the “rights to liberty”.<sup>16</sup> While passive rights can be characterized as “rights to security”.<sup>17</sup>

From the above analysis, it will be seen that most legal rights-claims are correlative with duties. Thus, most philosophers have argued that rights and duties are like a hand in a glove because, according to them, acceptance of duties is the price to pay for having rights.<sup>18</sup>

Although, the notion of right is closely related to the notion of duty, there is another sense of right that is not linked to the notion of duty. This notion of right is, however, linked to the notion of claim.<sup>19</sup>

This conception of right takes it as a claim to something which does not necessarily imply a claim against anyone in particular. Although, the concept of right can be defined in terms of claim, this will not be analytically profitable because it will lead to conceptual confusion.<sup>20</sup>

■..... right entitles someone to other persons’ omissions or forbearances.

- (a) Positive
- (b) Negative
- (c) Neutral
- (d) Concept

□ (b) Negative

Never the less, the concept of right can be expressed in the language of claims, and as Feinberg rightly pointed out “claiming (is) necessary to a full understanding of what rights are”.<sup>21</sup>

It can be argued that claims are against someone; hence they “necessarily correlated with the duties of those against whom they hold”.<sup>22</sup> But there could be a sense of claim which is not closely related with the notion of duty.

The idea behind this conception of claim is to correlate claim with need. Though this claim is not directed against any person, it is a claim which needs to be attended to.

In perceptive hypothetical case, **Feinberg** implores us to imagine, for example, a hungry, sickly, fatherless infant, one of a dozen children of a desperately impoverished and illiterate mother in a squalid Mexican slum.

Although you may forever despair of finding anyone whose duty it is to provide that child with food, medical attention and an adequate education, Feinberg argues, these needs constitute a claim.<sup>23</sup>

These needs, according to **Feinberg**, constitute a claim “against the world” even though such “claims against no one at all”.<sup>24</sup> Although, “these needs are claims to”, according to **Feinberg**, “they could be taken as claims against...”.<sup>25</sup>

They are rights only on moral principle and they are not explicitly stated in any legal system as positive rights. They are what could be called ideal or moral rights.

The most important class of ideal or moral rights is that of human rights. Human rights are rights that are held by all human beings unconditionally, unalterably and they are inalienable. Although, human rights are usually termed **natural rights**, not all natural rights are human rights.

The concept of natural rights states not only that there are “certain human rights but also that these rights have certain further epistemic properties and certain metaphysical status”.<sup>26</sup> However, theory of human rights is neutral with respects to moral ontology and moral epistemology.

Human rights are also held to be absolute. What this means is that they are inalienable and universal. But, at times, absoluteness could be referring to some additional features which can be interpreted in three ways.

- ❖ Feinberg claims that the first interpretation could mean that all rights are “unconditionally incumbent within the limits of their well-defined scope”.<sup>27</sup>

- ❖ The second interpretation of absoluteness means that all those parties involved in the implementation of human rights should “do their best” for the values involved in human rights.

They are “ideal directives” to the parties that would implement these ideal rights, that they should be honoured in all circumstances. For instance, if a state has taken a piece of land from Bola the state should compensate her since she has a right to her property.

The last sense of absoluteness is the strongest that all human rights should be honoured without exception. The right to free speech would be absolute in the sense that it is protected in all circumstances.

In this case, the limits of the rights would be in consonance with the limit of what is specified permissible conduct and no infringement of the right in any form would be permitted. However, if human rights have this feature, it should not conflict with any of other human right either of the same form or another type.<sup>28</sup>

Some of the human rights are formulated in such a way that they are vague and therefore different interpretations might be given to them. Some are put in conditional language while some are formulated in such a way that no detailed specifications are put on them which make their interpretations controversial.

However, in order to remove this air of vagueness which usually leads to different interpretations, it is necessary to give content to the formal specifications of human rights.

At the beginning of this lecture, I posed some questions about human rights. These questions are; are there human rights?

- ❖ Are these rights held by all human beings?
- ❖ And are these rights generally moral, inalienable, irrevocable rights held equally by all human beings?

These questions invite us to establish or give justification for human rights.

In the contemporary world, human rights have become a popular notion, but the concept that there are rights held by humans still agitates the minds of philosophers and the skeptic would ask: why treat all human beings equally since some are fools or idiots? Why not base equal treatment of human beings on some criteria that separate deserving ones from those that is not?

The sceptic has a legitimate point in asking these questions. The theory of human rights demands that you treat everybody equally, that is, even an idiot or a murderer should be accorded the same

treatment as everyone else. In what sense can you meet the sceptic's challenge? In other words, what justification can you give for equal treatment of everyone?

Political philosophers have tried to meet the sceptical challenge by positing different justifications for equal human rights. Some philosophers have argued that since everyone has an equal human worth, equal human rights should be accorded to everyone.

In an illuminating paper, **Gregory Vlastos** contends that the idea of universal equal human rights assumes that people are of equal human worth which is to be sharply separated from other characteristics which people might possess.<sup>29</sup>

#### Box 7.3: Human Worth

He argues that you might grade people according to some of these characteristics but human worth is not a grading concept. Human worth is quite different from other qualities which people possess and which could be used to treat people differently since these qualities would bring about vast inequalities that could be used to treat people differently. In a society which is based on the principle of human rights people would be treated equally because of their human worth.

Human worth, according to Vlastos, is like love someone has for another person. The love is not based on any quality like merit but it is a response to a person as an individual.



**Figure 7.2:** Vlastos

**Source:** [www.namespedia.com](http://www.namespedia.com)

Vlastos argues that you normally come to the aid of a stranger in danger, a person for whom you never have affection, because you attach a value to any human life which is different from any quality that the stranger might possess. The response you give to the stranger in danger is a response to what Vlastos calls “**human worth**”.<sup>30</sup>

■.....argues that you might grade people according to some of these characteristics but human worth is not a grading concept.

□ Gregory Vlastos.

The sceptic might not be convinced that human worth confers equal right on everyone. He might still ask, why treat everyone equally according to equal rights? He might argue further that there manifest inequalities among people which allow for unequal treatment in terms of rights.

Further, the sceptic might contend that the human worth that is bandied as conferring equal rights on everyone be it a rogue or a murderer is like a “supervenient property”. In other words, it must have this property because of other property or properties.

If two things are identical or similar, it is because they possess certain properties in common. So, if you claim that two things are similar in every respect you are claiming that it is impossible for them, to be different in worth since the difference in worth would be determined by some other properties.

Thus, if one thing is more worthy than another thing, it is because there are some properties that bring about this. If two things have the same worth then there is a feature which they share which is the basis of their equal worth.<sup>31</sup>

So the question is: what is this common feature? There have been many answers posited by philosophers to account for this common feature or property which enables human beings to have equal human worth.

But none of these has really been satisfactory in coming to grips with the sceptical challenge that it is impossible to ground equal human worth.

Most philosophers would agree with the sceptic that if all men have equal right despite the manifest inequality apart from other merits they may possess, there must be one quality which all possess in common and is of utmost moral importance and which confers on them equal rights.

Philosophers have tried to posit one quality or the other. The qualities that have been posited range from value characteristics, through natural capacities such as rationality, natural vulnerabilities, such as pain and suffering to transcendental properties, “in intrinsic dignity attaching to all human beings”.<sup>32</sup>

What you have to note is that none of these has obviated the sceptic's query. If human beings have moral qualities that make them to have equal moral worth, there would be some that have more moral qualities than the others; in other words, all men cannot possess these moral qualities in the same degree and proportion; hence some would be morally worthy than others and therefore all men are not on a par in terms of human worth.

Moreover, as **Feinberg** has noted, "the intrinsically moral qualities that are invoked to explain equal human worth must rest, as moral qualities, on some common non-value characteristics which are their bases or determinants; the question about the nature of the common characteristics arises all over again about them".<sup>33</sup>

The sceptic might ask that if human beings have human worth because of certain "infinite value or intrinsic pricelessness where do these extravagantly dimensioned endowments come from".<sup>34</sup>

These qualities can only be ascribed in view of other traits; and if this is the case, what are these other traits that can be used to characterize them? These sceptical queries are intractable and difficult to answer.

Moreover, the intrinsic pricelessness that is invoked to explain equal human worth is difficult to verify; in other words, this is not susceptible to empirical verification; hence there seem little that can be based on this for asserting that men have equal moral worth.

The other favoured ground for asserting that men have equal human worth is rationality. The point that is usually made is that, all men are rational and since this is the case, they have equal human worth.

However, this point runs counter to obvious facts because some men are more rational than others and since this is the case, it follows that some men are more worthy than others. However, the point to be noted is that the position would not claim that all men are rational to the same degree but that even the irrational ones have the potential to be rational.

But even this modification runs against certain facts because it is not the case that the potentiality that is claimed would be the same for all men.

