

State: Nature/Features, Origin, Purpose and Theory of the State

There is a clarification on the political system and the nature of a state.

The political system comprises all the forces, processes, and institutions of a society that generate effective demand and support inputs, accompanying political cooperation or conflict involved in resolution and the subsequent development of authoritative political decisions. Dahl (1976) stated that a political system is ‘any persistent pattern of human relationships that involves control, influence, power, or authority’.

On the other hand, a state is larger than a political system. It is an artificial creation that can be understood through the institutions established in its name to define it, as well as to make decisions regarding the organisation and regulation of the public domain.

The concept of the state as an abstract entity or organisational abstraction can be perceived in the sense that its physical features cannot be felt unless it operates through political institutions- the executive, judiciary, administration, armed forces, prisons, governing parties, and governmental bodies (including public corporations and media) to achieve its aims. The government, in this context, creates, interprets and enforces binding rules on citizens through the formal institutional structure and the locus of authoritative decision-making in the modern state. The role of “government institutions” is to receive inputs from their social environment and produce outputs to respond to that environment (Putnam, 1993:8-9).

There is no succinct definition of the state.

The radical view of the State, according to Marx and Engels, is an expression of class relationships generated by the particular mode of production, class struggle on the side of the dominant economic class. Thus, Marx and Engels (1976, P.486) wrote that in a capitalist society,

the executive of the modern state is but a committee for managing the common affairs of the whole bourgeoisie.

Again, the state is one organisation that transcends class and stands for the whole community. The state is seen as the political authority, a monopoly of force through government, and the political allegiance of citizens to the state is ascertained.

Some defined a state as a moral and good society where justice and the promotion of the general welfare of the people are established.

A state is defined as a group of people, occupying a geographical entity established under a sovereign or independent government with coercive powers, free from any external control.

Generally, the state is the political form of society, and it is a community of men organised for preserving and creating order and the general well-being of its members.

The Features of a State

1. Effective Governmental Authority

One key characteristic of the state is that it functions within a framework of supreme authority to which all are subordinate. Authority is a legal concept indicating that the government has the legal right to make decisions that people are required to obey, including the use of coercion to enforce laws. This feature is crucial to the smooth running of the government. The government is ineffective until laws are obeyed.

2. Sovereignty

This term, originating from the Latin 'superamus', meaning supremacy, refers to the absolute and perpetual power of the state within its territory. It signifies that the state has the ultimate authority over all persons and things within its borders. Essentially, sovereignty entails the state's

general power to make and enforce laws. Key aspects of sovereignty include: a) Absoluteness, b) Indivisibility, and c) Independence.

3. Permanence

The importance of this feature lies in the fact that while governments may come and go, the sovereignty of the state endures forever. As long as the state exists, sovereignty persists without interruption.

4. Monopoly over the Legitimate Use of Force

The state's exclusive right to use force legitimately. A government is deemed legitimate if the people believe its actions and decisions are morally proper and give it the authority to impose binding rules. Not every exercised power is legitimate, only that which is sanctioned by decrees or laws. The system may be feudalism, monarchy, oligarchy, hereditary aristocracy, plutocracy, or a democratic system, which gains a special form of authority, known as legitimacy or authority with a recognised moral right.

5. Existence of Society-Wide Consensus

The state relies on some form of broad societal consensus, often based on shared nationality or common values among diverse ethnic or racial groups. This consensus, or agreement to be subjected to a common authority, sustains the relationship between rulers and the ruled. Such an agreement also sets limits on the power relations between these groups. The presence of shared values or interests, even amid social, economic, religious, and ethnic diversity, enables subordination to a centralised political authority.

6. Population

This means that a state's actors are its people. There is no minimum or ideal population size necessary to constitute a state. However, an intrinsic relationship should exist between the state and its residents, ensuring the state's legitimacy and functionality.

ORIGIN OF THE STATE

1. The Theory of Divine Origin (Theory of Divine Right of Kings)

Its main propositions are: (i) the State was established based on an ordinance of God. (ii) Its rulers/leaders are divinely appointed, hence are not accountable to any authority but God, using Romans 13 "that every soul or body is subject unto the higher powers ordained of God, who is most supreme". To justify this position. (iii) that whoever resists the power of the ordinance of God shall receive unto themselves damnation. Following from the above propositions, the essential feature scholars have argued that it is not only that God created the state in the sense that all human institutions may be believed to have had their origin in divine creation but that the will of God is supposed to be made known by revelation immediately to certain persons who are His earthly vice- regents and by them communicated to the people. It is glaring, therefore, that in this theory obedience to the state becomes a religion as well as a civil duty, and disobedience is obviously a sacrilege. An example was James 1 of England, who governed absolutely without being accountable to their people. Furthermore, despite the obvious defect of the theory, one of its merits is that it may create in the mass of the people, a sense of the value of order and obedience to law, so necessary for the stability of the state, and in the rulers a moral accountability to God for the manner in which they exercise their power.

