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FOUNDATIONS AND PRINCIPLES OF SOCIAL ORDER

Ogugua P.I Dept of Philosophy N.A.U
Awka.

And

Ogugua C.I Anambra State Judiciary
Awka

Introduction

The issue of foundations is very serious that is why real attention need to be given to it. The scripture understood it so much when it says, if the foundation is destroyed what can the righteous do? The answer is, nothing or very little. In the spiritual and in the physical spheres, the issue of foundation must be taken seriously. Little wonder, this paper discusses the topic from the philosophical science angle; which is concerned with the search for the ultimate principles of reality

with the sole aid of human reason. Now, let us examine the foundations of the social order, which are thus; personality, nature of man, freedom, law etc.

Personality

It seems uncanny to us to accept that in any place in the whole world there will be a being that is just like us in everything. Why? It is because we know we are unique, original and unrepeatable. Although the word personality is common, it is not easy to define. Ogugua writes:

When people use it, they refer to something slightly different. It is derived from the Latin word 'persona' meaning mask. It means, simply put, an individual as he manifests himself and as seen by others. The term can be defined in many ways. A number of approaches are available; the trait-type, dynamic, behavioural and phenomenological approaches, emphasizing the dimensions and organization, motivational factors and interplay of different components of personality, the ways in which habits are acquired and the role of the self and the individuals interpretation of the world respectively¹

Using the phenomenological approach, personality is for Mischel "the distinctive patterns of behaviour (including thoughts and emotions) that characterize each individual's adaptation to the situations of his or her life,"²

Personality is dynamic, fluid like, it keeps changing, it is not the same as identity, it is rather a mixture of nature and nurture. On account of the fact that an individual is a unit of the constituents of the State and that it is only by understanding his personality as the State is the individual writ large' as opined by Plato, that his social nature can be comprehended; which gives us access into our understanding of the State and what order in such a unit could be. We hold that personality characterized by uniqueness, self-subsistence, thought, action, participation,

Freedom, responsibility, solitude, consciousness, auto-transcendence, etc. is a foundation of social and political order.

Nature of Man

We think that any theory of the state or society more so a socio-political order has implicit in it a theory of human nature. Human nature is what we think, conceive and hold the essential and distinguishing qualities of man to be; and it is no doubt a combination of biological, psychological, social or even a combination of ontological, epistemological, moral, psycho-physico chemical properties of man as these make them unique. Leslie Stevenson asserts:

The meaning and purpose of human life, what we ought to do and what we can hope to achieve- all these are fundamentally affected by whatever we think is the real or true nature

of man. Lapati supports this view point thus:" Basic to the study and understanding of any theory that deals with human behaviour is the concept of the nature of man underlying that philosophy or theory.,³

The question of human nature falls within the ambience of metaphysical anthropology. Modern epistemology and scientific methodology hold that scientific and non-scientific thoughts are products of opinions, and we do not think these opinions flow from the blues. We believe that they spring from somewhere in ontology and worldview. So Marshall seems right when he holds that our perception of things is dependent on our commitment, "from particular ways of looking at the world- a fundamental metaphysical commitment"? It is not surprising therefore to see multiple systems of anthropology springing up: epistemological, biblical, metaphysical, etc. Whatever is the case, we know via reason and experience that man is a social animal, a "being-with", with a transcendental focus; a being made up of body, soul and spirit. We think Messner's remark is 'adrem', he states:

It is equally true that any metaphysics which refuses to take parts of experience into account or tries to explain away facts of reality lapses into dogmatism of one kind or another, consisting of hypotheses or assertions based on inadequate or non-existent empirical or philosophical grounds⁴

Man as a member of society is not only externally dependent on others but is metaphysically dependent in his essence. Man as the image of God, cannot be in the likeness of God except by being communicative in a metaphysical sense. Hoffner asserts: "...all personal being essentially strives towards giving and sharing, so that personal being is of its essence ordered to the 'thou' of the other and to society.

Man is both a creature and creator of culture. Little wonder, Aristotle stated in his Politics "...he who is unable to live in society or who has no need because he is sufficient for himself, must be either a beast or a god"

And Higgins,

Emphatically testifies that men do not live isolated lives but have ever acted as members of some group⁷.