What perhaps could be said about rationality is that men have the potential to be minimally rational and this is above anything that any lower animal could have. This point seems not convincing.



Although, it might be true that all men possess this potentiality in a weak sense, the link between this potentiality and human worth, is tenuous. Moreover, most men do not even possess this potentiality of rationality.

The third position normally canvassed for equal human worth is the natural vulnerability that human beings have. It is argued that since human beings have the capacity for pain and suffering they have equal human worth.

This position seems susceptible to some difficulties. It can be argued that not all human beings possess the same capacity to withstand pain and suffering. Some are more sensitive than others. In view of this, the position does not seem convincing.

The last position that is usually posited for equal worth is predicated on certain metaphysical and theological foundations. Thus, you often hear that men are of equal worth because “all men are children of God”; “each man has a spark of divine reason”; “individuals have to be treated as persons, not things”; “men are ends in themselves”; “men are sacred”.

All the metaphysical and theological statements about equal human worth seem not convincing for claiming that human beings have equal worth because they are not susceptible to any empirical verification.

From what has been said above about justification of human rights it may have become obvious that justifying human rights is a forlorn exercise. There is no way you can provide any justification for the claim that human beings have certain basic rights.

In other words, human rights are groundless – “it is a kind of ultimate attitude not itself justifiable in more ultimate terms”.<sup>35</sup>

However, there is no reason why you should despair that you cannot meet the sceptical challenge on human rights. Human rights are such that they make our world better. You look at other human beings as sharing the same humanity with us.

Moreover, you do not look at them as ordinary thing but as people you should respect (in the Kantian sense of the term), because they have certain feelings and desires which you also have. In other words, you respect them as having human worth.

This human worth cannot be grounded on any quality but only on itself. A world without human rights would be an impoverished one. In conclusion I cannot forbear to quote from Feinberg who has put this point elegantly:

**Box 7.4: Feinberg Quote**

... a world with equal human rights is a more just world. It is also a less –dangerous world generally and one with a more elevated and civilized tone ... (emphasis original)<sup>36</sup>

### 7.3 United Nations of Universal Declaration of Human Rights

Immediately after the Second World War, the United Nations adopted a Universal Declaration of Human Rights<sup>37</sup> which departs significantly from our normal view of rights.

The old fashioned liberal rights which stress negative rights you're supplemented by positive rights. The liberal conception of rights which pertains to civic and political rights but positive rights pertain to social and economic rights that are correlated with the duties of others (essentially the state).

Negative: rights are usually viewed as rights that impose restraints on the state as well as others not to interfere with the individuals.

The positive rights, however, impose, as earlier pointed out, duties upon the state to provide certain basic needs for the citizens. Articles 22-27 of the Declaration, for example, state that the state should provide, as a matter of right, for its citizens medical care, work, education, periodic holiday with pay, protection against unemployment, food, clothing, housing etc.<sup>38</sup>

Positive rights have been criticized for certain obvious reasons.<sup>39</sup> It is argued that rights are usually correlative with duty,<sup>40</sup> that is if X claim B as a right it is the duty of others not to obstruct or interfere with X.

However, in the case of positive rights, there is no correlative duty attached to these rights. There is no individual, so the argument goes, that is under any obligation to honour the rights listed under positive rights. However, there seem to be misunderstanding of the issue at stake on the part of those who deny positive rights as rights in the proper sense of the term.

The duty of providing these welfare rights falls on the states. Furthermore, although, right are not correlative with duty in the usual sense of the term, they imply a corresponding moral duty on the part of those who can perform certain actions to bring about the claims attached to these rights.

■.....adopted a Universal Declaration of Human Rights after the Second World War.

□ United Nation.

**Feinberg** seems to come close to this position when he says that such rights express “the conviction that they ought to be recognized”.<sup>41</sup> What could be pointed out is, if these rights “ought to be recognized as “pointed out is, if these rights “ought to be recognized” as “potential rights” how could they even be “potential rights” if they do not correlate with the duties of others? What I am driving at is that these positive rights, contra Feinberg, are grounds for other people’s duties.

One influential critic of positive rights (social d economic rights) is **Maurice Cranston**. He has argued that the only genuine rights are the negative rights – that is, those rights that call for the non interference<sup>42</sup> (or inactivity) of government or individuals.



**Figure 7.3:** Maurice Cranston

**Source:** en.wikipedia.org

He argues that most economic and social rights cannot be implemented since conditions might not be favourable for these rights to be implemented. But in the case of negative rights, this is not the case. Furthermore, negative rights, according to Cranston, are more important morally than social and economic rights.

It is important that government should not be arbitrary or cruel in its dealing with its citizens and should also not make measures which will destroy the freedom of the citizens.

However, it could be argued that positive rights are important for the realization of negative rights. On some occasions one’s negative rights are abrogated if there are no ways to realize them. Positive rights are therefore necessary components of negative rights.

## Summary for Study Session 7

In this Study Session 7, you have learnt that:

1. The general assembly of the United Nations voted, under the title of Universal Declaration of Human Rights, for the charter proclaiming the principles which should animate the treatment of persons in all states of the world as well as the actions of the organs of the international community.
2. Human rights are rights held by everyone because we are all human beings. The notion of right is discussed and Hohfeld analysis of right is focused upon in elucidating the concept of right. The negative and positive notions of right are examined.

## Self-Assessment Questions (SAQs) for Study Session 7

Now that you have completed this study session, you can assess how well you have achieved its Learning Outcomes by answering these questions. You can check your answers with the Notes on the Self-Assessment Questions at the end of this Study Session.

### SAQ 7.1 (Tests learning outcome 7.1)

Examine the concept of rights

### SAQ 7.2 (Tests learning outcome 7.2)

State the active and passive rights of Feinberg

### SAQ 7.3 (Tests learning outcome 7.3)

Examine the liberal old fashioned rights

## Notes on the Self-Assessment Questions (SAQs)

### SAQ 7.1

The concept of rights has always been viewed as having certain relationship with claims which people have against others and these claims make it obligatory for others to respect the claims of the right holder.

In other words, it is the duty of others to respect the claims of the person. Thus, there is a correlation of rights and duty.

### SAQ 7.2

Active rights are “rights to act or not to act as one chooses”<sup>14</sup> while passive rights are “rights not to be done to by others in certain ways”.<sup>15</sup> Active rights, according to Feinberg, can be referred to as the “rights to liberty”.<sup>16</sup> While passive rights can be characterized as “rights to security”.

**SAQ 7.3**

The old fashioned liberal rights which stress negative rights you're supplemented by positive rights. The liberal conception of rights which pertains to civic and political rights but positive rights pertain to social and economic rights that are correlated with the duties of others (essentially the state).

## **Study Session 8: Freedom**

### **Introduction**

In social and political philosophy, however, you construe freedom as the as the absence of any constraint which is either imposed by the state or by other individuals or citizens in the society. In other words, it may either be physical or social constraints.

In this study session, you will learn about the concept of freedom, analysis of freedom by Isaiah Berlin, negative freedom and positive freedom.

### **Learning Outcomes for Study Session 8**

After you have studied this study session, you should able to:

- 8.1 Explain the term concept of freedom.
- 8.2 Discuss the analysis of freedom by Isaiah Berlin.
- 8.3 Define G. C. McCollum negative freedom and positive freedom.

## 8.1 Concept of Freedom.

There are various ways of looking at the concept of freedom. In a purely philosophical way, freedom means that one is not determined. In this sense, you are using it in a metaphysical way and what it means is that you have free-will.

In economic terms, what it means is that in the market you have free access to actualize our preferences and needs. In other words you are free to choose.

In social and political philosophy, however, you construe freedom as the as the absence of any constraint which is either imposed by the state or by other individuals or citizens in the society. In other words, it may either be physical or social constraints.

■ In ..... terms freedom is regarded as the market where you have free access to actualize our preferences and needs.

- (a) Social
- (b) Philosophy
- (c) Metaphysical
- (d) Social and political philosophy

□ (d) Social and political philosophy

However, what you have just said is simply the most basic formulation of what freedom is in the social and political realm. Freedom or liberty, like other concepts in social and political philosophy, is an essentially contested concept and the definition of it by any social theorists will depend on his /her ideological persuasion, but if you want to give a sort of logical structure of the concept, you say Y is free to do X in order to be free from Z.

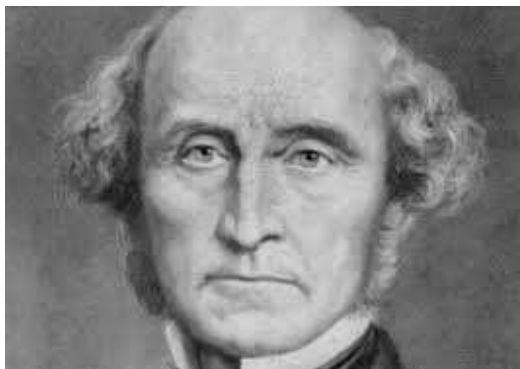
In other words, freedom in this sense means that there are no constraints one is free from those constraints. In an analysis of this sort, *Freedom to* is not complete without *freedom from*. If you have freedom to education e. g. you are free from ignorance. In other words, the two basic logical structures of freedom are equivalent to each other.

