

**THE CIVIL STATE IN JOHN LOCKE'S POLITICAL PHILOSOPHY AND ITS
RELEVANCE TO DEMOCRATIC PRACTICE IN NIGERIA**

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Abstract

Throughout the history of philosophy, there has been a quest for a better way of organizing the society for the benefit of its citizens. For Locke, the function and sole reason for civil state is to protect the people, that is, their lives, liberty and property. This work examined the concept of civil state in John Locke's political philosophy and its relevance to democratic practice in Nigeria. The work made use of qualitative research tools as data were derived from primary and secondary sources – books, journal articles, periodicals and the internet. The historical, expository and evaluative methods were employed. The historical method traced the evolutionary development of the notion of civil society; beginning from the ancient period. The expository method presented Locke's idea of civil state while the evaluative method demonstrated the necessity of his thoughts in addressing the challenges facing Nigeria's democracy especially in the current dispensation. The study found out that in Nigeria democratic practice, political office holders are not being accountable to their deeds, are not transparent, they abuse public office, engage in corruption, infringe on the constitutional rights of the people. The paper therefore, concludes that there should be the entrenchment of the principles and practices of liberal democracy in the Nigerian system of government if any meaningful progress is to be made; as Locke proposed in his civil state.

Keywords: Liberty, property, civil, state, and democracy Introduction

There has been a quest for a better way of organizing society for the benefit of its citizens. John Locke's political philosophy arose in the contest of a political crisis. For Locke, the function and sole reason for civil state is to protect the people, that is, their lives, liberty and property. These are the most important rights of the individual. Any state that could not fulfill these functions or objectives cannot be termed as a civil state.

Thus, the emergence of a civil state enables citizens to thrust their powers and rights to some few elected individuals for the mutual preservation of their lives, liberties, and estates, and most generally, property, but, unfortunately, this legitimacy of absolute arbitrary power is often abused by some elected political office holders as they act beyond the expectations of those that voted them into office - they (political office holders) are not being accountable to their deeds, are not transparent, abuse public office, engage in corruption, infringe on the

constitutional rights of the elect.

John Locke in his political theory presented consent as the bedrock of democracy and went further to outline the aims of civil government. Consequently, any civil government that deviates from the provisions of the social contract theory stands the risk of dissolution. Democracy being a system of government under which the people exercise the governing power either directly or through representatives duly elected by them, is taken to be one of the forms of government which people in the civil state may choose to set up.

In a democratic society as Nigeria, one expects that the above scenario would not occur as that could spur the citizens to engage in protests, civil unrest, strikes as well as other unwholesome means of survival because the social contract is neither honoured nor respected. In other words, the failure of leadership, inadequate checks and balances of the arms of government, lack of security of life and property, and violation of human rights characterize a civil state that does not harbour the ideals of democracy. All these yields underdevelopment as equality is not guaranteed in such so called civil state. This paper reviews the concepts of civil society and democracy, brief biography of John Locke, background to his thoughts. The paper also reviews the concept of civil state as construed by philosophers down the ages to the era of Locke, presents Lockes' idea of civil state as well as relevance of civil state (as advocated by in Locke) to Nigeria's democratic practice.

The paper therefore, concludes that, Locke enjoins all political leaders to live up to the oaths they take to uphold the sovereignty and dignity of the citizens by preserving their lives and properties as well as catering for their welfare as enshrined in the 1999 (amended) constitution. There is need therefore, to explore the ideals of the civil state as advocated by John Locke, and to bring out its relevance to the practice of democracy in the Nigerian setup.

Clarification of Concepts

For a clearer understanding of this discourse, the study clarifies the concepts of **Civil State** and **Democracy**.

a. Civil State: The concept of civil state is used interchangeably with civil society and political society. In Locke's *Second Treatise of Government*, he wrote that one needs to understand the origins of political society which was, civil society before one can understand its true nature.

Human nature for Locke, was divinely given, and included the impetus to form social groups. Thus, "God having made man such a creature, that in his own judgment, it was not good for him to be alone, put him under strong obligations of necessity, convenience, and inclination to drive him into society" (154-155).

