

*ORIGIN, NATURE &  
FUNCTIONS OF THE STATE*

**Module II**

# STATE

- Greeks used term : Polis
- Romans : Civitas & Republica
- Medieval period : Christian Common wealth
- 16<sup>th</sup> (Century)Machiavelli : Stato



# DEFINITION OF 'STATE'

- As a community of persons, permanently occupying a definite territory, legally independent of external control, and possessing a organized government which create & administrates law over all persons and groups within its jurisdiction is 'State'.



# ELEMENTS OF THE STATE

- (1) Population
- (2) Territory
- (3) Government
- (4) Sovereignty



# ELEMENTS OF THE STATE

- **Population** : A considerable group of human beings;
- **Territory** : A definite area of earth's surface upon which the population permanently resides
- **Government**: A political organization through which the will or law of the state is expressed and administrated.
- **Sovereignty** : the supremacy of the state over all individuals and associations within it and the independence of the state from external control.



# THEORIES OF THE STATE

- Various attempts to explain state;
- Various philosophers explain different ways;

(1) Force Theory

(2) The Divine Theory

(3) The Social-Contract Theory



# THE FORCE THEORY

- The state came into existence as a result of the forced subjection of the weak to the strong.
- Two arguments in force theory
  - (1) One group of thinkers used this theory to justify the state on the ground that the state is power, that might makes right and that the essence of the state is a sovereign will.
  - (2) Second group, to attack the state because of its injustice and urge individual freedom and limited state action



# THE FORCE THEORY

- In middle ages theologians argued that, the state was based upon force and injustice and decried the origin of earthly sovereignty in order to subordinate temporal to spiritual power.
- Individualist & anarchist believe that the State is an evil because of their desire for individual freedom.
- Socialist believe that , the state resulted from the aggression and exploitation of laborers by capitalist and attack, not the idea of the state itself.



# THE DIVINE THEORY

- During the large part of human history the state was viewed as direct divine creation.
- Early oriental empires rulers claimed a divine right to control the affairs of their subjects and this right was seldom questioned.
- The Hebrews believed – divine origin
- Spat between State Concept & Christianity Pope



# SOCIAL CONTRACT THEORY

- In moral and political philosophy, the **social contract** is a theory or model, originating during the **age of enlightenment**, that typically addresses the questions of the origin of society and the legitimacy of the authority of the state over the individual.
- Social contract arguments typically hypothesize that, individuals have consented, either openly or tacitly, to surrender some of their freedoms and submit to the authority of the ruler or magistrate, in exchange for protection of their remaining rights.
- The question of the relation between natural and legal rights, therefore, is often an aspect of social contract theory.

# SOCIAL CONTRACT THEORY

- **Thomas Hobbes** ( 1588-1679) : Leviathan (1651)
- **John Locke** ( 1632-1704) : Second Treatise of Government (1689)
- **Rousseau** ( 1712-1778)
- **Social Contract Theory:** starts with the assumption that, man lived originally in a 'state of nature', antecedents (background) to the formation of political organization. In this condition he was subject only to such rules of natural law as are prescribed by nature itself, and was the possessor (holder) of natural rights.



# SOCIAL CONTRACT THEORY

- **Hobbes ;**

It was a state of war, a savage state, men were selfish and aggressive brutes. Every man was the enemy of every other man . To avoid fear and danger of this terrible situation, men agreed to setup an authority.

- **John Locke;**

Life in the state of nature was one of the peace and ease. Freedom and tranquility (harmony) prevailed. Men were bound by the law of nature and possessed certain natural rights, but there was the absence of an agency to interpret and implement the law of nature, so men agreed to create a common authority.

## SOCIAL CONTRACT

- **Rousseau**

People led to a ideal life and enjoyed 'idyllic happiness' in the state of the nature. But the rise of property produced evils. To escape from them men set up authority by contract.



# EVOLUTIONARY THEORY/ STATE

## Forces in state building

- (1) Kinship
- (2) Religion
- (3) Industry
- (4) War



# NATURE & ROLE OF THE STATE

- State has always been central to the political analysis, to such an extent that politics is often understood as the study of the state.
- Two key debates on State
- The first : focus the need for the state and the basis of political obligations
- Second : concerns the nature of the state power



# NATURE & ROLE OF THE STATE

1. Idealist theory of state
2. Marxist theory of state
3. Liberal theory of state



# IDEALIST THEORY OF POLITICS

- Plato & Aristotle are considered to be founders of the idealist theory.
- They started the premise that man is by nature a social and political animal.
- It is only by living in society that man can develop his personality and realize all that is best in him. They never differentiated society with the state.
- They regarded the state as a self-sufficing entity identical with the whole of society, existing for itself and by itself.



# MAJOR EXPONENTS

- **Immanuel Kant** (1724-1804) is regarded as father of idealistic theory. He gives expression to this doctrine in his famous book "metaphysical first principles of theory and law" in 1796. Kant major focus of analyzing is put of different aspect of state and its relation with other element existing within state.
- **Hegel**, His philosophy had made state to rise to mystical heights and held that German people have divine mission to fulfill in their relation to rest of the world. .