### Box 8.1: Definition of freedom by social theorist.

Most social theorists, however, view freedom in the self- regarding sense i. e. you have freedom in so far as you do not have any constraints that is imposed on us either by the state or by individuals in the state.

In this sense, one is free to the extent that there are no limitations to what you can do. This form of freedom is that you have a right and this right is to a large extent not limited in so far as it does not conflict with the rights of others.

**J. S. Mill** in his book entitled *On Liberty* says that freedom or liberty should be regarded in such a way that one's liberty stops at where another person's liberty starts. He formulated what he calls "*Harm principle*".



**Figure 8.1:** J.S. Mill

**Source:** [www.sevenoaksphilosophy.org](http://www.sevenoaksphilosophy.org)

You have liberty in so far as it does not do any harm to others and this liberty does not give us any license to engage in any acts that is detrimental to the society. However, **Mill's** conception of liberty is self-regarding. In other words, he conceives liberty in a negative way.

**Negative liberty** is basically conceived or viewed as a form of liberty that is individualistic oriented. You are free in so far as no constraints whatever is imposed on us. In this sense, you have a right to exercise certain basic freedoms e. g. free speech, free association, etc., in so far as this sense of freedom does not infringe upon the freedom of others.

In this conception of freedom you do not conceive that other limitations could (whether physical) prevent us from exercising our freedom. However, some theorists have argued that negative freedom is simply a formal one.

You may be free but you may not be able to exercise that freedom since there could be some material constraints that are not imposed directly on us either by the state or other individuals but there could be also certain constraints brought about by certain societal arrangements.

For instance, you can be free to buy certain things in the market but due to material limitations, you might not be able to exercise that freedom. Because of this, some theorists have posited what is called positive freedom. Before coming to grips with the notion of positive freedom,



## 8.2 Isaiah Berlin (Two Concepts of Liberty)

Let us look at an analysis of freedom by **Isaiah Berlin** who is one of the most influential theorists of freedom.

In his seminal work, “*Two Concepts of Liberty*”, **Berlin** claims the idea of negative liberty presupposes an absence of constraints, as earlier remarked. In this conception, one is *free from* certain restraints or constraints which could be externally imposed or internal as the case may be. The idea of positive freedom, on the other hand, means being free to do something.



**Figure 8.2:** Isaiah Berlin

**Source:** [www.eilatgordinlevitan.com](http://www.eilatgordinlevitan.com)

**Berlin** goes on to define negative liberty or freedom as “an area within which a man can act unobstructed by others; in other words, freedom in this sense consists of a space of unimpeded actions.

In defining negative freedom so much as the obstacles which obstruct or impede freedom – laws or social circumstances, one needs to add that Berlin has been criticized on his view about the distinction he makes between negative freedom and positive freedom – that is as *free from* something and as *free to* do something.

## 8.3 G.C MacCollum (Negative and Positive Freedom)

In his paper, “*c*”, G. C. **MacCollum** maintains that the difference between *free to* and *free from* is just a confusion of language since each case of the freedoms can be described in both ways. Being “*free to*” to gain education entails being “*free from*” ignorance.

**MacCollum** goes further to propose a value free concept of freedom: X is free from Y to do or be Z. In clarifying the notion of freedom in this way, **MacCollum** helps us to think about freedom in number of ways.

In the first place, it suggests that the apparently deep question “Are you free?” is meaningless unless it is clearly specified in what you are free from and what you are free to do. You may be free from one obstacle like, physical assault but you are not free from others, such as laws which specify that you cannot assault other fellow citizens.

■..... maintains that the difference between free to and free from is just a confusion of language since each case of the freedoms can be described in both ways.

- (a) Richard
- (b) Rawls
- (c) Mac Collum
- (d) Isaiah Berlin

□ (c) Mac Collum

Similarly, you can be free from the same obstacle Y, in this instance, the law to do one thing-smoke tobacco, - but you are not free from another like smoking cocaine. Finally, it helps to clarify how people disagree about freedom.

In most common cases, the disagreement turns over what should count as an obstacle to freedom; in other words what can count as Y. For instance, while some would take physical or legal obstacles as restricting freedom, others would take lack of material resources or social deprivation as the cause of unfreedom.

Let us turn to **positive freedom**, in Berlin’s analysis, is concerned with, or refers to autonomy or self-mastery; it is concerned with the question “What, or who, is the source of control or interference that can determine someone to do, or be, this rather than that”.

In this case, it is related to the idea of what obstacles are placed on the individuals which make the realization of his/her freedom impossible. In most cases the obstacles are imposed through the social arrangement which can be removed.

In effect, positive freedom stands for *effective power, self-realization, self-mastery, or autonomy, or moral or “inner” freedom*. This freedom consists not merely in being left but in having the

effect power to act, shifting attention towards the opportunities available to each human individual.

Positive freedom in this way is essentially conceived as the ability to do certain things that enhance one's freedom. In this sense it is other-regarded. What is basically essential about positive freedom is that there should be certain material facilities provided by the state for people to exercise their negative freedom meaningfully.

In other words, this conception of freedom is more concerned with the distribution of material or economic resources. The argument is that you can have formal freedom without necessarily having the means to actualize the freedom.

Thus, it is canvassed by certain social theorists that negative freedom should also be supplemented by positive freedom.

Most of the theorists who embrace positive freedom are of radical persuasion. However, some theorists of conservative inclination have considered it as the antithesis of negative freedom in that if (re) distribution of material or economic resources is carried out this will infringe upon the freedom of others.

Although, this point is true, it could be argued that on moral grounds, there is the need to help the needy in any society to enjoy their freedom and this could only be done by distributing materials or economic resources to cater for their needs in order for them to have freedom that is meaningful and will help them to have self-realization.

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### Activity 8.1

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Time: 1hr

The notion of freedom is not a license for unrestrained freedom". Discuss this in relationship to negative freedom.

### Summary for Study Session 8

In this Study Session 8, you have learnt that:

1. In social and political philosophy, however, you construe freedom as the absence of any constraint which is either imposed by the state or by other individuals or citizens in the society. In other words, it may either be physical or social constraints.

2. Berlin goes on to define negative liberty or freedom as “an area within which a man can act unobstructed by others; in other words, freedom in this sense consists of a space of unimpeded actions.

In defining negative freedom so much as the obstacles which obstruct or impede freedom – laws or social circumstances, one needs to add that Berlin has been criticized on his view about the distinction he makes between negative freedom and positive freedom – that is as *free from* something and as *free to* do something.

3. MacCollum goes further to propose a value – free concept of freedom: X is free from Y to do or be Z. In clarifying the notion of freedom in this way, MacCollum helps us to think about freedom in number of ways.
4. In the first place, it suggests that the apparently deep question “Are you free?” is meaningless unless it is clearly specified in what you are free from and what you are free to do. You may be free from one obstacle like, physical assault but you are not free from others, such as laws which specify that you cannot assault other fellow citizens.
5. The concept of freedom is explored in this chapter. The notion involves in its original conception means not to be restrained by anybody or the state in the pursuance of one’s plan or desire.

This notion is that of negative freedom. There is also the idea of positive freedom which is examined. The conclusion is that both negative and positive freedoms are relevant for the realization of freedom.

### Self-Assessment Questions (SAQs) for Study Session 8

Now that you have completed this study session, you can assess how well you have achieved its Learning Outcomes by answering these questions. You can check your answers with the Notes on the Self-Assessment Questions at the end of this Study Session.

#### SAQ 8.1 (Tests learning outcome 8.1)

What is freedom?

#### SAQ 8.2 (Tests learning outcome 8.2)

What is the difference between positive and negative freedom.

#### SAQ 8.3 (Tests learning outcome 8.3)

What is basically essential about positive freedom?

## Notes on the Self-Assessment Questions (SAQs)

### SAQ 8.1

The notion of freedom denotes to a certain type of political empowerment. It refers specially to equal liberation. In a nut shell, a free society is one with an equal distribution of legal rights and in which each and every person has as much legal privileges as possible.

### SAQ 8.2

According to **Berlin**, define negative liberty or freedom as “an area within which a man can act unobstructed by others. While he defines positive freedom as being free to do something.

### SAQ 8.3

Positive freedom is essential when certain material facilities provided by the state for people to exercise their negative freedom meaningfully.

## **Study Session 9: Alternative Theories to Liberal Theory**

### **Introduction**

Feminism is the fundamental belief that women are people." In other words, feminism is a obligation to reaching the equality of the sexes. This essential view is not limited to women: men, while promoting from being the dominant sex, also have a pale in overpowering the preventive roles that withdraw them of full humanity.

