Theory of State

Introduction

Political Science, at its core, *begins and ends with the state*. Everything else — laws, policies, diplomacy — revolves around it. But here's the twist: the **state** is an *abstraction*. You can't point at it in the street. What you *see* is the **government** — its concrete, working face.

History gives us a beautiful timeline of its evolution:

- In the **ancient era**, we had the **city-state** — think Athens, Sparta — small, tight-knit, self-governing.
- In the **medieval period**, the **Roman Empire** emerged — vast, centralised, with emperors and armies stretching across continents.
- In the **modern age**, the **nation-state** took centre stage — clearly defined borders, citizens bound by shared identity.
- And in the **post-modern period**, we witness **supra-national entities** like the EU, where sovereignty is pooled, and decisions cross borders.

Nation-State

This is not just a political invention — it's the **most universal institution** in our world today. Its *formal recognition* came with the **Treaty of Westphalia (1648)**, a landmark moment in political history.

That treaty carved out the four essential elements of the nation-state:

1. **Territory** — land with recognised borders.
2. **Population** — people bound to it.
3. **Government** — the machinery that runs it.
4. **Sovereignty** — the crown jewel: supreme authority internally, and freedom to act externally without interference.

Sovereignty means a state is *the boss* within its borders — making laws, enforcing order — and free to chart its own path in foreign policy.

If you can picture it:

- The *state* is the invisible idea.
- The *government* is the visible actor.
- The *nation-state* is the modern stage where both perform.

Sovereignty

Monistic Theory

Imagine a pyramid — right at the top sits **one single sovereign**. Not a committee, not a federation, not a shared rule — but one ultimate authority. That's the heart of the **Monistic Theory**: sovereignty is *one, indivisible, and supreme*.

Jean Bodin — think of him as the early architect — said the sovereign is *above law*, not restrained by it, because **it is the source of law**. But, he wasn't advocating for tyranny; he added subtle limits from **natural law** — things like fundamental law and private property that even the sovereign shouldn't violate.

Hugo Grotius — the father of international law — stretched the idea outward. He said, yes, within a nation, sovereignty is supreme, but nations themselves are bound by **natural law** (*the dictate of right reason*) and **voluntary law** — rules agreed upon freely at the **international level**. That's where *external sovereignty* comes in.

Then we meet the political obligation crew — **Hobbes**, **Bentham**, **Rousseau** — each wrestling with why citizens *must* obey this sovereign.
And **John Austin** — the pure legalist — cut away all the philosophy and said: *Law is the command of the sovereign*. He split law into:

- **Positive law** — created by the state, supreme and enforceable.
- **Natural law** — moral principles outside the state's direct control.

Why it matters

In the monistic view, sovereignty has crystal-clear features:

- **Deterministic** — one identity, one source of law.
- **Supreme** — no higher authority exists.
- **Enforceable** — it's not just symbolic; it has teeth.
- **Permanent** — it doesn't expire with elections or crises.
- **Indivisible** — you can't split it up or hand it away without killing it.
- **Condition for freedom** — paradoxically, only a sovereign that can enforce law can guarantee real liberty inside the state.

If you picture it, sovereignty here is like the sun in a solar system — one centre of gravity holding everything in place. If you try to split it, the whole system flies apart.

Pluralistic Theory

Pluralistic Theory — "The State is not the Sun, it's just another planet"

In the **Monistic Theory**, the state is *the* supreme centre. But in **Pluralism**, the state is **one association among many** — trade unions, religious bodies, corporations, families, clubs — all have their own authority and claims over the individual.

Pluralists say:

"The state shouldn't demand your **exclusive allegiance**. It's not your master; it's an **arbiter** — just another player on the field that happens to referee the match."

Historical spark — after **World War I**, many thinkers were disturbed. Why?

- States had demanded **total sacrifice** from their citizens — money, liberty, even life — all in the name of "the nation."
- War policies were made by **imperfect men in power** — leaders who were fallible, biased, and sometimes driven by ego.
- The line between **state** and **government** blurred — citizens were told that loyalty to the *current rulers* equalled loyalty to the nation itself.
- This led to the doctrine of **unlimited obligation** — "Do what the state says, no questions asked."

Pluralists saw danger here. If the state claims absolute authority, it can swallow all other social institutions — suffocating civil society.