This vision of human nature led to Locke's idea of political or civil society as he captures thus:

Those who are united into one body, and have a common established law and judicature to appeal to, with authority to decide controversies between them, and punish offenders, are in civil society one with another; but those who have no such common appeal, I mean on earth, are still in the state of nature. . . . Where-ever therefore any number of men are so united into one society, as to quit everyone his executive power of the law of nature, and to resign it to the

public, there and there only is a political, or civil society (159160).

Thus, in Locke's usage, civil society was political society, but a specific kind of political society, one in which the powers of the state were carefully limited.

Meanwhile, by other authors, civil society is used in the sense of 1) the aggregate of non-governmental organizations and institutions that manifest interests and will of citizens or 2) individuals and organizations in a society which are independent of the government ("Civil society – Define Civil society at Dictionary.com"). Sometimes the term civil society is used in the more general sense of "the elements such as freedom of speech, an independent judiciary, etc., that make up a democratic society" ("Civil society definition and meaning | Collins English Dictionary". www.collinsdictionary.com).

- b. Democracy:** Etymologically, democracy was derived from the Greek word "Demos" meaning "the people" and "Kretein" which stands for "the rule of people". Literally then, democracy demonstrates "the rule of the people". Abraham Lincoln's definition of democracy could be likened to the Greek meaning. That is, "the government of the people, by the people, and for the people". This shows that democracy is participatory. It involves everybody, although, indirectly through election. It is a system of government that is anchored on the masses as its foundation. The policy and decision of government must of necessity conform to the will of common people because it is from them that the legitimacy of the government is derived. Above all, Appadorai affirms, "Democracy is a system of government under which the people exercise the governing power either directly or through representatives periodically elected by themselves" (418).

Concise Biography of Locke

John Locke (29 August 1632 – 28 October 1704) was an English philosopher and physician, widely regarded as one of the most influential of Enlightenment thinkers and commonly known as the "father of liberalism" (Hirschmann 79). Locke was born on 29 August 1632, in a small thatched cottage by the church in Wrington, Somerset, about 12 miles from Bristol (Broad 20).

In 1647, Locke was sent to the prestigious Westminster School in London under the sponsorship of Alexander Popham, a Member of Parliament and John Sr.'s former commander. At the age of 16 he was at school just half a mile away from the execution of Charles I; however, the boys were not allowed to go and watch. After completing studies at Westminster, he was admitted to Christ Church, Oxford, in the autumn of 1652 at the age of 20. Locke was awarded a bachelor's degree in February 1656 and a master's degree in June 1658 (Uzgalis, William, "[John Locke](#)". *Stanford Encyclopedia of Philosophy*. Archived from the original on 24 April 2021. Retrieved 2 June 2020).

Locke obtained a bachelor of medicine in February 1675, having studied the subject extensively during his time at Oxford and, in addition to Lower, worked with such noted scientists and thinkers as Robert Boyle, Thomas Willis and Robert Hooke. Although, Locke was associated with the influential Whigs, his ideas about natural rights and government are today considered quite revolutionary for that period in English history ([Laslett, *Two Treatises of Government and the Revolution of 1688*](#)).

Locke died on 28 October 1704, was buried in the churchyard of the village of High Laver, east of Harlow in Essex, where he had lived in the household of Sir Francis Masham since 1691. Locke never married nor had children. Events that happened during Locke's lifetime include the English Restoration, the Great Plague of London, the Great Fire of London, and the Glorious Revolution. He did not quite see the Act of Union of 1707, though, the thrones of England and Scotland were held in personal union throughout his lifetime. Constitutional monarchy and parliamentary democracy were in their infancy during Locke's time (Rogers, Graham A. J. "[John Locke](#)". *Britannica Online*. Archived from the original on 19 July 2017. Retrieved 3 September 2022). Some of his major works are: *An Essay Concerning Humane Understanding* (1697), *An Essay Concerning Human Understanding, Further Considerations Concerning Raising the Value of Money*, *A Letter Concerning Toleration*, *Second Treatise of Government*, *Some Thoughts Concerning Education*, *Two Treatises of Government*, *Essay Concerning the True Original, Extent, and the End of Civil Government* ("The Online Books Page". <http://onlinebooks.library.upenn.edu/webbin/book/search?amode=start&author=locke,%20john>).