### **Learning Outcomes for Study Session 9**

After you have studied this study session, you should able to:

- 9.1 Examine the term feminism.
- 9.2 Define Communitarianism
- 9.3. Discuss European history and the history of feminism

## 9.1 Feminism

Feminism is a movement that agitates for women's rights. It started in the nineteenth century but it became much more intensified in the twentieth century. The whole idea of feminism is that women have been subjugated or oppressed in a patriarchal or male dominated society from time immemorial.

They claim that if you look at all society's women have always been dominated or their history has always been that of domination. They claim that through these domination women's rights or freedoms have been completely suppressed or curtailed as the case may be. They further claimed that in male dominated society women have always been suppressed.

They have been debarred either in the family or public sphere and allowed to operate only in the household. It is this form of oppression either in the family or public sphere that the feminists' scholars and activists have campaigned that women should be given their rights.

They believed that women have been dehumanized and as such their being has been completely suppressed. They become the other of the men. It is also contended by the feminist that women have always been demonized by men and have been taken as sexual objects. In any sphere of life women have always been relegated to the background in the patriarchal society.

The agitation of feminist scholars or activists is simply to erase these forms of suppression of women in that women should have the same rights as men.

They claim that this oppression of women has been naturalized; that is it is as if nature has ordered it that way and men have always alluded to this as a natural order of things that women should play the second fiddle. However the argument goes, it is a social construction.

In other words the basis of all these oppressions is simply man made construction which is culturally embedded or put in another way, which has been given a kind of blessing by the culture or society.

One of the claims which have been disputed is that of women not rational and that they are given to emotion. Hence the irrational element is much more pronounced in their activities and it is believed that this is a natural thing, whereas men are rational and are such that rationality makes them to be much more superior and this is grounded on nature.

It is all these claims as earlier pointed out that the feminists' scholars and activists have disputed or debunked. They claim that women are just like men physiologically although there might be

some anatomical differences. But on the whole there is no much difference between men and women.

There are many versions of feminism: conservative or liberal feminism and the radical or the leftists' feminism. The liberal feminist does not go too far. What they agitate for does not go too far. They agitate that women should have equal right or should enjoy the same freedom as men either in the public sphere or family.

They claim that the constitution of liberal democratic society should be followed to the letter by granting or enforcing the rights of everyone in the state.

So briefly stated the liberal feminist anchor their agitations on the rights of freedom for the individuals in the state which include women.

The radicals include socialists, marxists, post modernists as well as anarchists. What they are saying is that capitalism is the root cause of women oppression in that in the capitalists system the state exploits and oppresses all classes but this is much more pronounced with women. Women are not given many roles in the public sphere.

They are therefore disempowered. In a nutshell feminism is a movement that has been able to empower women and have their voices heard in the public arena and they have also made us to rethink some of the conceptions you have about women.

## 9.2 Communitarianism

Communitarianism is a philosophical idea that has been proposed or embraced by some group of philosophers. They believe that the liberal idea which has been embraced by some philosophers like Rawls and Nozick in terms of their social justice theories do not actually do justice or capture the notion of community which shapes the individuals in their attitudes and behaviors.

These philosophers like **Alex McIntyre**, **Charles Taylor**, **Michael Sandel** and **Walzer** argued that the liberal conception of justice has focused mostly on the individuals as being autonomous and as such constitute the focus of social justice.

They argued further that the liberals have missed an important dimension of how justice should be conceived and their own position is to bring back the community into the picture. They believe that liberalism emphasizes atomistic dimension of human community that it focus mainly on the individuals and in doing so the individuals are seen as being separate from each other.



They argue that this is a wrongheaded approach as earlier pointed out. The individuals have their being according to them in the community and the community shapes them in terms of the way they look at life, attitudes and morals.

Hence the community is an important element in people's life. The individual being is not a solitary person but has its own life in the community in which he or she lives. The individuals are embedded in their community and this makes them part and parcel of that community in which the individuals live.

It is therefore a wrongheaded approach for the liberals in their social justice approach to emphasize the individual as an autonomous human being living like a Robinson Crusoe marooned in an island living alone.

These communitarian philosophers believe that what should be stressed is human solidarity rather than atomistic dimension that the liberals emphasize. They contend that because of this atomistic dimension individuals are lost and what you find in Western societies now is alienation of people, alcoholism as well as drug abuse.

They argue that the virtue of the community that you find in Aristotelian Philosophy should be brought back. In conclusion the communitarian philosophers have attracted the liberal social theory of justice on the ground that the community is not the focus of that theory.

### **9.3 European history and the history of feminism**

The study of European women's history can add significant understandings to the exercise of kind and, therefore, defining feminism for current readers in other settings. As Americans, a comparative historical approach forces us to broaden our viewpoint by examining carefully from a different, though not solely unaware, angle much that we take for granted-namely, the political, social, and economic context in which so countless of our own ideas originated.

Thus, it permits us not only to improve and divide the usual and dissenting opinions on the organization of societies, which are surrounded historically in the Western debate on "the woman question" but also to search the political dynamics of the interface between these views.

In the 1970s, generation of American historians began to examine the history of European women and their women's movement; we understood feminism in a rather basic and straightforward way, according to a merged English-language definition then found in most American dictionaries.

A feminist was, defined as a person who advocated feminism. But what was feminism? The dictionary definition (in composite) read almost as follows: a theory and/or movement concerned with progressing the position of women through such means as attainment of political, legal, or economic rights equal to those established men (my emphasis).

This was also the viewpoint carried by the best known histories of the American women's movement published prior to 1970, in which feminism efficiently began in 1848 at Seneca Falls and the focus was on votes for women.

The key idea here is the means to the end of "advancement": "rights equal to those granted men." Notice the level to which this legalistic definition of "equal rights" suggests the standard of male adulthood as the norm.

It is a definition that is conveyed in a vocabulary of "rights" common to the Western tradition but developed most clearly in the political theory and practice of Great Britain and the United States, which has so long engrossed on expanding the rights and freedoms of male individuals on grounds of principle.

For women, the vote, the accomplishment of legal control over property and person, and entry into male-dominated professions and institutional orders became the symbolic questions. Those of us in European history soon revealed that this English-language dictionary definition of feminism did not serve us well;

we found its descriptive power insufficient for the accruing indication about the goals and activities of women's supporters and women's movements on the European continent during the nine-teenth century and before.

Even though questions of access to male privilege and power were unquestionably essential for women and men in the European past, they required other goals as well. Besides, the ways in which Europeans conveyed their claims looked to change greatly from the Anglo-Americans:

Europeans focused as much or more on explanations of womanliness; they distinguished sexual difference rather than comparison within a framework of male/female complementarity; and, instead of seeking unqualified admission to male-dominated society, they attached a wide-ranging analysis of the society and its institutions

## Summary for Study Session 9

In this Study Session 8, you have learnt that:

Feminism is a movement against the oppression of women in a male dominated society and different strands of it were discussed. Communitarianism is against the atomistic liberal theory. It stresses the communal aspect of the individuals.

Communitarianism is a philosophical idea that has been proposed or embraced by some group of philosophers. They believe that the liberal idea which has been embraced by some philosophers like Rawls and Nozick in terms of their social justice theories do not actually do justice or capture the notion of community which shapes the individuals in their attitudes and behaviors.

The study of European women's history can add significant understandings to the exercise of kind and, therefore, defining feminism for current readers in other settings. As Americans, a comparative historical approach forces us to broaden our viewpoint by examining carefully from a different, though not solely unaware, angle much that we take for granted-namely, the political, social, and economic context in which so countless of our own ideas originated.

Thus, it permits us not only to improve and divide the usual and dissenting opinions on the organization of societies, which are surrounded historically in the Western debate on "the woman question" but also to search the political dynamics of the interface between these views.

In the 1970s, generation of American historians began to examine the history of European women and their women's movement; we understood feminism in a rather basic and straightforward way, according to a merged English-language definition then found in most American dictionaries.

A feminist was, defined as a person who advocated feminism. But what was feminism? The dictionary definition (in composite) read almost as follows: a theory and/or movement concerned with progressing the position of women through such means as attainment of political, legal, or economic rights equal to those established men (my emphasis).

## Self-Assessment Questions (SAQs) for Study Session 9

Now that you have completed this study session, you can assess how well you have achieved its Learning Outcomes by answering these questions. You can check your answers with the Notes on the Self-Assessment Questions at the end of this Study Session.

### SAQ 9.1 (Tests learning outcome 9.1)

What is feminism?

**SAQ 9.2 (Tests learning outcome 9.2)**

State the believe of communitarian philosophers

**SAQ 9.3 (Tests learning outcome 9.3)**

Explain the view of American Historian in 1970.

