



Paper: Introduction to Political theory

Topic: State (Concepts)

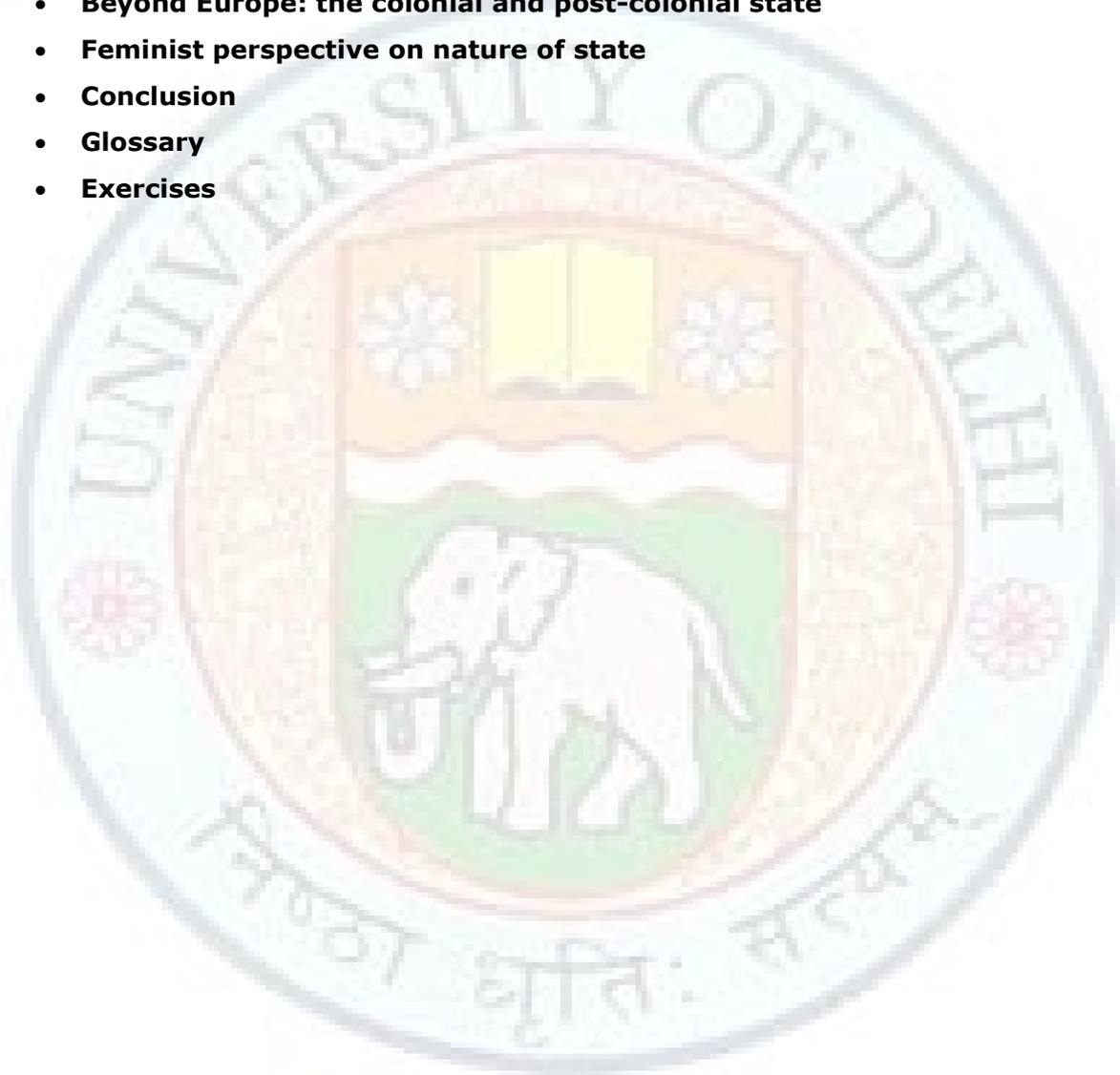
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State (Concepts)

Introduction:

This chapter is an attempt at engaging with the idea of the state both as a concept and as an institution of power. We try to see how differently we make sense of the word 'state' among different theoretical discourses as well as in the everyday politics. Hence the effort would be to dwell upon the understanding of the state as a normative political theory concept. In addition to this, the effort would also be to see the actual existence of the forms of state in which we would try to see how the idea of state has travelled along history. It is important to make it clear at the onset that in contemporary political theory, when we refer to 'state', we are actually making reference to the modern state. It does not mean that forms of states that did not actualize as the modern state have not existed and we shall make cursory references to those as well. However, the prime focus would be to understand the modern state in its varied forms and also engage with them critically.