Historicizing the Concept of Civil State

This section reviews some of the views of philosophers on the concept of civil society from each of the histo-philosophical epochs. In the classical period, the concept was used as a synonym for the good society, and seen as indistinguishable from the state. For instance, in *Republic*, Socrates taught that conflicts within society should be resolved through public argument using 'dialectic', a form of rational dialogue to uncover truth. According to Socrates, public argument through 'dialectic' was imperative to ensure 'civility' in the *polis* and 'good life' of the people (Socrates presents a remarkably similar description of *aretê* in his enumeration of the virtues of the citizens of the perfectly just *polis*, although, he drops piety (Bk IV, 427e).

In *Protagoras*, Plato's ideal state was a just society in which people dedicate themselves to the common good, practice civic virtues of wisdom, courage, moderation and justice, and perform the occupational role to which they were best suited. It was the duty of the 'philosopher king' to look after people in civility (329c-e). In a related development, Plato conceives *koinonia politike* as political community. He understood civil society as an ethical community that is comprised of different elements which have different skills and perform different roles. Also, it "fused truth, beauty, and goodness with knowledge, power, and the state" and "coordinates the activities of people with different skills and aptitudes" (Bk III, 402b).

Plato's civil society was a politically controlled realm that was comprised of individuals who live in different spheres of association, but require the civilizing force of a strong state to counteract the centrifugal force of diversity.

Aristotle also addresses the three modern conceptions of civil society in his extant works: associational life is primarily dealt with in *Politics* and *Athenian Constitution* ("AC"), the public sphere as an arena of debate in *Rhetoric*, and the ideal of the good society in *Politics*. His book: *Politics* (Politikôn) contains Aristotle's most definitive theoretical treatment of the concept of civil society. In fact, the nature of civil society forms the very essence of the subject addressed by the treatise, which opens with the introductory observation:

Every state (pólin) is as we see a sort of partnership (koinônían), and every partnership is formed with a view to some good (agathou) (since all the actions of all mankind are done with a view to what they think is good). It is therefore evident that, while all partnerships aim at some good, the partnership that is the most supreme of all and includes all the others does so most of all, and aims at the most supreme of all goods; and this is the partnership entitled the state (polis), the political association (koinônía he politikê) (1252a).

Aristotle's conception of political association, or *koinônía he politikê*, is roughly synonymous with the modern theoretical notion of civil society. Aristotle's conception of constitutional government more closely approximates mixed government, where all citizens have the right to participate in political rule, but only a small minority of notables (gnôrimôn) possessed of both wealth and public virtue choose to do so.

In his book: *De Re Publica*, Cicero (106-43 BC) as a Roman lawyer considered civil society equivalent of *res publica* (commonwealth) therefore, *societas civilis* represented groups and individuals united by laws and institutions. The development of Roman law which guaranteed individual right helped to separate private life from political community as a public life. Cicero defines civil society or the commonwealth as "an assemblage (of men) associated by a common acknowledgment of right and by a community of interests" (Chap 1296). It includes groups, institutions and individuals who organize their activities in such a way as to create a balance among them. In other words, it refers to a civilized political community.

To Cicero's writings would go the credit of giving a notion of the state which is not a *polis*, but a common wealth. Like the ancient Greeks, Cicero also regards the state submerged in the society, a part, i.e., an integral part of the society. Cicero says, "The Commonwealth, then, is the people's affairs, and the people is not every group of man, associated in any manner, but is the coming together of a considerable number of men who are united by a common agreement about law and rights, and by the desire to participate in mutual advantages" (*Against Verres*, 2.1.53-86).