**Notes on the Self-Assessment Questions (SAQs)**

**SAQ 9.1**

Feminism is a movement that agitates for women's rights. It started in the nineteenth century but it became much more intensified in the twentieth century.

**SAQ 9.2**

These communitarian philosophers believe that what should be stressed is human solidarity rather than atomistic dimension that the liberals emphasize. They contend that because of this atomistic dimension individuals are lost and what you find in Western societies now is alienation of people, alcoholism as well as drug abuse.

**SAQ 9.3**

In the 1970s, generation of American historians began to examine the history of European women and their women's movement; we understood feminism in a rather basic and straightforward way, according to a merged English-language definition then found in most American dictionaries.

## **Study Session 10: Power, Authority and Legitimacy**

### **Introduction**

In political philosophy, the concepts of power and authority are intimately linked together. In our everyday language, you associate the two concepts together, and this has seeped into social and philosophy.

In this study session, you will learn about the notions of power, authority and legitimacy, relationship between the concepts and concept of legitimate authority.

### **Learning Outcomes for Study Session 10**

After you have studied this study session, you should able to:

- 10.1 Examine the notions of power, authority and legitimacy.
- 10.2 Discuss the Weber contribution of the notion of authority
- 10.3 Explain the concept of legitimate authority.

## 10.1 Notions of Power, Authority and Legitimacy

In political philosophy, the concepts of power and authority are intimately linked together. In our everyday language, you associate the two concepts together, and this has seeped into social and philosophy.

Consequently, one of the fundamental problems of political philosophy is that of the nature of political power and political authority of the nature of the *de facto* and of the *de jure* – and of their relationship with one another.

This of course, has been one of the most controversial and frequently discussed problems in the history of political philosophy or theory, especially since the time of **Jean Bodin**, who is generally to have broached the problem in connection with sovereignty and made a systematic and sustained attempt to delimit the two concepts.

But **Bodin** and subsequent political philosophers never really succeeded to delimit the two concepts clearly, nor did they recognize the incessant link between the two of them. There are two errors to be avoided in discussing the two concepts:

- ❖ One is to avoid identifying the two concepts together.
- ❖ While other is to sever them from each other totally.

The two concepts are so important in political philosophy because there is an interest in the concept of authority now, for the mere fact that some social theorists are lamenting the loss of authority in the modern age.

They are of the view that there is an eclipse of authority in the modern age, and, therefore, these social theorists assert that the modern age is without authority as it was in the medieval period.

You shall first examine the nature of power. In the Germanic language, such words as ‘might’ and *macht* and the Romance language such words as ‘power’ and *pouvoir* have long been in use as designations for the phenomenon ‘power’. The wide spectrum of meanings conveyed by the words is understandable.

### 10.1.1 Power

The word ‘power’ is applied in divergent ways, not only in common parlance, but also in the various fields of learning, such as mathematics, physics, law, philosophy and theology.

But the word power designates in general terms, the ability to bring about something. It could also mean influence. But in the main, the word “power” denotes the coercive method employed by those not entitled to our obedience.

Unlike power, authority does not involve the coercive method. Thus, the robber may accost one and coerce him to surrender his property. The robber has power but he lacks authority. Authority is usually backed by laws which give the person exercising authority some form of legitimate power to carry out the function he is performing.

It may be objected that the police man arresting a criminal uses coercion. This may be true, but it does not mean that authority may be coercive; what it does show is that the police man has authority to act in a way which is legitimate and this includes coercive power. Authority therefore, implies “force exercised or capable, of being exercised with the general approval of those concerned...”

Most theorists who have treated the two concepts of authority and power have clearly distinguished them, and have mostly emphasized that authority does not involve force or – coercion as in the case of power.

### 10.1.2 Authority

Authority, it is generally argued, does not imply force, and as such it is an alternative to the concept of power which relies mostly on force or coercion.

Authority in the political sphere occurs when there is “willing compliance, and a power to command and enforce obedience”. The power of an authority is based on a general recognition that those subject to the commanding authority do so because it is based on rules or well – laid down regulations.

There is, therefore, a clear demarcation between the concepts of power and authority: in the former case, it is simply based on naked force, while in the latter case, it is rule- governed, and, therefore, obedience to the authority is not simply to the personality concerned or premised on the use of force but it is based on the acknowledgment of some rules which make obedience to the authority obligatory. Hence, authority carries with it some suggestion of legitimacy.

It will be necessary at this point to clarify two important notions about authority which will make it possible to clearly understand the nature of authority.

The two notions of authority are

- ❖ “in-authority”

❖ “an-authority”.

In the latter case,

1. The notion of being “an-authority” connotes that the person in the garb of authority is an expert in his chosen field. Hence, the notion of legitimacy may be involved since the person concerned knows what he is talking about in his field and he can legitimately make statements or talk about his field with the conviction of an authority, and expect to be believed or his statements respected. This notion of authority implies power but it is a sort of legitimate power.
2. The notion of being “in authority” implies that the authoritative person has the right of obedience from those concerned in view of the fact that it is based on some rules or regulations and these rules and regulations confer some sort of power on the person issuing command.

This form of authority is impersonal, and it is unlike the first concept of being an authority. The two cases of authority, though different in nature, can involve each other. In a sense, if an authority can sufficiently muster his influence in the society he can turn this into in-authority.

However, there is a clear difference between the two cases of authority. The case of being an-authority involves production of knowledge. But in the two cases obeying the authority is premised on the authority giving reasons. It is not just a blind compliance to the authority’s command.

**Carl Friedrich** has noted that being I authority involves giving good reasons for any action taken in the public sphere, but, in the last analysis the reasons have to be in consonance with the rules and regulations guiding the public sphere and it is this fact that gives the actions legitimacy in the public sphere.

## 10.2 Weber Contribution of the Notion of Authority

The notable contribution of **Weber** to our understanding of the notion of authority could help to illuminate the differences between power and authority.

Although **Weber** was concerned mainly with the notion of authority the explication he made of the concept could help in bringing out the relationship that exists between power and authority, on one hand and, on the other hand, the relationships these two concepts have with legitimacy.



Weber trifurcates the concept of authority. There traditional authority, charismatic authority and rational-legal authority. In the case of the traditional authority, the authority is simply based on the tradition, customs and norms of the society concerned.

In this case of authority the authoritative command that is issued is respected simply because of tradition, customs, etc., and the authority is not premised on rules or regulations. In other words, it is not rule-governed in the real sense of the word it is simply like **Tonnies *Geimenschaft*** society.

The charismatic authority is based on the achievement of an outstanding personality in the society. It is closely related to being an authority but the major factor is that the charismatic authority is related to the personality concerned and not to his knowledge.

The charismatic personality has authority, either because of his/her outstanding achievements, or because he/she has some grace attributed to the divine. Someone like **Nkrumah, Kennedy and Jesus** were charismatic leaders.

The last is the legal – rational authority which is based on rules and regulations. It is an impersonal form of authority. Its continuity is guaranteed because it is based not on a personality for its operation for it is simply rule- governed.

Hence, there is obedience to this form of authority simply because there are rules and regulations governing it. The legal-rational authority derives its legitimacy from the fact that it is predicated on rules, and it is not based on force or coercion.

Weber's three-fold classification has the distinction of showing that certain aspects of authority are not based on force, and that their legitimacy derives from certain sources which I have alluded to.

But, he argues that it is the legal-rational form of authority that is best because it is based on the legal system, hence its rationality. He advocates that the other forms of authority be made routinized or regularized along the line of rational-legal authority because they could degenerate and become simply based on coercion or force, and hence could become illegitimate. Let us at this juncture pause and examine two concepts of authority.

#### Box 10.1: Distinction between *de facto* and *de jure* authority

There is a distinction that is usually made between *de facto* authority and *de jure* authority. It is contended by some social theorists that *de facto* authority cannot exist without *de jure* authority.

It is further argued that *de facto* authority is simply based on force or coercion. While *de jure* is premised on rules and regulations.

The mere existence of *de facto* authority shows that the authority no longer controls the situation, and that the obedience of the citizens is got through brute force, rather than by willing compliance based on some obligations to obey the authority because it is based on rules or the legal system.

However, what has been noted is that a firm demarcation cannot be drawn between *de jure* authority and *de facto* authority as some social theorists have averred. Any form of authority has to be socially recognized and the social recognition is brought about through socially recognized rules and regulations that are essential for the obedience of the citizens.

In the *de facto* authority it is force or coercion that the authority exercises, but this force issues out of the legal regulations or rules in most cases. In other words, it is not a naked force or coercion.

It has to be mentioned that if it is only *de facto* authority that exists in a social system or state, then that authority is based if it is not as well conjoined with *de jure* authority on naked force or power. It could therefore be inferred that *de facto* authority is naked power if *de jure* authority does not exist along with it, and to the extent that this is the case, authority is not a legitimate authority.

