

The nature of the modern State system is the one that portrays the individual as the end and the State the means. The State acting through its agent, the government, is an association specifically created to pursue those ends that will promote the temporal well-being or interest of its members. When there is clear evidence that a State is doing its duty, in other words, when its actions are in accordance with its purposes, it can always reckon on the willing cooperation and voluntary obedience to laws by its citizens. However, the problem of obedience is one of the most fundamental of all political problems of the State.

Why do we obey the State? We do so because the individual feels that he has no alternative and therefore feels it is his duty to obey or is it because the State has the power to compel obedience. Why is obedience to the State the rule rather than the exception? In other words, is it conviction that leads us to accept the rule of established authority? Is obedience to the State an absolute one or are there occasions in which a member of the community is justified in refusing obedience or in offering resistance

The obedience to a State or government is not merely a legal phenomenon. It is also a political one. People obey a law more because of the fact that they feel it is good to obey it, as also because, they are convinced that the government issuing the laws is a legitimate one. In fact, no one would like to obey a State or government which one feels is not a legitimate one. The obedience to the State is more of a political phenomenon than a legal one. If one stands up to disobey the State or government, it is because one does not want to obey the government. If obedience is voluntary, so is the unwillingness to obey the laws.

WHY SHOULD WE OBEY THE STATE ?

This statement has been defined by various scholars as under :

Vladimir Lenin is of opinion, "The State does not function as we desire. The car does not obey. A man is at the wheel and he seems to lead it, but the car does not drive in the desired direction. It moves as another force wishes."

Ralph Waldo Emerson says, "Every actual State is corrupt. Good men must not obey laws as well."

H.L. Mencken writes, "The State doesn't just want you to obey, it wants to make you WANT to obey."

From these above sayings we can say that people obey State because they have been traditionally obeying. Obedience becomes a matter of practice; acceptance of such authority is also a matter of traditionally-based belief.

JUSTIFICATION FOR POLITICAL OBLIGATION

Robert Paul Wolf (1970) defined authority as the right to command and correlatively, the right to be obeyed. Therefore to claim authority is to claim the right to be obeyed. In the same vein, D.D. Raphael (1976) declared that the authority of the State implies that those who exercise it have the right to issue orders and the right to have those orders obeyed, and that corresponding to the second right, the citizens have a duty or obligation to obey the orders.

In the opinion of Anthony Quinton justifications for political obligation have posed three sets of questions. As for the first question, it asks "What makes it reasonable, sensible or prudent for me to obey the state?" The straightforward answer is that since I am likely to be punished for not obeying, it is in my interest to obey. It is prudent for me to obey and this has been referred to as prudential obligation. Also within the context of prudential obligation is the reality of my obedience because the State is serving my interest, doing things that benefit me.

A fairly different posing of the question is to ask: "What makes it a generally good or desirable thing for me, or anyone, to obey the State?" or, "Why is it reasonable for me to obey?" One could give answers. "There will be no government if I don't obey and chaos." Immanuel Kant elaborates this by saying that "*Moral autonomy is a combination of freedom and responsibility; it is a submission to laws which one has made for oneself. The autonomous man, in so far as he is autonomous, is not subject to the will of another. He may do what another tells him, but not because he has been told (but because he thinks it is right thing to do). He is therefore in political sense of the word, free.*" Therefore, the argument concludes, a morally autonomous man cannot subject himself to the automatic obedience of the orders of the State without compromising his autonomy, freedom and sense of responsibility. His moral autonomy rejects an automatic obedience of the orders of the State because such obedience makes him no longer responsible for his actions.

There are other actors, however, who contend that there are grounds on which a moral obligation to the State can be justified. One of the earliest proffered grounds is the Divine Right Theory. This doctrine claimed that kings, rulers and political authorities derive their right to rule from God. Going by the doctrine, it is morally compelling for all subjects to obey the State since the source of authority is divine. This doctrine dominated the 16th and 17th centuries Europe. The end result of the Divine Right Theory was its provision of ideological support for absolutism and arbitrariness. Owing to the authoritarian tendencies of this theory, the theory was discredited as mere consent-based theories of political obligation became manifest to support the people's rights against their authoritarian kings. A more contemporary justification for moral obligation to the authority of the State is based on the idea of the consent of the people. This had its origin in the social contract theory by Thomas Hobbes, John Locke and Jean Jacques Rousseau. This theory postulates that political society grew out of a contract between the citizens and the State and, according to that contract, the State was to owe some responsibilities to the citizens who, in turn, owed obedience to the State. This social contract is the equivalent of the promise by the citizen to consent to be governed by the State and that promise of consent creates for the citizen the moral obligation to obey the State. The consent theory gave birth to democracy as the only form of government to which a citizen should feel morally obliged because this is the only form of rule that is based on his consent. It is instructive to note here that the two most important justifications for political obligation are: the consent theory which has produced democratic governance; and the idea that the ends or purposes which the State pursues are the morally noble goals of justice and the common good. Though each of these ought to provide sufficient explanation for political obligation but each has been criticized for deficiency in some instances. Therefore, a proposed remedy is that the two theories should be taken together. That is, if I have consented to a State, which is pursuing morally noble functions, then I am doubly morally obliged to respect such a State. This is because I have consented to it and because it is serving end I consider morally commendable.