In the medieval era, Thomas Aquinas in the medieval era viewed the state as a natural society, which has at its disposal the necessary means for attaining its end, which is the common good of the people. In *Summa Theologica*, "... the government of the state is instituted to secure the necessary conditions of the common good" (*De regno ad regem Cypri*, I, 1). This means that, "The state's function is to secure that common good by keeping the peace, organizing the activities of the citizens in harmonious pursuit, providing for the resources to sustain life, and preventing as far as possible, obstacles to the good of life" (II-II.58.5-6).

Aquinas' position is similar to Aristotle's explanation of the origin of political power as contained in his work *Politics*. So, like Aristotle, the creation of a political society is for special consequences, in so far that it is meant to meet the difficulties that may arrive as a result of

expansion among families and the inability to meet up with the demands for goods that are not within the productive means of some families, i.e., provide economic benefit to the society. Aside, it is also meant to enhance greater protection and the moral and intellectual lives of human beings. Thus, when people live in a community or society, their lives would be more productive and they tend to be more comfortable and fulfilled.

In the modern period, in his book: *Leviathan*, Thomas Hobbes underlined the need of a powerful state to maintain civility in society. For Hobbes, human beings are motivated by self-interests. Moreover, these self-interests are often contradictory in nature. Therefore, in state of nature, there was a condition of a war of all against all. In such a situation, life was "solitary, poor, nasty, brutish and short" (i. xiii. 9).

Upon realizing the danger of anarchy, human beings became aware of the need of a mechanism to protect them. As far as Hobbes was concerned, rationality and self-interests persuaded human beings to combine in agreement, to surrender sovereignty to a common power. Hobbes called this common power, state, *Leviathan*. For Hobbes, the state plays the most important role as it guarantees peace and self-preservation. Civil society may flourish only when the state is strong. Hobbes saw the natural condition of mankind outside civil society as one of misery. People in the state of nature must assemble and agree upon a sovereign to whom they will transfer the right of nature. For Hobbes, all moral principles derive ultimately from individual self-preservation.

On his part, Locke too began his thoughts on civil society by considering man's lot in the state of nature, though, that state for him was very different than the one described by Hobbes. In Locke's *Second Treatise of Government*, he wrote that one needs to understand the origins of political society - which was, for Locke, civil society, before one can understand its true nature. To understand political power right, and derive it from its original, one must consider, what estate all men are naturally in, and that is, a state of perfect freedom to order their actions, and dispose of their possessions and persons, as they think fit, within the bounds of the law of nature, without asking leave, or depending upon the will of any other man. A state also of equality ... without subordination or subjection (chap II, sec. iv).

Having reviewed the above views of philosophers on the concept of civil society (which establishes the background to Locke's notion of civil state), the next section captures his views proper.

Background to Locke's Idea of Civil State

In Locke's theory, the consent is the sole origin of political obligation. The decision to join a society is the result of calculation that membership in a society is the necessary means to secure our preservation. Permanent obligation is, in turn, a necessary condition for the preservation of society. There would be no political society with authority distinct from the designated government. When the government dissolved the society would also dissolve: each individual would be free from any obligation to the others. The purpose of Locke's discussion of society and government is to establish the relationship of right and obligation between them and between the individual. The formation of political society is coeval with the formation of

political government in the broad sense. Locke's initial premise is neither natural selfishness nor natural sociality, but natural freedom and natural rights that must be protected in civil society.

John Locke had a similar concept to Hobbes about the political condition in England. It was the period of the Glorious Revolution, marked by the struggle between the divine right of the Crown and the political rights of Parliament. This influenced Locke to forge a social contract theory of a limited state and a powerful society. In Locke's view, human beings led also an unpeaceful life in the state of nature. However, it could be maintained at the sub-optimal level in the absence of a sufficient system (Brown 73).

From that major concern, people gathered together to sign a contract and constituted a common public authority. Nevertheless, Locke held that the consolidation of political power can be turned into autocracy, if it is not brought under reliable restrictions (Kaviraj 291). Therefore, Locke set forth two treaties on government with reciprocal obligations. In the first treaty, people submit themselves to the common public authority. This authority has the power to enact and maintain laws. The second treaty contains the limitations of authority, that is, the state has no power to threaten the basic rights of human beings. As far as Locke was concerned, the basic rights of human beings are the preservation of life, liberty and property. Moreover, he held that the state must operate within the bounds of civil and natural laws.