From what has been discussed so far there is a link between authority and legitimacy, and this relationship affects the concept of power. The point is that authority has to do with rules in the system and these rules confer legitimacy on the authority in that system.

### 10.3 Legitimacy of Authority

The legitimacy of authority therefore depends on the legal system, and this legal system spells out properly the line which the authority has to follow; in other words, any authority has to be instituted along the line enacted by the legal system, and it is this legal system that confers legitimacy on the authority. This legal system could be, using Hart's notion, patterned on primary and secondary rules.

The primary rules are those that state what are acceptable and what are not, in the society; or what the society requires of the citizens. The secondary rules are those that give the primary

rules their basic foundation in that they govern the primary rules and give them their *rule of recognition*.

This is to say that the primary rules issuing from certain sources, custom, norms, contracting parties, courts, e.t.c are binding on the citizens. The secondary rules are, essentially there to give the primary rules some sort of binding recognition in the society.

This discussion so far as shown clearly that authority and power are not necessarily the same. Authority is rule- governed, while power is naked force, and if this is the case, power is diametrically opposed to legitimacy because legitimacy presupposes that an authority should be based on some rules which confer it with legitimacy.

However, it must be noted that authority has to be backed by force if it is to be effective or, put differently, there should be a fair guarantee of power to effectively function in the society. So, in some sense, power is necessary for effective authority. However, authority cannot be based on power *per se*, for if this occurs then that authority is not legitimate.

There is a point that has to be clarified with the last statement. The notions of authority and legitimacy have normative dimensions, in that if an authority is a legitimate body, the sovereign body or authority has to be predicated on rules and these rules confer legitimacy on the body.

The sovereign body cannot just employ power or force all the time. But again, our obedience to the state or the sovereign body or the authority is habitual; it is not a matter you think about, yet this does not distract from the fact that you obey a sovereign body or authority because it is based on rules.

There is a truth in the point that a government or authority that is rule-based derives its legitimacy from this fact, but it could be contested or argued that this is not all that matters. The most important thing is that, a government or authority can be said to be legitimate in the proper sense of the word if it provides certain basic needs for the people.

The rule-based ground of legitimacy of an authority is chimera if the basic needs of the people are not catered for. In the final analysis, the legitimacy of any authority revolves around how these needs are catered for. Even in the so-called democratic society, the main issue is simply how the government can cater for the needs of the society generally.

In conclusion, you have gone through the entire topic from state to sovereignty, to power, authority and legitimacy.

These are kindred concepts, and therefore be divorced from each other. But the upshot of our discussion is that the notion of power or force as a defining characteristic of state, sovereignty and authority cannot be defended.

You observed also that if power or force is the defining characteristic of these concepts, then the legitimacy of the sovereign body or authority is in doubt.

I have not attempted to locate where sovereignty lies in the final analysis, but from the discussion, it might seem that the rule governed system or, properly put, the legal system is favoured. But again, a qualification was made that the legitimacy of any authority, in the last analysis, depends on how it caters for the people's basic needs.

## Summary for Study Session 10

In this Study Session 10, you have learnt that:

1. In political philosophy, the concepts of power and authority are intimately linked together. In our everyday language, you associate the two concepts together, and this has seeped into social and philosophy.
2. Consequently, one of the fundamental problems of political philosophy is that of the nature of political power and political authority of the nature of the *de facto* and of the *de jure* – and of their relationship with one another.
3. The word power designates in general terms, the ability to bring about something. It could also mean influence. But in the main, the word “power” denotes the coercive method employed by those not entitled to our obedience.
4. Authority in the political sphere occurs when there is “willing compliance, and a power to command and enforce obedience
5. The legitimacy of authority therefore depends on the legal system, and this legal system spells out properly the line which the authority has to follow; in other words, any authority has to be instituted along the line enacted by the legal system, and it is this legal system that confers legitimacy on the authority.

## Self-Assessment Questions (SAQs) for Study Session 10

Now that you have completed this study session, you can assess how well you have achieved its Learning Outcomes by answering these questions. You can check your answers with the Notes on the Self-Assessment Questions at the end of this Study Session.

### SAQ 10.1 (Tests learning outcome 10.1)

State the relationship between power and authority?

### SAQ 10.2 (Tests learning outcome 10.2)

Examine notable contribution of **Weber** of the notion of authority could help to illuminate the differences between power and authority.

### SAQ 10.3 (Tests learning outcome 10.3)

What makes an authority legitimate?

## Notes on the Self-Assessment Questions (SAQs)

### SAQ 10.1

The concepts of power and authority are intimately linked together. In our everyday language, you associate the two concepts together, and this has seeped into social and philosophy.

Consequently, one of the fundamental problems of political philosophy is that of the nature of political power and political authority of the nature of the *de facto* and of the *de jure* – and of their relationship with one another.

### SAQ 10.2

**Weber** was concerned mainly with the notion of authority the explication he made of the concept could help in bringing out the relationship that exists between power and authority, on one hand and, on the other hand, the relationships these two concepts have with legitimacy.

### SAQ 10.3

The legitimacy of authority therefore depends on the legal system, and this legal system spells out properly the line which the authority has to follow; in other words, any authority has to be instituted along the line enacted by the legal system, and it is this legal system that confers legitimacy on the authority.

## **Study Session 11: African Political Thought**

### **Introduction**

The African political thought aiming on individual political thinkers/activists and start with indigenous African political thought.

In this study session, you will learn about the origin of modern African thought, Negritude and African Personality and Africa socialism.

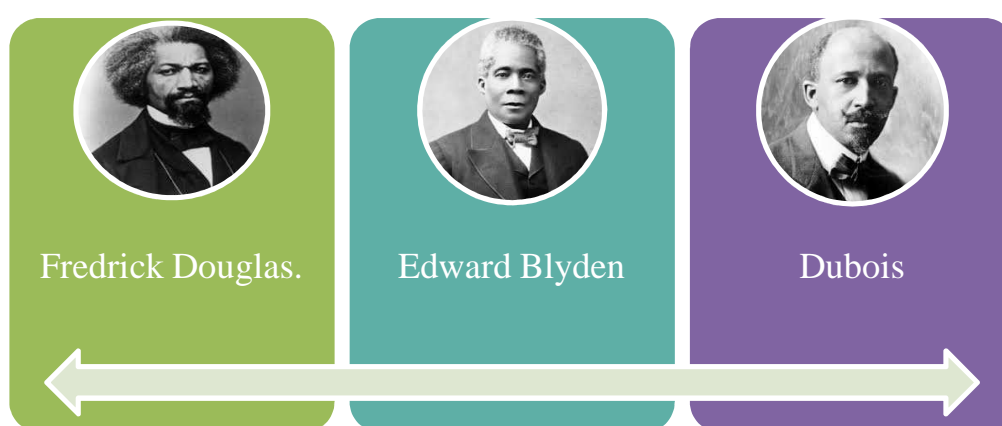
### **Learning Outcomes for Study Session 11**

- 11.1 Discuss the origin of modern African thought
- 11.2 Explain the Negritude and African Personality
- 11.3 Examine the African socialism

## 11.1 Origin of Modern Africa

The sixties in Africa were a period that became well known for one form of political thought or the other. This was a period when most African countries became independent from their colonial masters and as such they were proposing one form of political idea or the other which was against colonialism or which rejected the colonial ideology that justified colonialism.

Before then there were people of African origin in America who had rejected slavery, racism as well as colonialism. People like **Fredrick Douglas**, **Alexander Crumen** and also **Edward Blyden** and lastly **Dubois**.



**Figure 11.1:** African Americans

**Source:** SchulPortals Inc. ©.

All these African Americans rejected slavery as an institution which is simply anti human and which goes against the grain of liberal values especially that of equality of human beings and liberty.

There were also conferences that were held in Britain and other places before independence especially in Manchester in 1945 which rejected the whole colonialist ideology and called for the independence of the African people.

These conferences were spear headed by African American people of African origin living in America especially and the Caribbean. From all these ideological writings came some ideologies like negritude and African personality.

## 11.2 Negritude and African Personality

Negritude as an ideology was peculiar to francophone African thinkers as well as Caribbean thinkers. It was mostly propagated by **Leopold Sedar Senghor** and **Aime Cesar**. The whole idea of negritude is that the black race has certain characteristics that set them apart from the white race.

The negritude movement became a rallying point for all francophone thinkers in Africa and in France like **Leo Damas**, **Allione Diop** and these people had a journal called *Presence Africaine*. The other ideological persuasion was African personality. It is not different from negritude. They were counter discourses to racist's ideology and colonialism.

What is of importance is that they were protest ideologies and they emphasize the humanity of the black race. These two ideologies became a veritable platform for what came to be African socialism.

■..... is an ideology was peculiar to francophone African thinkers as well as Caribbean thinkers.