The Pope in *Populorum Progressio* states: "We are the heirs of earlier generations, and we reap benefits from the efforts of our contemporaries"⁸ So you see only very little, if we be right, we can call our own.

We can see that we have community building qualities (powers): language, society and morality. Language is very vital as it is a process of wording our horizon (society). It creates a community, for it makes communication possible. Mounier opined:

Common opinion notwithstanding, the fundamental nature of the person is not originality nor self-knowledge nor individual affirmation. It lies not in separation but in communication⁹

And our chief task, according to Mounier is not to master nature but, increasingly to bring about communication leading to universal understanding¹⁰

Karl Jasper equally understood the importance of communication and advises that: "An avoidance of true communication is tantamount to a relinquishment of any self- being, if I withdraw from it, I am betraying not only the other by myself,¹¹

We can glean from the above, that language is important; and should be looked at with seriousness; for it the language is not correct, we cannot get what is meant to be communicated. Arbitrariness in the use of words is dangerous, for the word of man is man. He who wants to communicate owes others the duty to communicate the truth. If language is polluted, it is undermined hence, it dissolves the truth or at best hides the truth; and truth which flows from openness is indeed at the basis of society. Or do you think it is uncommon to see people who live alongside others without relationship? In that situation, each one is on one's own, within one's cocoon, there is no relationship it breeds death.

This ability to communicate and relate introduces sociality, which is usually noticed in these instincts: sex, imitative and play. These instincts push men to relate with the other; that of sex is at the physical level, while those of imitation and play, coupled with love are at the psychological and spiritual levels. We think these instincts are power; apart from sex, the rest could be seen as spiritual powers which aid in community building; when community building goes on, it cannot withstand the shock along the path unless the community is built on social virtues: truthfulness, justice, fidelity, love, etc.

Man as a creature of culture met a cultural domain and develops this as he comes of age so to do. Nell-Breunig remarks:

Here we see ... entitative and moral values that lie absolutely beyond the reach of separate individual, which even God's creative power could only confer on social beings and make accessible to them¹²

Freedom

In this work, we beg to differ from Boethian concept of the person as "rationalist naturaeindividuasubstantia", and the Greek's 'persona' meaning mask, likeness or representation but

rather as "per-se-une" - that which is one in and with itself; that means one that is properly integrated, whole, hence one with integrity.

It is because the members of society are free beings that we made freedom serve as one of the key pillars for social order. Little wonder, Pope John Paul II defines man by his capacity to act, and he acts because he is free. We know that for an act to be seen as a human act it must be one seen to have flowed from freedom, knowledge, voluntariness (volition), intention, etc. Man is always an actor and cannot be otherwise, being means (suggests) acting or else why do we say "agere sequitur esse"

Osuagwu states:

Fundamentally- ontologically, man is man by his action, by a special grade of action that characterize's him as such - not by pure biological acts of man (actushominis) - but by that action which scholasticism describe as "actus humanus"¹³

Characteristics of human act in scholastic- Thomistic tradition are "actusvoluntarius", "appetitusrationalis", moral action, and auto determination: A critical look at these qualities, shows that freedom is basic, for an action to be conscious, deliberate, etc.

Freedom is a popular word, yet atimes isused. Freedom is not licence, doing as one likes. Pope John Paul" states:

True freedom is not advances in the permissive society, which confuses freedom with licence to do anything whatever and which in the name of freedom proclaims a kind of general morality. It is a caricature of freedom to claim that people are free to organize their lives without a reference to moral values. Such an attitude is destructive of freedom ¹⁴

What then is freedom? It is a word with nuances of meaning scholars have made a distinction between "freedom from" and "freedom to "the former is couched in the negative while the latter is couched in the positive; freedom from restraints and freedom to perfect oneself via self-knowledge, self-awareness, self determination, self-transcendence, etc. Maritain observes:

the word freedom, like all big words for which men are ready to die, and which are ladened, not only with the riches of the object, but with the desires, the dreams, and the supreme generousities of the subject, the word freedom conveys a great number of meanings; yet these meanings though widely different have something in common ¹⁵

In whichever way, freedom is used; it has a ring of choice and responsibility around it. John Locke sees it as a power in any agent to do or forebear any particular action, according to his determination, or that of the mind, whereby either of them is preferred to the other³³

Grisez et al state that "...the freedom to direct oneself by one's own choice is the freedom most proper to a human being,,¹⁶

We think freedom is tied up with conscience in a sense, as it connotes, acting in accordance as one's conscience directs.