2. The Force Explanation

This theory proposes that the state is the result of the subjugation of the weaker by the stronger. The reason for this, perhaps, may not be far from the fact that historically "there is no least

difficulty in proving that all political communities of the modern type were obliged to their existence to successful warfare” as cited by Hume in Appadorai, 1968. It is conceived that a state is founded when a leader, with his warriors, gets permanent control of a definite territory of a considerable size. The two issues are (1) when the leader firmly establishes him/herself as a ruler over people, such a ruler extends authority over neighbouring tribes until they come to rule over a large territory. This happened in Scandinavia in the 19th century, various tribes were consolidated after the war of conquest into kingdoms of Norway, Denmark and Sweden. (ii) A state was established due to successful migrations and conquests. This was the history of the Normans, who, in the ninth century, became the ruling power in Russia. This theory, like others, has also been criticised not only on the claim that force is a factor in the formation of a state but rather as an element with various causes such as kinship, religion, force and political consciousness

3. The Marxism Approach

The class theory of the origin of the state has a considerable impact in modern times. The principal proponent of this theory is Karl Marx, who likened the formation of political society (including the modern state) on the nature of the economics of the society, the mode of production of a given society determines not only the type of classes that would emerge, but the patterns of social, political, religious, legal, ideology, and other relations in the society. Marx employed historical analysis to trace the formation, alteration and changes of political systems in modern societies. In each historical epoch, the combination of forces of production determined power, authority and government. He mainly focuses on the recent historical epoch,” the capitalist epoch”. The capitalist society has three main classes: wage labourers, capitalists, and landowners.

4. The Historical/Evolutionary Approach

The evolutionary approach is generally accepted because it does not consider the state as either a divine institution or a deliberate human contrivance. Rather, it conceived the state coming into existence as the result of natural evolution. The proposition, therefore, of the state as a product of history was aptly captured succinctly by J.W. Burgess, who explained that the evolutionary theory is premised on a gradual and continuous development of human society out of a grossly imperfect beginning through crude but improving forms of manifestation towards perfect and universal organisation of mankind." The origin of government cannot be traced to a particular time or cause; such as kinship, religion, war, and political consciousness influence the emergence of the state.

THEORIES OF THE STATE

A theory is a category with which we analyse, organise, and synthesise phenomena into an interconnected and internally connected whole. In effect, theory implies the business of establishing patterns of determination in discrete and diverse phenomena.

The Social Contract

The state of nature in Hobbes

For Hobbes, the state of nature is characterised by the "war of every man against every man," a constant and violent condition of competition in which each individual has a natural right to everything, regardless of the interests of others. Existence in the state of nature is, as Hobbes famously states, "solitary, poor, nasty, brutish, and short." The only laws that exist in the state of nature (the laws of nature) are not covenants forged between people but principles based on self-preservation. What Hobbes calls the first law of nature, for instance, is *that every man ought to*

endeavour peace, as far as he has hope of obtaining it; and when he cannot obtain it, that he may seek and use all helps and advantages of war.

In the absence of a higher authority to mediate disputes, everyone fears and mistrusts each other, and there can be no justice, commerce, or culture. In a social contract, the unsustainable condition ends when an individual surrenders his/her natural rights (self-sovereignty) to a higher civil authority or Leviathan. Each individual, in effect, says to every other: “I transfer my right of governing myself to X, the sovereign, if you do too.” The transfer is entered into collectively only on the understanding that it makes one less likely to be targeted for attack or dispossession than in one’s natural state. Although Hobbes did not assume that there was ever a real historical event in which a mutual promise was made to delegate self-government to a sovereign, he claimed that the best way to understand the state was to conceive of it as resulting from such an agreement.

For Hobbes, the authority of the sovereign is absolute, in the sense that no authority is above the sovereign and that its will is law. That, however, does not mean that the power of the sovereign is all-encompassing: subjects remain free to act as they please in cases in which the sovereign is silent (in other words, when the law does not address the action concerned). The social contract allows individuals to leave the state of nature and enter civil society, but the former remains a threat and returns as soon as governmental power collapses. Because the power of Leviathan is uncontested, however, its collapse occurs only when it is no longer able to protect its subjects.

John Locke (1632-1704). The purpose of Locke (1632 – 1704) in his Two Treatises of Government (1690) was to justify the English Revolution of 1688 after James II had been deposed from the throne and William of Orange invited to occupy it.

Locke's argument can be summarised as follows:

1. That in the state of nature, man was free and equal because each lives according to his own liking, even though this freedom, however, is not licensed.