Illustration

Picture society as a **marketplace of associations**:

- The **church** teaches you moral values.
- The **union** fights for your wages.
- The **club** gives you recreation.
- The **state**? It's the referee, not the owner of the game.

If the referee starts playing as if it's the only team that matters, the game turns into a dictatorship.

Core message — Pluralism protects diversity of power. It says: *Don't put all your loyalty eggs in the state's basket.* Keep multiple allegiances so that no single authority — not even the state — can demand total obedience.

Pluralist flavour — The State is not the king, it's the caretaker

Leon Duguit

- Duguit flips Austin on his head — *law is not the command of a sovereign*.
- Instead, **laws are "conditions of social solidarity"** — like the rules in a cooperative housing society.
- Why? Because they sustain life. They're not just there to show who's boss, but to keep people living and working together.
- If a law doesn't serve life, solidarity, and cooperation — it loses its moral authority, no matter who passed it.

H. J. Laski

- To Laski, **sovereignty is a "legal fiction"** — a convenient idea, not a divine truth.
- History shows that **customs and traditions limit the state**. Even a powerful government can't, for example, **disenfranchise Roman Catholics** or **abolish trade unions** if popular will resists. That's **popular sovereignty** — people's deep-rooted rights trump the legal claim of the state.
- In **federal states**, sovereignty is **divided** — central and state governments share powers. It's impossible to find a single, pure sovereign here. If society is federal, **authority must also be federal**.
- **Multiple interest groups** (religious, economic, cultural) exercise sovereignty over their members — and a human being belongs to many of them. The state can't fulfil *all* our needs or specialise in *every* field.

Laski's warning

- Never confuse the **state** with the **government**. The state is the *structure*, government is just today's *management team*.
- Absolute, irresponsible authority is dangerous — it turns the state from a public servant into a master.
- On **moral grounds**, the state should be a **public service corporation** — a **keystone** balancing and arbitrating between all other associations, not crushing them.
- **Economic power must be socialised** — resources like **capital, land, imports/exports, transport, fuel** should not concentrate in private hands. Otherwise, a few economic elites will end up more powerful than the state itself.

Robert MacIver

- MacIver reminds us: **laws existed before the state**.
- Just like a corporate body, the state itself *needs* rules to function.
- And importantly — **other associations often command deeper loyalties** than the state — think of religion, family, community. You may change governments, but these bonds often outlast nations.

Illustration

Imagine society as a **big city**:

- The **state** is the municipality — maintaining roads, balancing disputes, setting common rules.
- But the city is full of **clubs, temples, unions, schools, cooperatives** — each with its own rules, leaders, and loyal members.
- If the municipality tried to replace every club, temple, or cooperative with itself, the city would collapse into resentment.
- Laski and Duguit say: *Let the state coordinate, not dominate.*

- MacIver says: *Remember — the city's culture and rules existed before the municipality ever came into being.*

Types of Sovereignty

1. Titular Sovereignty

- Think of the **UK or Japan** — they have kings, queens, or emperors, but those figures are more like **beautiful stamps on an envelope** than the ones actually deciding where the mail goes.
- The monarch *symbolises* the nation, opens parliaments, gives ceremonial speeches… but **real decision-making lies with elected representatives**.
- The crown shines, but the power runs through the parliament's wires.

2. Popular Sovereignty

- Here, **the people are the ultimate boss** — no office, king, or constitution is above their collective will.
- Rousseau was obsessed with how this *will* actually works. He split it into **two levels**:

A. Individual Will

- **Particular will**:
  - This is you when you're *hangry* — focused on your immediate needs.
  - Self-interest, quick gains, "What's in it for me?"
  - Different for every person, changes with mood and situation.
  - Example: You vote for a candidate because they promise to cut *your* taxes, even if it hurts the community in the long run.
- **Real will**:
  - This is the *best version of you* — thinking about long-term, collective good.
  - It's your higher self, concerned about justice, sustainability, and fairness.
  - Stable, grounded, shared with others who care about the same greater good.
  - Example: You support environmental taxes even if they cost you more now, because they preserve the planet for everyone.

B. Community Will

- **General will**:
  - This is the *moral heartbeat of the whole community*.
  - It's not just a sum of everyone's selfish wants; it's the common good distilled.
  - It's what remains when we put aside narrow interests and look at what helps *all of us* live better.
  - Example: Universal education — even those without kids might support it, knowing an educated society benefits everyone.