CONCLUSION

The issue of finding a satisfactory justification for general political obligation turns out to be more difficult. Some scholars and personalities are still not persuaded that consent is a justifiable standpoint for political obligation. There are so many actions taken by the government for which it cannot be said that it waited for citizens input/consent before making authoritative decisions. Consent may be relevant in

direct democracy of some small political communities or in rare instances of referenda in large democracies. Instead of the consent theory, some scholars have however been persuaded by the need to developing a civic virtue, sustained by the idea of regarding members of a body politic as participants in a joint co-operative endeavour. This is a more satisfactory basis for justifying political obligation. It is therefore wise to state here that the search for a satisfactory justification for political obligation that enjoys the consensus of the political philosophy community continues and disorder will take over from order in society. This makes it reasonable to obey to prevent society from degenerating into a pathological condition. The point of emphasis here is that although it is against one's interest to obey, it is nevertheless reasonable for one to obey for the sake of the good health of the society.

The term 'State' may or may not include the physical territory that it binds, but it surely includes the population that resides within that defined boundary of a State. Population which can be considered to be a large society that is divided into certain number of sub-societies called communities. It is the government that represents the State and hence the population (by government means a legitimate form of government like democracy). The decisions taken by the government in that case, ideally and conceptually, are meant to be a reflection of what people actually think or want for themselves. They also see the State as their protector. (Some specific communities may not obey the State as they may see certain policy decisions as going against their interests and welfare, or may be the form of government is not really a reflection of people's beliefs, like as we see in French revolution or any other instance)

If you don't obey the laws of the nation, then why should you benefit from them? What prevents the next police officer or even armed citizen from executing you without reason and seizing your property? Why should you be allowed to walk on the streets built by taxpayer's money of a society you refuse to conform to? We were aware of the rule against what we're never even slightly inclined to do. We just thought the rule makes sense; we observe that most of authority's prohibitions make sense, and anyway, they don't obstruct us in the slightest because who cares? We weren't even slightly inclined to do the thing anyway.

Good government can be recognized by how little its prohibitions involve anything we would ever actually want to do, by how sensible its compulsions of action are in terms of purpose and goal, and by how reasonable its punishments are, with punishment and wrong in proportion.

The above perhaps more strongly describe people who can tell right from wrong - "tell" meaning say, show what's wrong with what they say is wrong, what goods their claimed right upholds or enables, and why authority is therefore just. Because they can tell right from wrong for themselves, they can see a just authority accords and orders reasonably well. People who can't tell right from wrong obey authority instead. They refer to authority as a substitute for being able to tell for them. We pay people for that, don't we?

Risk of punishment comes into it either way. But there is a great deal more personal risk and responsibility involved in risking punishment from an authority that you believe is generally just. Where you do not recognize the justice of an authority, you become all kinds of daring, so long as you don't think you'll get caught. And where you recognize the authority as generally just, but one rule is very much against the grain - so unjust and stupid you must flout and oppose it - you disobey as a duty. You wish to get caught. Your hope is that their attempts to punish your disobedience will draw public notice to the injustice, and force its overturn.

In short, you were never particularly obedient at all. It wasn't authority you respected, merely the people's right to raise up authority as a means to justice. Where that authority abuses and misuses its purpose, on that point - and you can show where and why - you're quite prone to insubordination. The across-the-board anti-authoritarian is the flipside of the person who can't tell right from wrong for themselves, and takes authority as a substitute. That person takes authority as a substitute for knowing what's right.

The anti-authoritarian just rejects authority on principle - they take authority as wrong, as a substitute for being able to say where it is wrong. No one, nor any group of people, can try to tell them what's wrong. Whereas if they could tell right from wrong for themselves, they could see where authority is right. They could tell why it's wrong, where it's wrong. It wouldn't be just because it's authority.

QUESTIONS

MULTIPLE CHOICE QUESTIONS

1. According to Mill, allowing individual liberty for people to pursue particular life styles will
 - (a) Necessarily cause injury to others.
 - (b) Destabilize society.
 - (c) Promote happiness and progress.
 - (d) Eventually cause wars.
2. Behind the veil of ignorance, Rawls argues, the principles of justice are
 - (a) the result of coercion.
 - (b) the result of a fair agreement or bargain.
 - (c) chosen arbitrarily.
 - (d) impractical.
3. According to Rawls, the term "justice as fairness" conveys the idea that the principles of justice are agreed to in an initial position, that is
 - (a) rational.
 - (b) artificial.
 - (c) constitutional.
 - (d) fair.
4. Rawls argues that each person is to have an equal right to the most extensive basic liberty compatible with
 - (a) social utility.
 - (b) a similar liberty for others.
 - (c) traditional morality.
 - (d) economic stability.
5. According to Rawls, all social values (opportunity, liberty, income, wealth, etc.) is to be distributed equally unless an unequal distribution is
 - (a) to everyone's advantage.
 - (b) beneficial to the majority.
 - (c) consistent with utility.
 - (d) deserved.
6. Nozick proposes a State that is
 - (a) large and extensive.
 - (b) minimal.
 - (c) authoritarian.
 - (d) socialist.
7. Nozick says that the term "distributive justice" is
 - (a) equivalent to "communism."
 - (b) abhorrent
 - (c) neutral
 - (d) not neutral.
8. Nozick claims that a more-than-minimal State will
 - (a) eventually shrinks.
 - (b) benefits no one.
 - (c) violates citizens' rights.
 - (d) interferes with the prerogatives of the state.
9. Nozick says that the minimal State is
 - (a) just.
 - (b) unjust.
 - (c) unstable.
 - (d) harmful.

ANSWERS

1. (c) 2. (b) 3. (d) 4. (b) 5. (a) 6. (b) 7. (d) 8. (c) 9. (a)