2. There was a natural law or the law of reason which commands that no one shall impair the life, the health, the freedom or the possessions of another. In other words, the law of nature of Locke stresses freedom and preservation because there is no common superior to enforce the law of reason; hence, each individual is obliged to work out his own interpretation. The point to note is that while the state of nature is not a state of chaos, as Hobbes may want us to believe, however, the insecurity of the enjoyment of rights among men and women was very evident. Essentially, he contends that the state or political society is instituted to remedy the inconveniences of the state of nature, which can be summed up as follows:

i. The quest for an established, known law that will be received and allowed by common consent to be the standard of judging right and wrong, as well as the adoption of a common measure to decide all controversies.

ii. The desire of a known judge who will not be biased with authority to determine all differences according to the established law.

iii. The want of power to back and support the sentence when right and to give it due execution.

Jean Jacques Rousseau (1712-1778) wrote on The Social Contract theory in 1762. His theory was important on two grounds: First, it inspired the French Revolution of 1789, which was a revolt against the despotic French monarchy. Second, it is the springboard of the theory of popular sovereignty. According to Rousseau, man is essentially good, sympathetic, and these qualities definitely ensured a period of idyllic happiness, men being free and equal in a state of nature. However, since human relationships cannot be conflicts, and cannot be overruled in any society, evidently, with the introduction of private property and growth in population, quarrels

arose, thereby compelling men and women to give up their natural freedom in a contract to create a civil society. This contract supposedly is a form of association which protects the person and property of each associate according to the virtue of which everyone, while remaining free as before“.

Liberal-Democratic Theorists

These theorists venerate individual interest and personal freedom to such an extent that they see the role of the state in terms of the protection of individual rights and liberties. For them, political society (the state) is a “human contrivance for the protection of the individual's property in his person and goods and (therefore) for the maintenance of orderly relations of exchange between individuals who are regarded as proprietors themselves” (Macpherson,1962). The state, according to the liberal democratic view, is a neutral, though coercive, force whose function is, as John Locke would put it, the preservation of the people’s lives, liberty and property, irrespective of the social class to which they may belong. Some of the proponents of the theory who contributed immensely to the development of the liberal democratic theory are as follows: John Trenchard, United Kingdom (1662-1723), Charles de Montesquieu from France between 1689- 1755, as well as Thomas Gordon, who originated from the United Kingdom.

Marxist Theory of the State

This theory does not agree with the above positions. To Karl Marx, the state is, essentially, a coercive apparatus which is usually in the service of the ruling class in a class-divided society, and it is a “product and manifestation” of irreconcilable class antagonisms in society. In the Communist Manifesto, Karl Marx and Frederick Engels wrote that “the executive of the modern state is built on a committee for managing the common affairs of the whole bourgeoisie”. This contention aptly captures the class basis of the state and, as an instrument of dominating other

classes, even though within classical Marxism, there is the conception of the state as independent, though rooted in the economic basis of society. Marx explains the independent nature of the state using the revolutionary events in France, the industrial action of the bourgeoisie revolution, which led to the overthrow of the financial oligarchy. With the crushing of the democratic forces by the industrial bourgeoisie and the events leading to the rise of Louis Bonaparte (Bonaparte represents a class, and the most numerous classes of French society at that time, as Marx notes, under the second Bonaparte, “the state seemed to have made itself completely independent”. In other words, there emerged the independent character of the state. However, although the state was independent of the factions of the bourgeoisie class, “yet” the independent nature of the state at the political level is deeply rooted in the balance of class forces and the struggles emanating from the principal contradictions within the state.

Basic Elements of Marxist Theory

1. The state as a political power is not inevitable since eventually it (the state) would cease to exist. This important position is rooted in the fact that the state did not exist in the earlier periods of development of the society when the mode of production was very rudimentary and undifferentiated, no division in the social conditions, except between the two sexes, no division of society into categories of rulers and ruled; therefore, there were no antagonistic classes. Instead, “social relations were regulated by the force of habit, custom and tradition embodying common life and work.
2. Institution of the social division of labour and the subsequent division of society into two classes: masters and slaves, exploiters and exploited. This came to be because of the development of the means of production, e.g. in agriculture, domestic craft, etc., so that human labour can produce more than necessary for its maintenance.

3. The need for the establishment of a public power to control the antagonistic relations/struggle between “classes with conflicting economic interests” such as the class of exploiters and the class of exploited.
4. The character of the state and the type of “order” it maintains in any given society will be determined by the nature of its socioeconomic formation. This is because of the mode of production prevalent in a society and its attendant social relations.
5. The state seeks to regulate relations between members of the ruling class so that they can maintain their cohesion as well as protect the interests of the ruling class beyond its borders, by protecting its territory against external incursion and, at times, extending the frontiers of this territory at the expense of weak countries. It also regulates, through legal means, the whole system of social relations- ethnic, family, etc.; finally, it also attempts to deal with some economic and cultural problems as they arise.