

# 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