According Plamenatz, Locke tries to explain the use of government and its legitimacy based on the fashionable arguments in his day, such as state of nature; state of war; or the myth of a social contract. He imagines men without government called state of nature which bounds men by law of nature. But, it has several weaknesses which leads society into state of war. The only way to overcome this problem is to quit from the state of nature and to set up the civil society under one supreme government by people's consent (334).

Locke's Idea of Civil State

To begins his idea of civil state from his vision of human nature thus: "God having made man such a creature, that in his own judgment, it was not good for him to be alone, put him under strong obligations of necessity, convenience, and inclination to drive him into society" (Chap. vii, sec. 77). This vision of human nature led to Locke's idea of political or civil society:

Those who are united into one body, and have a common established law and judicature to appeal to, with authority to decide controversies between them, and punish offenders, are in civil society one with another; but those who have no such common appeal, I mean on earth, are still in the state of nature. . . . Where-ever therefore any number of men are so united into one society, as to quit everyone his executive power of the law of nature, and to resign it to the public, there and there only is a political, or civil society (Chap vii, sec. 66).

While Locke rejected Hobbes' view of a belligerent state of nature, he argued that men, while naturally peaceful and sociable were none the less partial to their own interests. This meant that life and property could not be secure unless an impartial authority existed to mediate disputes. But an absolute ruler does not fit this criterion, because a ruler with unrestricted power would be partial to his or her own interests. And, hence, it is evident, that absolute monarchy, which by some men is counted the only government in the world, is indeed inconsistent with civil society, and so can be no form of civil government at all. For the end of civil society, being to avoid, and remedy those inconveniences of the state of Nature, which necessarily follow from every man's being judge in his own case, by setting up a known authority, to which every one of that society may appeal upon any injury received, or controversy that may arise, and which every one of the society ought to obey (§19).

In reiteration, Locke tends to set up civil society which has one supreme government to control civil behaviour and to protect the life (no death punishment), liberty (no slavery), and estate (the wealth, money, or land). Locke's civil society seems to be recognized as a state and would be formed by a social contract or all independent men's consent.

Locke explained that,

the natural liberty of man is to be free from any superior power on earth, and not to be under the will or legislative authority of man, but to have only the law of nature for his rule. The liberty of man, in society, is to be under no other legislative power, but that established, by consent, in the commonwealth; nor under the dominion of any will, or restraint of any law, but what that legislative shall enact, according to the trust put in it (227).

Freedom is a right of everyone during the life. As rational creatures, they are able to think and having some thoughts based on their experience. They can solve their problem because they know how to solve it. Its problem lies on how to preserve their property including freedom or liberty. Therefore, they set up the commonwealth under the established law by consent according to trust. In addition, Laslett stated that trust between men was an assumption of all who join to make up society. Trust is the safeguard of natural political virtue (113).

Consent is not only used to propose the law and to choose the executive but also to take taxes from people as Locke said:

governments cannot be supported without great charge, and it is fit everyone who enjoys his share of the protection, should pay out of his estate his proportion for the maintenance of it. But still it must be with his consent, i.e. the consent of the majority, giving it either by themselves, or their representatives chosen by them: for if any one shall claim a power to lay and levy taxes on the people (227).

To achieve the wants of state of nature and try to avoid the state of war, Locke tends to divide the government into three powers: legislative power, executive power, and federative power (Tully11).

Legislative power is a right to direct how to preserve the community and the members. The legislative power should be owned by non-executive men because if they have two powers in

one hand, it is easy for them to make law and execution based on their importance (Locke 279). The legislative is the supreme power to make laws for every member of the society prescribing rules to their actions and giving execution. The legislative is not always in being but the executive is always in being because the new laws are rarely to be made and the execution of the laws should be always executed. As legislative power which is formed by the founding consent, the executive power is chosen by election (Locke 281-283).