It is because man is free that we can rightly think of and work for a balance between authority and the individual. If not for freedom, we would simply be 'zombies' and do everything we are asked or commanded to do. There are things the State cannot rightly ask, Sullivan states: "What it cannot ask is hate, falsehood, treachery, any evil doing on the part of its citizens; it cannot demand in short, the sacrifices of the citizens eternal life, for no temporal good¹⁷

Freedom is not absolute; it rather points towards choice-making which has consequences, Mill observes that a

...human being is not a machine to be built after a model and set to do exactly the work prescribed for it, but a tree which should be allowed to grow and develop itself on all sides according to the tendency of the inward forces which makes it a long living thing¹⁸.

In as much as freedom is a right of an individual, it has a ring of obligation/duty around it. Your freedom to fly your hand ceases immediately another person starts to feel threatened.

So, you can see that freedom is a duty you have necessarily to undertake with regard to any other person; for the golden rule says "do unto others as you would like them do unto you". Benn has a point when he argued that "this ... sets a limit to freedom but it also gives it its logic and dignity, since we are by nature social beings,,¹⁹ It is no longer difficult to see that freedom will only be realized within the ambience or limits of law.

Law

Law is purposeful, and indeed a necessity. Ogugua writes:

Since consent is the highest degree of human freedom it does look like law protects true freedom as it does not impose any hardship on anybody. The law is that which the polity truly and sincerely upholds to give them support in their actualization of their common good. Law is value laden hence is end oriented. The purpose of law is intrinsically conjoined with the end of the society and is grounded on this end. Law exists for the total well being of man as man ²⁰

Law is not unnatural; as such it is not an imposition; for it is related to the nature of man and even things. Ogugua asserts:

Man is made up of a body, spirit and soul. The primary end of law must be capable of satisfying these varied aspects of man. It must include all possible social and spiritual needs and goals of man ²¹.

When a man is in an orderly frame of mind, he thinks rationally and reasonably, and can inject the same order in this mind externally unto society. This is because thoughts are seedlings of realities, as thought influences action and behaviour. Ogugua remarks

Law is only a necessary instrument of putting man's aggressive instinct under control. So law is natural to man in the sense that being in chains is necessary for a violent mad man ²²

Even if we all were angels, we still will need law to function at our optimal level, for a lawless society cannot be orderly. The first principle of natural moral law states: Good is to be done and evil avoided. We need rules (laws) to make it operational in our society. And if these laws will aid us to discover and affirm ourselves, they must be not only consistent but coherent for if they are irrational, inconsistent, they will no longer be in our best interest.

Obligation

That there is a State points directly or indirectly to an authority; and this authority is sovereign. It follows that if the State has authority, it has the right to issue orders and the citizens are indeed obliged to obey the given orders.

We may ask in view of what happen in Africa most of the time, whether a citizen is legally obliged to obey the orders of a 'defacto' government for people claiming authority. If we acknowledge that he should because of power and not authority then we admit he has prudential obligation so to do. But if we hold that he has right to do so, then we admit moral obligation. But notwithstanding the arguments put up we maintain that might cannot be right, for the end does not justify the means. Power no doubt may oblige, it does not confer right. Raphael states:

The fact that we often use the word 'ought' and should to express prudential obligation shows that we think there is a choice. ⁴¹ Although he is obliged to obey, he has strictly speaking no obligation.

We are indeed concerned with moral reasons for political Obligation, for legal reasons may not rightly ground political obligation. Legality may be associated with the authority promulgating a rule/law but not the authority of the state. Raphael sees these moral reasons in theories of social contract, consent, general will, justice and general interest or common good.

Having presented the foundations or grounds for socio-political order, let us now quickly draw basic and essential principles of socio-political order from these foundations.

The Principles of Socio-Political Order

The principles we would like to discuss here though briefly are: principles of horizontality, solidarity, subsidiarity and common good. These are modes of being which crops up from the foundations of order in society.

