

What justifies the state?

Government



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What Justifies the State? The state, as the textbook refers to, " is the highest authority in a society, with a legal power to define the public interest and enforce its definition." The state is comprised of the governing institutions, politicians, and the legal system. They have authority over its citizens in executing legislature, applying taxes, and, if necessary, provide additional services for the state. The power of the state is justified by the people who allow the state to have the necessary power to govern its citizens. To my understanding, there should be a mutual compromise between the government and its obligations and its citizens to abide by the laws of the state. The social contract theory is the doctrine that says that " individuals should give up certain liberties and rights to the state, which in turn guarantees such rights as life, liberty, and the pursuit of happiness." The first social contract theory was discussed by Greek philosophers such as Plato and Aristotle. Then in the middle ages, St. Augustine and Thomas Aquinas debated the theory as well.. In the 18th century, the English social philosopher Thomas Hobbes, in Leviathan, states this theory on the English society," Hereby it is manifests that during the time men live without a common power to keep them all in awe, they are in that condition which is called war; and such war, as is of every man, against every man, and the life of man is solitary, nasty, brutish, and short." Hobbes perceived humans being in permanent conflict with each other, so they have to accept the state authority and its power to rule them to the best of their interest. He also believed that those who didn't live within a state, have none of the protections and advantages that government provides. John Locke, another 18th century English philosopher, viewed humans much less violent than Hobbes, " as free and equal by nature, regardless of the existence of any <https://assignbuster.com/what-justifies-the-state/>

government." Humans have established governments because there are three things missing in the state of nature; among them are clearly understood interpretation of natural law, unbiased judges to resolve disputes, and personal recourse in the face of injustice. The social contract theory, according to Locke, is based on the consent of the majority, and all agree to obey the decisions of the majority. The state's authority is limited by the term of the contract, which is continually reviewed by its citizens. Both philosophers concluded that the power the state exerts is justified because it is a power that we consented to accept. The continuity of acceptance is as far back as the formations of the first states. Locke believed that the government should leave people free to decide what kind of life they want to choose, protect the individual's propriety, and secure freedom to pursue happiness. In the 18th century, the French philosopher, Jean Jacques Rousseau came up with the theory of the " general will." It is the right of the individuals to live under laws that they choose for themselves. " Each of us puts in common his person and his whole power under the supreme direction of the general will; and in return we receive every member as an invisible part of the whole." In other words, to execute the general good, the divided society at the end will consent and accept the overall common good for all. In 18th century, David Hume came up with a social theory in which the early popular so called social contract theory was wrong. " The governments since we have written documents had been established by conquests not by the people that have chosen them." In the 20th century, the American philosopher John Rawls attempted to bring back and modify his very own approach to the social contract theory stated by Hume. Rawls agreed with Hume on the supposition that the social contract between the state and its

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citizens is a fiction. Rawls proposes " that if we are to determine what a just government is, and more generally, what the just principles for a society are, we must set aside everything that leads us to favor ourselves over others. A just government is one that is equally fair to everyone and shows favoritism to none." In an imaginary situation of the original position, the people don't know their personal characteristics when are choosing the government. Moreover, the authority of our government is justified not because we actually consented to live under our government in the state of nature. Instead the authority of government is justified because we would consent to live under that type of government if we were in the original position. The original position lets the government be just what means provides equal political rights and equal economic opportunities for everyone without showing favoritism to any. For Rawls, a legitimate government works just as well when each citizen is an equal part of the society. There is a fair chance for all and a fair distribution of means which will ultimately justify the state.

Bibliography: Introduction to Philosophy, Miner, Harold 2002 p. 121