All of action among men in community should be based on the law as Locke said in "*salus populi suprema lex* is certainly so just and fundamental a rule" (285) or in other words, the welfare of people shall be the supreme law. Locke suggested clearly how to set legislative power of every commonwealth or in all of government: "first, they are to govern by promulgated established laws, not to be varied in particular cases, but to have one rule for rich and poor, for the favourite at court, and the countryman at plough (287).

Second, these laws also ought to be designed for no other end ultimately, but the good of the people. Third, they must not raise taxes on the property of the people, without the consent of the people, given by themselves or their deputies. And this properly concerns only such governments where the legislative is always in being, or at least where the people have not reserved any part of the legislative to deputies, to be from time to time chosen by themselves.

Fourth, the legislative neither must nor can transfer the power of making laws to anybody else, or place it anywhere, but where the people have". However, the legislative power is a supreme power but the executive power has prerogative power to act according to discretion for the public good without the prescription of the law (286).

The last power of government is federative as Locke asserted, there is any other power in commonwealth, it contains the power of war and peace, leagues and alliances, and all the transactions, with all persons and communities without the commonwealth; and may be called federative" (280).

However, people could set up the new government if they feel that the government cannot protect their property; the government ceases to function for people; the legislative is changed or usurped by tyrannical executive power; there is no trust between the legislatures or executives; and the executive ignores his duties and makes the law to be meaningless guidance (308).

Having established the above, it is most interesting to note that one of the bases of Locke's political thought was his teaching on the civil state which he best called civil society. In order to demonstrate what a civil society is, he traced its origin to the state of nature from where men unite together to go into civil state. He stated that, "This is done wherever any number of men, in the state of nature, enters into society to make one people, one body politic, under one supreme government, or else when anyone joins himself to, and incorporates with any government already made...." (*Second Treatise of Government*, 50).

From the state of nature, people enter into civil state through consent, to surrender their right of enforcing the law of nature to the society for them to setup a lawful form of government they thought fit (61). In Locke's view, civil society is characterized by a system of government that is based on the consent of the governed. The government is created by the people, for the people, and is responsible to the people. If the government fails to protect the natural rights of individuals or becomes tyrannical, the people have the right to overthrow it and establish a new government that will better serve their needs.

Relevance of Civil State in John Locke's Political Philosophy to Nigeria's Democratic Practice

In the process of entering into civil society by an individual, such individual sacrifices some of his rights hitherto enjoyed in state of nature so as to enjoy larger good in the civil society. This was the position of John Locke and many other political philosophers. John Locke strongly advocates public good as the end of government and as the basic standard of true governance. Hence, those who have been privileged to rule the community ought not to rule as masters over slaves. They are representatives elected by the people to carry out certain tasks for the purpose of public good. Their powers are to be used in accordance with "that trust which is put into their hands by their brethren" (Ebeling, "John Locke Is Needed Now More than Ever", August 29,, 2016. Retrieved September 4, 2022, from <https://fee.org/articles/john-locke-is-needed-now-more-than-ever>).

For Locke, there is a political society only when the whole end of such authority, preserving their properties which for Locke are their liberty, life and estate. While a society is a state of harmony amongst individuals to foster their humanity, a "civil society" is that in which this humanity is fostered under a consented authority, thus, making the sole end of this authority to be that which assists or enables each and every member achieve their goals within the confines of the law they enact. This is why Rousseau asserted that: "it is only through living in civil society that men experience their fullest freedom" (28).

Civil society or government is a symbol of restriction on liberty. But liberty understood in civil society is not absolute choice to act as one desire without limitations. Hence,

individual freedom is not to be understood as exercising free will or choosing one's course of action and sticking to it... the question is whether others can follow my own will...liberty and responsibility cannot be separated. Liberty requires that the individual must bear the consequence of his actions (Qtd in "A Study of The Concept of Liberty in John Locke's Political Philosophy". https://Ph.Ddissertations.unizik.edu.ng/repos/81044240400_103736627712.pdf. 100).