# IDEALIST STATE

- The state is the ethical institution and therefore a end itself.
  - Hegal (1770-1831): founder of modern idealism, conceived as the state as an ethical community.
  - The modern idealist developed a philosophy which magnified the state into a self-sufficing entity.
  - They regarded state as an organic unity and held it as the highest expression of social morality.
  - State as the moral organism individual is an inseparable part of it and he depends for his existence upon it.
  - State exist to create and maintain those conditions in which free and moral life is possible.
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# FEATURES OF IDEALISM

- **State is an ethical institution**-state is an ethical institution. Though there are many ethical institutions in a society like Church, family etc but State is most important among them
- **State is man's best friend**-State is man's best friend. All the welfare of an individual is done by the activities of state, it provides all basic necessity to an individual growth and development within the state. State activities is always focused towards individuals welfare.
- **State has got its independent will and personality**-The state is not the sum-total of the individuals. But it has its own independent personality and will. The basis of the state is will and not the force

# FEATURES

- **state is creator and protector of the rights of the individuals**- State is considered as guardian and protector of the rights of an individual. State is considered as source of all freedom and rights provided to any individual.
- **Man is a social animal**- Idealism begins with Aristotle's view that man is a social animal. This social animal development is enriched under the proper guidance of state. State is indispensable to effective organization and realization of moral ends.



# MARXIST THEORY OF THE STATE

- The early Marxist thinkers considered , the state as an instrument of exploitation in the hands of the dominant class.
- The state does not stand for the good of all, rather it protects and promotes the interest of the few at the cost of many.
- The state is an agency of class coercion in the hands of the dominant economic class.
- The state maintain its exploitative class character right from its origin through various phases in developments.



# MARXIST/ STATE

1. State is an instrument of class domination
2. State comes into existence for the protection of private property
3. State is a symbol of injustice



# NEO-MARXIST THEORIES OF STATE

- Max Webber rejected Marx's class theory
- And stressed on the autonomy of state power .
- According to Webber, the state has its own powerful resources, it enjoys executive control over legitimate use of force in society which is not accessible to private interests.
- It maintain a strong organization in the form of bureaucracy which can formulate, implement and monitor the policies of the state. The state power could not be reduced to an instrument of class interests.



# NEO-MARXIST/ STATE

- Antonio Gramsci (1891-1937)
- Neo-marxism seeks to analyze the subtle aspects of the phenomena of dominance, and dependence, distortion in contemporary civilization and the possible ways to human emancipation.



## NEO-MARXIST/ STATE

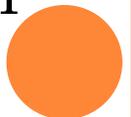
- According to Gramsci, a web of beliefs and institutional as well as social relations in the society such as family, school, church, and other primary groups play a leading role in the creating consent which he describes as hegemony that keeps the capital system going on. Use of force is restored to only when the instruments of consents fail to work.
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# LIBERAL THEORY OF STATE

- A liberal state adopt a liberal attitude towards the rights & privileges of the citizens.
  - The restrictions of any type adopted by the government will curb the liberty and spontaneity of the individuals. It will slow down the growth of mans personality and inherent qualities.
  - So liberal state donates a limited government or limited state.
  - A state is liberal when it acknowledges the opinions, attitudes and behaviors of individual and does not think these as a threat to existence and administration of state.
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# FEATURES OF THE LIBERAL STATE

- The liberal state embraces multiplicity of ideas, views and existence of numerous groups and parties.
- The liberal state maintains absolute neutrality towards all groups. Since multiplicity of groups and organizations and coexistence among them are the characteristic features of a liberal state, clash of interest can be seen as an inevitable consequence.
- It is accountable to the citizenry for all its activities, decisions, and policies. The consent and accountability are the twin ideas associated with the liberal state.



# QUESTIONS

- **What are the elements of the state?.**
  - Population
  - territory
  - government
  - sovereignty
  
- **What are the major theories of the origin of the state**
  - The force theory
  - the divine theory
  - the social contract theory
  - **Hobbes views on social contract ?**
  - **John Locke Views on social contract ?**
  - **Rousseau views on social contract.?**



# QUESTIONS

- **What are the evolutionary theory of the state?.**
  - Kinship
  - Religion
  - industry
  - war
- **What are the nature and role of the state (major theories )**
- Idealist theory of state
- Marxist theory of state
- liberal theory of state



# SOVEREIGNTY

- The state come into being when an independent group of people are organized by means of a government which creates and enforces laws.
  - Within this group there must be supremacy and will and power.
  - It must contain some person or body of persons whose commands receive obedience who can, if necessary, execute those commands by means of force.
  - Such person or body of person exercise sovereignty and such commands are called laws.
  - Evidently there can no limit to sovereignty.
  - The state is legal sovereign, there can be no legal limit to lawmaking power of the supreme law making associations.
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# CHARACTERISTICS OF SOVEREIGNTY

- (1) **Absoluteness:** there can be no legal power within the state superior to it, and there can be no legal limit to the supreme law-making power of state.
- (2) **Universality:** the sovereignty of the state extends over every person and every association of persons in the state.
- (3) **Permanence:** the sovereignty of the state continues as long as the state itself exists. Only by the destruction of the state sovereignty be destroyed.
- (4) **Indivisibility:** there can be one sovereignty in the state. To divide sovereignty is to destroy it. The exercise of its power may be distributed among various governmental organs but the sovereignty is a unit, just as the state is a unit.