□ Negritude

## 11.3 Africa Socialist

African socialism was espoused by most African thinkers in the 60's. There were so many varieties of socialist thoughts in Africa, ranging from **Nkrumah's** conscientism to **Nyerere's Ujamma** (African Brotherhood) and Cabral's socialist thought which is marxist oriented. What unites all these thinkers is that in African society, the community was revered and African societies were communal in nature.





**Figure 11.2:** Africans Socialist

**Source:** blackhistoryheroes.com

In **Nkrumah's** socialist thought, he believed that in African traditional society, what was most important was communalism. **Nkrumah** believed that before capitalism was introduced by colonial masters into African societies what was practiced was something akin to socialism.

He believed that there was the need to reinvent African socialism in modern day Africa. **Nkrumah** claimed that there were three major traditions in Africa that have shaped the continent: traditional African thinking, Arabic thinking and lastly European thinking- and what you need to do is to fuse these three sources together to get what he called consciencism which will emphasize the African traditional thought or political system.

**Julius Nyerere's Ujaama** is also along that line. He argues that in African traditional society, everybody was his brother's keeper. In other words there was something like brotherhood. There was the communal behavior in everybody and the community binds everybody together. Everybody was cared for in traditional African society.

There was little gap between the rich and the poor, hence it was an egalitarian society, and everybody was equal. Equality was the norm rather than exception. In all, those African thinkers of the first wave of socialist generation who have emphasized African socialist thought claim that traditional African societies were socialistic in nature before the advent of colonialism.

■ ..... and ..... are African socialist.

□ Nyerere and Nkrumah

In addition to Socialist ideas have been in Africa before the advent of interventionism at the turn of the nineteenth century. African socialisms mean numerous mergers of African thinkers, politicians, and activists' interest with and reconfiguring of nineteenth-and twentieth-century European socialist thoughts and practice.

The basics are multiple, from trades unions and contact with European workers, to unite with European political parties, and through contact with Pan-African (West Indian and African-American) radicals. Most African thinkers and movements have known with many components of social democratic and Marxian forms of socialism, searching for to indigenize them to Africa.

The upsurge of African socialisms as a movement corresponds with the early stages of nationalism and national development, the great point of which was the non-aligned movement and Third Worldism. African socialism as practice started with the first self-proclaimed socialist-nationalist revolution in Africa, **Gamal Abdel-Nasser's** (1918–1970) 1952 Officers Coup in Egypt; and intentional with globalization meeting South Africa's dissatisfied redistributive social democracy.



**Figure 11.3: Gamal Abdel-Nasser's**

**Source:** mbouffant.blogspot.coms

All African socialisms shared corresponding structures that provide bases for nationalism and approaches to postcolonial development and nation building.

- ❖ First, was a combination of state ownership, and rightful distribution of wealth, and increasing citizen welfare?
- ❖ Second, was the sincerity of leading underdevelopment, of "catching up";
- ❖ Third, was providing important non capitalist institutions that would form economic growth; and
- ❖ Fourth was providing well-balanced social relationships of citizenship that could found union between people and the state.

Proceeding to the 1917 Bolshevik Revolution in Russia, socialist ideas and practices were made known to among sections of the African middle and working classes. The Sierra Leone Weekly News in 1913 connected union-based socialism in industrial Europe with the imaginary hallmark of an indigenous socialism, African "hospitality," foreseeing in opinions (and myths) then appealed by African Socialist-nationalists and political leaders.

Striking labourers and clerks in Lagos in 1897 had neither socialist ideas nor organization to gather them against low wage labor policy for Africans, yet African socialist movements' state with the development of a current work force.

The first communist party in Africa (and in the Arab world) was fashioned in Egypt in 1921, where textile and transportation workers became the subject of communist attention after World War I.

The common orientation of Egyptian Marxists and socialists was focused to the Arab world, which would continue into Nasserism. Egyptian communism stayed small; having a big influence upon intellectual Marxism, assessing many significant questions about socialism in a backward country;

It had slight influence upon Egyptian politics and was incapable to progress a mass following among a large indigenous working class, a well-developed trade union tradition, and millions of Egyptian peasants, or fellaheen. The party finally separated in 1965 through in-fighting and Nasser's tyranny.

Till the development of the 1970s Afro-Marxist regimes, movements promoting revolutionary Marxism were non-existent. An exclusion was one the large cosmopolitan, European controlled, Algerian Communist Party, made in 1936. By the 1950s it had humiliated itself by continually placing the French benefits above Algerians'.

Two other exclusions were Sudan Communist Party and the South Africa Communist Party (SACP). In the early twenty-first century the SACP remains mathematically strong, while the large Sudanese Communist movement, created in 1946 under the effect of Egyptian Marxists, played a major role in the nationalist movement, holding important effect in Sudanese politics before General **Gafur Nimeri's** brutal removals in the early 1970s.

Marxist inspiration would find homes within African socialism. Soviet and Chinese communism were standards of socialism through colonialism, nationalism, and the formative years of national growth. With few exceptions, like self-management in Algeria (1960–1965), alternative or academic socialisms had little base in Africa.

If communist party creation was forbidden during colonialism, many independence parties (especially in Francophone Africa) were displayed on communist parties. Many African leaders, even when seeing communism as intimidating, were impressed by the speed of its modernizing attainments through centralization, planning, and the one-party state.

The Cold War also required locations on communism; most African states chosen charting unaligned vistas between it and Western capitalism. **Cabral** was a leader of the revolutionary movement in Guinea Bissau. His own socialism is more thoroughly marxist in nature.

He does not believe in the African traditional system as you have it in both **Nkrumah** and **Nyerere**. His analysis of Guinea Bissau's society follows that of marxist thought though with a little difference.

He believes that colonialism has disrupted the historical evolution of African societies and because of this, African societies have changed totally.

He argues that you should jettison some traditional African values which are not helpful in our development, though some should be retained if they are helpful to our development.

■.....was a leader of the revolutionary movement in Guinea Bissau.

- (a) Nkrumah
- (b) Nyerere
- (c) Cabral
- (d) Gafur Nimeri

□ (c) Cabral

**Cabral's** thinking is geared towards a socialist transformation of African societies. In Franz Fanon, you have another thinker who has been influenced by many ideological orientations, though in the final analysis, his thinking has more socialist element.

He claims that colonialism was installed through violence and it is through violence that colonialism could be overthrown by the colonized people. The violence involved cleanses the colonized people and as such restores their humanity.

The main idea that runs through African American thinkers in Diaspora and the Caribbeans is racism and the theme of slavery. In terms of African thinkers in the continent, the major idea that runs through their political thought is colonialism.

The post-colonial situation has thrown up another idea entirely because of the grim reality of autocratic rules in Africa. The political theory now is about such scenarios as the mismanagement of African continent and also corruption of African leaders.

Besides, you have economic failures in most African countries. These grim realities have brought about another way of looking at Africa and have thrown up new political theories which grapple with these problems in Africa.

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### Activity 11.1

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Time: 1hr

In what sense, if any, could you say that African thought generally is a counter-discourse to the denigration of the black race?

## Summary for Study Session 11

In this Study Session 11, you have learnt that:

The origin of modern African thought is discussed and the African-American connection in relationship to this is examined.

Negritude as an ideology was peculiar to francophone African thinkers as well as Caribbean thinkers. It was mostly propagated by **Leopold Sedar Senghor** and **Aime Cesar**. The whole idea of negritude is that the black race has certain characteristics that set them apart from the white race.

The negritude movement became a rallying point for all francophone thinkers in Africa and in France like **Leo Damas**, **Allione Diop** and these people had a journal called *Presence Africaine*. Negritude and African personality are explained. African socialism is discussed and the three outstanding theorists of African socialism – **Nkrumah**, **Nyerere**, **Cabral** are discussed.

## Self-Assessment Questions (SAQs) for Study Session 11

Now that you have completed this study session, you can assess how well you have achieved its Learning Outcomes by answering these questions. You can check your answers with the Notes on the Self-Assessment Questions at the end of this Study Session.

### SAQ 11.1 (Tests learning outcome 11.1)

Explain the history of Modern African

### SAQ 11.2 (Tests learning outcome 11.2)

Examine ideology as a Negritude

### SAQ 11.3 (Tests learning outcome 11.3)

Examine **Nkrumah's** socialist thought.

## Notes on the Self-Assessment Questions (SAQs)

### SAQ 11.1

The sixties in Africa were a period that became well known for one form of political thought or the other. This was a period when most African countries became independent from their colonial masters and as such they were proposing one form of political idea or the other which was against colonialism or which rejected the colonial ideology that justified colonialism.

People like Fredrick Douglass, Alexander Crumey and also Edward Blyden and lastly Dubois. All these African Americans rejected slavery as an institution which is simply anti human and which goes against the grain of liberal values especially that of equality of human beings and liberty.