Governance becomes inimical to liberty and the import of civil union when the people have no consent to the legislation that controls their liberty. In such situation which could be described as tyranny or despotism, Locke obliged that the people should revolt so as to upturn such imposed legislation and enthrone a rule powered by their own consent. John Locke believes that political society makes life better for every individual and not for selected few as evidenced in many societies today. The event in so many societies recently shows that individual consent as postulated by John Locke for the legitimacy of the sovereign is not in practice as powers are usurped through distrustful ways. Elections are not transparent and amenities are not evenly distributed among the people ("A Study of The Concept of Liberty in John Locke's Political Philosophy" https://Ph.Ddissertations.unizik.edu.ng/repos/81044240400_10373662771_2.pdf. 127).

Many governments are fraught with abuse of the sacrifice that gave rise to civil society. The results of such abuse and negligence of the public good are civil unrest, large scale poverty,

lawlessness, unhappiness, insecurity of life and property and state of license. We have inalienable rights, however much we may claim such rights and however much our governments may profess to recognize such rights, what happens when we seek to exercise them. The notion behind the struggle for liberty or freedom in a society is centered on the view that individual citizens have rights on which the state must not intrude; men are endowed by the almighty with certain rights which happen to be inalienable.

As a matter of fact and reality, political leaders in Nigeria do not provide policies that would ensure the sustenance of peace in the society like displaying fairness, justice and equality in treating the various ethnic tribes and religious groups in the complex society like Nigeria. They do not attend to issues of corruption, unemployment, poverty, credible election and insecurity with sincerity. They do not consult the opinion of the people in the process of policy formulation and implementation. Therefore, leadership in our political process must be a calling to serve humanity rather than a venture for self-enrichment and pride ("A Study of The Concept of Liberty in John Locke's Political Philosophy").

https://Ph.Ddissertations.unizik.edu.ng/repos/81044240400_103736627712.pdf

Nigeria's democracy has experienced numerous crises and conflicts since 1960. These conflicts signaled a breakdown of law and order, peace and security in the country. These crises include the highly controversial and rigged Federal Election of 1964; the Action Group Crisis of 1962, the Western Election Crisis of 1965, the Electoral Crisis of 1979 and 1983. These crises denied the people the opportunity to legally choose their leaders in the country. Consequently, the unity of the country has been threatened since then. The crises in the First Republic (1964-1966) led to the 1966 coup in which the Prime Minister Alhaji Tafawa Balewa and Sir Ahmadu Bello, the Sultan of Sokoto were assassinated. These episodes led to the Nigerian civil war which lasted three years (1967 to 1970) resulting in the death of about two million people (qtd in Yahaya 56).

Over the years it has been very hard to describe Nigeria as a strong nation state that upholds the social contract principles due to the constant ethnic rivalry that has permeated every facet of Nigeria's life. From independence till now, Nigeria has witnessed increased insecurity of human lives and property, violation of human rights, increased crime rates; the emergence and spread of politically motivated violence and assassinations; increased importation of illegal ammunition; an upsurge in ethnic, communal and religious conflicts; proliferation of ethnic and sectional militias (56).

In the recently concluded 2023 general elections in Nigeria, the Labour Party's Acting National Secretary, Obiorah Ifoh, in a statement reply to the President, said Buhari's position on the outcome of the said election was false, untrue, and it was not a true reflection of what played out during the election as he says "The 2023 general election is the worst election the country ever had since the current republic; since 1999 to date. The 2023 general election is the worst ever as reported by virtually all the international observers and communities. In fact, the election took Nigeria back to the days of the First and Second Republics where political thugs, where violence and thuggery characterised politics and elections" ("2023 Presidential Election Is Worst In Nigerian History; Your Party Rigged, Didn't Win Because

Of Anybody's Overconfidence – Labour Party Lambasts Buhari”.

<https://saharareporters.com/2023/04/29/2023-presidentialelection-worst-nigerian-history-your-party-rigged-didnt-win-because, July 30, 2023>).

Several attempts have been made to study and proffer solutions to the problems associated with Nigeria's democracy. Despite these efforts, the problems confronting Nigeria's democracy seem to prevail. The literature available shows that none of the studies conducted on the problems of Nigeria's democracy have applied the Social Contract Theory of John Locke to look at the democratic situation in Nigeria from a theoretical perspective.