Alright — here's where Rousseau's **General Will** turns from a beautiful idea into something with a dangerous double edge.

The Inspiring Side

- **Empowerment of the people**: It says the *true* authority comes from citizens, not kings, not parliaments, not even constitutions — **from the collective good we agree on**.
- **Moral force**: It's not just "majority wins." It's "we all align for what's right."
- **Democratic spirit**: When leaders act, they must do so **in the name of all**, not for factions or elites.
- It gives citizens a sense of *ownership* — you're

not a subject, you're a **shareholder in the nation's destiny**.

The Dangerous Side

- **Who decides what the General Will is?**
  - If a small group (or one ruler) claims they *know* the General Will better than the people themselves… it becomes a tool for control.
  - History shows dictators saying: *"I am forcing you for your own good — because I know the true General Will."*
- **Suppression of dissent**: If you disagree with the official "General Will," you might be painted as selfish or even unpatriotic.
- **Risk of authoritarian democracy**: In the wrong hands, Rousseau's noble vision turns into a justification for silencing minorities in the name of unity.

The Fire in the Debate

Rousseau gives us a dream: a society where the **collective good is the compass**, and the people themselves steer the ship.
But the storm comes when someone grabs the wheel and says, *"I'm not just steering for you — I'm steering because you'd want this if you really understood."*

That's why **General Will** is both the soul of participatory democracy **and** a shadow that can stretch into authoritarianism.

Impact of Globalisation

The Westphalian World vs. The Globalised World

Traditionally, after **1648's Treaty of Westphalia**, the state was like a **billiard ball** — a hard shell, sovereign inside and out. You couldn't just poke into its affairs without permission. That was **centralisation**: the state controlled its territory, people, economy, and borders.

But **globalisation** comes along and says:
"Nice shell you've got there… mind if I drill a few holes for trade, internet, migration, climate action, and Netflix?"

Deterritorialisation

- **Kanichi Ohmae** calls this a **borderless world** — where goods, ideas, and even memes cross borders faster than governments can stamp passports.
- **Marshall McLuhan** paints it as a **global village** — your neighbour might now be someone on the other side of the planet, connected through Zoom or Instagram.
- **Effect on states**: Information leaks in, capital flows out, and decisions in New York or Brussels can shape your local economy before your parliament even debates them.

The State's Changing Role

Think of the state like a **ship captain**.

- Before globalisation: Captain had full control of sails, crew, and course.
- Now: Waves of **technology, markets, climate challenges, and transnational activism** rock the ship. The captain still steers — but the tide pulls too.

Two Perspectives on Who's Really in Charge

- **Robert Gilpin (state-centric)** — The state is still the boss. It decides how far globalisation goes. The captain isn't drowning — he's choosing which currents to ride.
- **David Held** — It's not a zero-sum game. Sometimes globalisation wins (like when financial crises or climate accords dictate

policy), but the state doesn't necessarily *lose*.

- **Sorensen** — Globalisation hits differently.
  - Strong emerging economies like **India** or **Brazil** can ride the wave and benefit.
  - Weak or failed states? They get tossed around, sometimes even submerged.

The Takeaway

Globalisation hasn't sunk the state — but it has **changed the waters**.
The billiard-ball model is cracked open; the state is now more like a **porous sponge**, absorbing and reacting to outside currents while still trying to keep its shape.

Responsibility to Protect (R2P)

Before WWII — Sovereignty = Power

The classic **Westphalian idea**: *"What happens inside my borders is my business — no one tells me what to do."*
If a king or president was cruel to his own people, the world shrugged: *"Not our problem."*

After WWII — A Redefinition

The horrors of the Holocaust and genocide changed the rules. Sovereignty was no longer just **power** — it became a **responsibility**.
Meaning:

"If you can't protect your people from genocide, war crimes, ethnic cleansing, or crimes against humanity…
the world has a duty to step in."

This is the **Responsibility to Protect (R2P)**.

Post–Cold War Reality

Conflicts shifted from **interstate wars** to **intrastate conflicts** — messy, internal, and often **ethnic**:

- **Serbia (1990s)** — ethnic cleansing in the Balkans.
- **Rwanda (1994)** — genocide in 100 days.

The world realised: waiting for borders to "solve it themselves" meant thousands or millions dying.