The Principle of Horizontality

Individuality and communality suggest relationship that is not really qualified. Is it on the same footing? If so, then it means there is equality, this ensures that we share' adequately the experience of self discovery, self-affirmation and self-development. What it means is that we recognize that though we are different in a sense, we are still same, on a level, and not beings that operate on the principle of verticality. We think this principle by recognizing co-presence of the other via dialogue introduces the principle of solidarity.

The Principle of Solidarity

Solidarity is from the Latin *Soliciare*' meaning to hold firmly together. It has its foundation in personality, for man is essentially social or communal, hence he needs cooperation and mutual support to actualize his person. Hoffner holds:

... this principle is grounded in the ontologically pre-given mutual connection of the individual and society (common involvement); on the other hand, it implies the moral responsibility resulting from this mode of being (common liability)²³

Solidarity is not only an ontological principle it is equally an ethical one. It is an indispensable project of any human being; we see it as a step in the right direction for human maturity and excellence. Why? It is due to the fact that it implies a union of our beings, ensures participation and ontological sharing of ourselves. We cannot realize ourselves outside solidarity (society). To be human is to live in 'solidum'. According to the Catholic Diocese of Awka it is:

... a deliberate choice to enter in some degree into the world of those who are deprived - to share in a significant way in their experience of being mistreated, by passed or left helpless. It springs from compassion and a choice to deepen this compassion by sharing in the suffering of the poor: and to devote oneself generously to the common welfare ²⁴.

The Principle of Subsidiarity

The word subsidiarity is from the Latin 'subsidium' meaning help rendered from reserves. This principle though related to those of subsidiarity and common good is different from them, to see it as same with the two no doubt will plunge us into conceptual problems and methodological confusions, and will no doubt cause traffic jam in our discourse of these primary principles of social order and everything will become every other thing. Then we end up not being able to distinguish. It presupposes these other principles, as it promotes the right to beingness participation, and self-determination.

It is a weighty principle which recognizes areas of proficiency by different units in society and encourages industry and initiative in each unit as society though sovereign in a sense does not mean that it is omni -competence as a unit and that it can survive without the subsidiary functions performed by other units: individuals, groups, etc., Pope Pius XII on July 18, 1947 maintained that:

...activity and achievement on the part of society may always be a buttress only, and support and complete the activity of the individual, of the family and of the professional groups.

This principle designates the complimentary and supplementary roles played by units in society for the well-being of the units and the whole. In it is buried the idea of complementarity and relationship. Hence, the community of a higher order should not interfere with the roles of communities of a lower order; each unit is best equipped to carry out its functions.

The Principle of Common Good

Individuality and sociality (communality) suggest a relationship. The question is, is it always on an equal footing? It does not seem for usually you see conflictual tension here and there. It is to avoid this naturally tense situation that common good becomes necessary and important so as to ensure that this relationship is neither super-or subordinated. It is on the footing of balance that every social entity can by the law of entelechy meet its common good, for there is common good peculiar to each entity.

For Aristotle, the good life is the end of every political society and since no society can attain this good life without being in an orderly and peaceful form, common good which is a principle of social order plays a cordial rule. Common good is a horizon of search for true values to build the community and move it forward. It entails personal freedom, responsibilities and cooperative activity and at the same time preclusion of anti-social impulses and cutting to the barest minimum ambivalence of human interest.

Common good is that good that is common to all; not a summation of individual goods. For Messner, it rather

...meansthat social cooperation makes it possible for the members of society to fulfill by their own responsibility and effort the vital tasks set for them by their existential ends".

In the words of Thornill, it is "a good or benefit which human persons can only attain through the co-ordination of their several activities" ²⁵ and according to an author common good puts the cord that links all together in order, for it is communion in good living and public welfare. For according to Maritain it is common good only on condition that it is according to justice and moral goodness ...
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Conclusion

Having gone this far in our discourse nothing is left for us to do than to conclude. This piece of work has pointed out what we consider to be at the rock bottom of social order and the principles that make social order possible and realizable. It is very clear that the ruled and the governors have roles to play to ensure there is order in the society by emphasizing on the necessity and relevance of the constitution and the rule of law, suggesting the indispensable role of the judiciary which points to the need for the independence of the judiciary

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