### SAQ 11.2

Négritude as an ideology was peculiar to francophone African thinkers as well as Caribbean thinkers. It was mostly propagated by **Leopold Sedar Senghor** and **Aime Cesaire**. The whole idea of negritude is that the black race has certain characteristics that set them apart from the white race.

### SAQ 11.3

He believed that there was the need to reinvent African socialism in modern day Africa. **Nkrumah** claimed that there were three major traditions in Africa that have shaped the continent: traditional African thinking, Arabic thinking and lastly European thinking- and what you need to do is to fuse these three sources together to get what he called consciencism which will emphasize the African traditional thought or political system.

## Notes

### Introduction

1. D. Irele, *Introduction to Political Philosophy*. (Ibadan: Ibadan University Press, 1998).
2. Ibid.
3. Ibid.

## Chapter One

### Political Philosophers

1. D. Irele, *Introduction to Political Philosophy*. (Ibadan: Ibadan University Press, 1998).
2. Ibid.
3. Ibid.

4. Aristotle, *Politics* (London: Penguin Books, 1962). For a discussion of law givers see pp 98-100; p. 124; p. 292, 299.
5. G. E. R. Lloyd, Aristotle: *The Growth and Structure of His thought* (Cambridge: C. U. P., 1968), p. 268.
6. Ibid., p. 270.

## **Chapter Two**

### **Social Contract Philosophers**

1. D. Irele, *Introduction to Political Philosophy*. (Ibadan: Ibadan University Press, 1998).
2. Ibid.
3. Ibid.
4. Ibid.
5. Ibid.
6. Ibid.
7. Jean Hampton, *Political Philosophy*. (Boulder: West View Press, 1997).
8. Irele, op. cit, p. 49.
9. Ibid.
10. Ibid.
11. Hampton, op. cit.

## **Chapter Three**

### **Democracy**

1. D. Irele, *Introduction to Political Philosophy*. (Ibadan: Ibadan University Press, 1998).
2. Ibid., p. 83.
3. Ibid.
4. Ibid.
5. Ibid.
6. Jean Hampton, *Political Philosophy*. (Boulder: West View Press, 1997).

## **Chapter Four**

### **Marxism**

1. D. Irele, *Introduction to Political Philosophy* (Ibadan: Ibadan University Press, 1998).
2. Ibid., p. 65.

3. Ibid., p. 67.

## Chapter Five

### Social Justice

1. J. Hampton, *Political Philosophy* (Boulder: West view, 1997). P. 129.
2. J. Rawls, *A Theory of Justice* (Cambridge: Harvard University Press, 1971).
3. R. Nozick, *Anarchy, State and Utopia* (N. Y. : Basic Book, 1974).

## Chapter Six

### Social Equality

1. John Rawls, *A Theory of Justice* (Oxford: Clarendon Press, 1972).
2. G. Sher, "Ancient Wrongs and Modern Rights". *Philosophy and Public Affairs*, 10, (1981).
3. G. Graham, *Contemporary Social Philosophy* (Oxford: Basil Blackwell, 1985), pp. 86-95. I am indebted to Graham for the argument in this section of the chapter.

## Chapter Seven

### Human Rights

1. For a classical exposition of legal exposition of legal rights see Wesley Hohfeld, *Fundamental Legal Conceptions as Applied in Judicial Reasoning* (New Haven: Yale University Press, 1964). Hohfeld analyses rights, liberties, powers and legal relations into immunities. I cannot go into details of commenting on this here but suffice it to say that liberties are not correlative with any duty on anybody's part. Cf also J. J. Thomson, *The Realm of Rights* (Cambridge Mass: Harvard University Press, 1990).
2. Cf. David Miller, *Social Justice* (Oxford: Clarendon Press, 1976), p. 52.
3. Joel Feinberg, *Social Philosophy* (Eaglewood Cliffs, N. J.: Prentice Hall, 1973). I owe an immense debt to Feinberg on the notion of Human Rights. I have drawn extensively and liberally from his ideas.
4. Ibid.,p.58
5. Ibid.
6. Ibid.



7. Ibid.
8. Ibid.
9. Ibid.
10. Ibid.
11. Ibid.
12. Ibid.
13. Ibid.
14. Ibid.
15. Ibid.
16. Ibid.
17. Ibid.
18. Cf S. I. Benn and R. S. Peters, *Social Principles and the Democratic State* (London: George Allen and Unwin Ltd., 1959), p. 89.  
R. Brandt, *Ethical Theory* (Englewood Cliffs, N. .: Prentice Hall Inc., 1959), p. 441.  
D. Lyons, "The Correlativity of Rights and Duties", *Nous*, 1970, pp. 45-57.  
See the excellent review of the issue in R. Martin and J. W. Nickel, "Recent work on the concept of Rights", *American Philosophical Quarterly*, Vol. 17, 1980, pp. 165-180. I shall still address this issue later. I shall argue that there is a duty attached to moral rights.
19. J. Feinberg, op. cit, p. 64.
20. For this view see H. B. Acton, "Symposium on Rights", *Proceedings of the Aristotelian Society Supple.* Vol. XXIV (1950), pp. 107-108 cited in Feinberg op. cit.
21. J. Feinberg, "Duties, Rights and Claims", *American Philosophical Quarterly*, Vol. 3, No.2, 1966, p. 142.
22. Ibid., p. 142.
23. Ibid.
24. Ibid.
25. Ibid., p.143.
26. J. Feinberg, *Social Philosophy*, p. 85.
27. Ibid. p. 86.
28. Ibid.

29. George Vlastos, "Justice and Equality" in *Social Justice* (ed.) R. B. Brandt (Englewood Cliffs, N. J.: Prentice-Hall Inc., 1962), pp. 31-72 quoted in Feinberg, op. cit.
30. Ibid.
31. Cf J. Feinberg op. cit, p. 90 for this position.
32. Ibid., pp. 90-91.
33. Ibid., p. 91.
34. Ibid., p. 92.
35. Ibid., p. 93
36. Ibid., p. 94.
37. Reprinted as an appendix to D. D. Rapheal (ed.), *Political Theory and the Rights of Man* (London: Macmillan, 1967).
38. Ibid.
39. Cf. J. Feinberg, *Social Philosophy*; A. Melden, *Human Rights* (N. Y.: Wadsworth, 1970).
40. See D. Lyons, op. cit. for this position, and the rebuttal of D. Braybrooke, "The Firm but Untidy Correlativity of Rights and Obligations" in the *Canadian Journal of Philosophy*, March 1977, pp. 351-363.  
See also the views of Richard Wasserstrom "Rights, Human Rights and Racial Discrimination" *Journal of Philosophy*, Vol. 1 (1964), pp. 628-641.
41. Feinberg, op. cit., p. 67.
42. M. Cranston, "Human Rights, Real and Supposed" in D. D. Rapheal, op. cit. and *What are Human Rights?* (London: The Bodley Head, 1973). See also for this view, H. L. A. Hart, "Are There Any Natural Rights", *The Philosophical Review*, Vol. 64 (1955), pp. 175-191. Hart argues that a right should be construed as a right to be equally free.

## Chapter Eight

### Freedom

1. Isaiah Berlin, "Two Concepts of Liberty" in *Four Essays on Liberty* (Oxford: OUP, 1983).
2. Gerald MacCallum, "Negative and Positive Freedom" in *Philosophy, Politics and Society* 4<sup>th</sup> Series (ed). P. Lasslet (Oxford: Basil Blackwell, 1972).

## Chapter Nine

### Alternative Theories to Liberal Theory

1. J. Hampton, *Political Philosophy* (Boulder: West View Press, 1977).

## Chapter Ten

### Power, Authority and Legitimacy

1. Among the social theorists that have lamented the loss of authority is H. Arendth. See her work *Between Past and Present* (London: Father & Faber, 1961).
2. T. D. Weldon, *The Vocabulary of Politics* (Harmondsworth: Penguin, 1953) p. 54. See also the view of J. R. Lucas, *The Principles of Politics* (Oxford: O. U. P., 1966), p. 16.
3. April Carter, *Authority and Democracy* (London: Routledge & Kegan Paul, 1979), p. 14.
4. For C. Friedrich's view, see his work, *Tradition and Authority* (London: Pall Mall, 1972), p.54.
5. For this view, see R. S. Peter, "Authority" in *Political Philosophy* (ed) A. Quinton. (Oxford: O. U. P.), pp. 38-96.
6. C Friedrich, op. cit.
7. Cf. R. P. Wolff, *In Defence of Anarchism* (N. Y.: Harper and Row, 1973).
8. Ibid.
9. Cf. Hart's view in *The Concept of Law* (Oxford: O. U. P., 1961).

## Chapter Eleven

### African Political Thought

1. F.A. Irele, *The African Experience in Literature and Ideology* (London: Heinemann books, 1981).

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