Controversy — The Libya 2011 Example

- UN approved a **No Fly Zone** to protect civilians.
- NATO intervened… but went beyond protecting civilians, helping topple Gaddafi.
- **Russia & China**: "See? This isn't protection — it's **regime change** in disguise!"
- Result: They vetoed future actions, like in **Syria**, fearing another Libya-style overreach.

Brazil's "Responsibility While Protecting"

Brazil proposed:

- Protect people, yes — but also
- **Respect the mandate** strictly.
- Build checks so interventions don't become power grabs.

The Big Tension

R2P is like giving the world a **fire extinguisher** for humanitarian crises.

- **Good side**: You can stop genocide.
- **Bad side**: Some might use the extinguisher to *flood the house and change the locks*.

Modern-Day Relevance of Theory of State

1. Sovereignty and the Russia–Ukraine War

The **monistic theory** of sovereignty is at the centre of Russia's justification for its actions in Ukraine, claiming historical and territorial rights. However, the **pluralist perspective** and

Responsibility to Protect (R2P) challenge such unilateral actions, especially when civilian lives and humanitarian norms are at stake. The West's sanctions and UN resolutions show how sovereignty today is conditioned by **international law**, **global opinion**, and **human rights** norms.

2. Popular Sovereignty in Indian Democracy

India's Constitution embodies **popular sovereignty**, with elections, universal adult franchise, and the **General will** reflected through parliamentary law-making. Movements like the **Right to Information Act (2005)** or **anti-corruption protests (2011)** show how public mobilisation can assert the **real will** over the **particular will** of political elites.

3. Globalisation and Economic Interdependence

The **billiard-ball hard shell** of Westphalian sovereignty is now porous due to global trade, digital flows, and capital mobility. India's **Digital Personal Data Protection Act (2023)** balances **transnational technology norms** with **domestic sovereignty** over citizens' data. Similarly, the **G20 presidency (2023)** saw India shaping global rules on climate finance, crypto-assets, and sustainable development—illustrating **David Held's** view that globalisation need not weaken the state.

4. Climate Change and Transnational Networks

Issues like climate change show the **pluralist theory's** relevance—no single state can solve global problems. India's leadership in the **International Solar Alliance** and commitment to **Net Zero by 2070** reflect cooperation within **transnational networks**. Climate governance also shows **Robert Gilpin's** state-centric view, as powerful states still shape agreements like COP28.

5. Federal Sovereignty in India

Debates over the **Goods and Services Tax (GST) Council**, **Governor–state relations**, and the **Delhi Ordinance case (2023)** highlight H. J. Laski's point that sovereignty in a federal state is **divided authority** and no single centre can monopolise power. The **Supreme Court** acts as an arbiter, ensuring a balance between Union and state powers.

6. Sovereignty and Digital Governance

The rise of **AI regulation**, **data localisation mandates**, and digital competition policy brings back **Jean Bodin's** idea of the sovereign as the source of law, adapted for cyberspace. India's push for **ONDC (Open Network for Digital Commerce)** and rules on OTT content moderation reflect the state's attempt to assert sovereignty in the virtual domain.

7. R2P and Humanitarian Interventions

The 2023–24 Gaza crisis and debates over humanitarian corridors mirror the controversies around Libya 2011. The **Brazilian idea of "responsibility while protecting"** is echoed in calls for **UN reforms** to prevent the misuse of R2P as a cover for regime change. India's consistent emphasis on **non-intervention** and **sovereign equality** at the UN reflects its careful navigation between sovereignty and humanitarian concerns.

PYQ

1. Pluralist theory of State. 2024, 10
2. Success of contemporary democracies lies in the State limiting its own power. Explain. 2023, 20

3. Comment on: Pluralist theory of the State. 2019, 10
4. Examine the challenges to sovereignty of the State in the contemporary world. 2015, 20
5. Do you think that the modern nation - state has been declining in the wake of globalization? Justify your answer. 2010, 30
6. Comment on: Because the society is federal, the authority must also be federal (Laski). 2007, 20
7. Comment on: THE GENERAL WILL is not so much the will of the State as the will for the State, … (MacIver). 2006, 20
8. Comment on: Impact of Globalisation on State Sovereignty. 2006, 20
9. Comment on: The discovery of Sovereign in a federal state is an impossible adventure (Laski). 2005, 20