It is worthy of note that Nigeria to a large extent is a member of treaties establishing certain rights and privileges of individuals as being superior to all other considerations in the society as elucidated by John Locke. It has all the tenets of a liberal system in theory; it is also worthy of note that Nigeria operates a democratic system modeled along the American system which scholars are of the view that it owes its origin from Locke's philosophical thoughts. One can therefore assess the Nigerian democracy as being in conformity with the ideas of liberalism emphasized in Locke's philosophical thoughts. However, this is largely in theory as what is obtainable in practice is a sharp contradiction of liberal democracy in Nigeria.

The practice of liberal democracy is still at a rudimentary stage or at its lowest ebb in Nigeria when compared with the idea in which Locke emphasizes in his notion of civil society and when compared to how it is practiced in advanced democracies. Not so much is considered at the level of human rights or in the dignity and worth of the human person, the processes of electing leaders are grossly flawed when compared to the idea of liberal democracy in its ideal terms. The trust in which Locke opine should rule in the interest of all in the society is viewed in the Nigerian contest as a supreme leader whose style of leadership relegates the interest of the citizenry to the background. The argument of periodic elections is grossly abused; constitutionalism is not followed in the activities of governance as there is more of impunity in the administration and governance of the system. However, in spite of these short comings in the application of Locke's idea to Nigerian democracy, one can say with relative ease that Nigeria by virtue of being a democracy is one the right track even though pitfalls abounds.

Conclusion

Having discussed Locke's conception of the civil state and its relevance to democratic practice in Nigeria one is made to understand that his notion about civil state which is an offshoot of social contract moves away from that of the ship and captain analogy to conceiving the civil society as an instrument whose sole purpose is to provide a secure framework for the life, property and liberty of the people. For Locke, the civil society must not possess arbitrary, absolute powers over the lives and property of citizens, yet, the mandate must seek the public good so that the citizens would enjoy greater liberty.

Public good eliminates various social ills in the society such as, differences of opinion, inequality in the distribution of social good and suppression. In short, it is the responsibility of members of the civil society to provide for their well-being and destiny. The latter is achieved through common authority of the state. The civil society has the seeming paradox of both curtailing freedom and expanding liberty, at the same time for the sake of the public

good.

Thus, Locke's theory has some merits in it that are very relevant to human development. This theory succeeded in freeing individuals from the hands of monarchism and the chains of absolutism. As such, he left for mankind an everlasting legacy for the better running of government in spite of the inadequacies that enter into the formulation of the theory. Locke's liberation reminds the government of those human purposes which the state can serve and which alone can justify its existence. His sincerity, his profound moral conviction, his genuine belief in liberty, in human rights, and in the dignity of human nature, united with his moderation and good sense, made him the ideal spokesman of a middle-class revolution. As a force in propagating the ideas of liberal but not violent reform Locke probably stands before all other writers whatsoever. Even his more doubtful ideas, such as the separation of powers and the inevitable wisdom of majority-decisions remained a part of the democratic creed (Sabine 497).

Therefore, the theory of John Locke has so far brought out the idea in which civil society rest on the consent of the rulers but of the ruled and this became an important factor in the development of modern democracy. At least he has made everyone to understand that individuals have rights that are natural and inalienable them and as well need to seek for them and defend them. For government is made for the wellbeing of all and not for a particular set of people. In a democratic nation as Nigeria, emphasis should be placed on the consent of individuals in policies of government, the tenets of constitution and constitutionalism should be held in high esteem, individual liberty and freedom should be respected, the rule of law should be held above all other considerations in the society as these to a large extent would ensure an effective system of governance.

Above all, Locke enjoins all political leaders to live up to the oaths they take to uphold the sovereignty and dignity of the citizens by preserving their lives and property and well as catering for their welfare as enshrined in the 1999 (amended) Constitution. There is need therefore, to explore the ideals of the civil state as advocated by John Locke, and to bring out its relevance to the practice of democracy in the Nigerian setup.

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