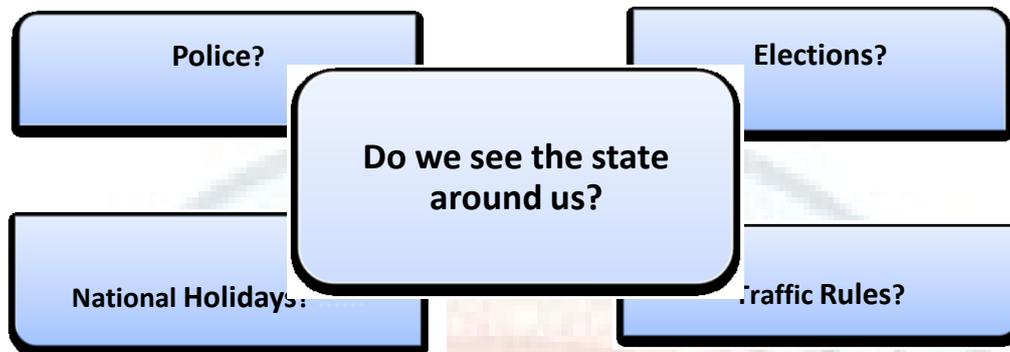
Understanding the 'state':

While no concept in political theory has a monolithic definition, it has been found most challenging to define state. This is precisely because when we are dealing with the concept of state, we are dealing with several other variables that make up a state. Whether it is the concept of power, the concept of authority, the institution of government, the idea of law or rules, the notion of territoriality, the concept of rights, etc., they invariably get associated with the idea of the state. John Hoffman outlining the problems that exist with the concept of state wrote that the biggest critique of the idea is its indefinability that adds to its vagueness and contradictions (Hoffman, 1995). Hence before getting into a definitional understating of the concept, it is important to understand how does the state actually exist?

We have all witnessed the entity of government, the President, the Prime Minister, the elections, Parliament, judiciary, etc. Do they make up the state? Actually they all form a part of the phenomenon called state. It is indeed true that the government becomes the visible form of state, one that we can evidently see and associate with but state exists beyond the government and its organs. State represents the institution of power and authority combined that actualizes itself in the everyday politics like those mentioned below in box no 1. It is the everydayness in which we experience the state that actually

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makes the state all pervasive and in control of the people that reside within. In that sense, state is also about a structure of governance, defining the terms of rule. However, if that paints a very totalitarian picture of the state as a controlling institution, it is also a fact to mention that state is also about rights and welfare.



Given these complexities, one of the most popular ways of defining the state within the discipline of political science is to identify it with an entity possessing all of the following four elements, namely, territory, population, government and sovereignty (having no superior authority over it). Along these lines, Almond and Powell defined the state as that form of political system that has sovereignty and an independent legal authority over a population in a recognized territory. This authority is based on the recognized right to self-determination (Almond and Powell, 2000, p. 14). However, this understanding of the state and precisely of the modern state needs to be qualified. For which, we take up two most accepted definitions of state, the one given by Max Weber and the other by David Held.

Some crucial definitions:

Max Weber's famous characterization of state established it as an institution that claims monopoly over legitimate use of force over a territory. David Held's understanding further adds to this characterization. According to Held, all state, and he was referring to modern states, have 'political apparatuses, distinct from both ruler and ruled, with supreme jurisdiction over a demarcated territorial area, backed by a claim to a monopoly of coercive power and enjoying a minimum level of support or loyalty from their citizens' (Held, 1992). Let us try and identify the common elements in these definitions.

There is a consensus on accepting state as having a territorial existence, which is to say, that it is not an abstract idea and exists in form of institution over a said territory. This is also to say that the said territory is its jurisdiction over which it is the sovereign that is

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having no higher authority to command the state in governing that said territory. Weber's definition does not use the word sovereignty but it uses monopoly which says that it is only the state that can perform a certain action, in this case using force, over the marked area that falls under its jurisdiction. State is the only institution that has the authority to use force over its people, which evokes the idea of legitimacy. If we try to put Held's understanding of state commanding minimum loyalty from its people with Weber's idea of legitimate use of force, it does look that both arguments are linked. It is precisely because of the support that state enjoys from people that its use of force is considered legitimate.

The other important point made is about state being a coercive institution. Coercion is not equivalent to violence, so state using force does not actually mean state resorting to violence over its people instead having the power to coerce, that is compel people to do something that it demands out of them. The people are obliged to obey the state. And lastly, when state refers to people or population, it does not mean all categories of population but only citizens. Hence the idea of citizens is also aligned with the idea of state.

These are some of the basic premises on which the concept of state has taken shape. However, if we accept that fact that state is legitimate in using force over its own citizens, the first question that comes up is why we accept an institution that is compelling and that makes us act sometimes contrary to our wishes. That brings us to the question of the desirability of the institution of state.

Why do we need state? The social contract explanation:

Though history has always witnessed the existence of some form of political community, loosely termed as states, the emergence of modern state was altogether a different phenomenon which we shall discuss in the next section. However, it becomes imperative to ask the question why was there a need felt to have state like structure for human collectives. There are several ways of answering this question but as students of political theory, we need to engage with the political thoughts that have reflected upon this question. Within this the theoretical framework that offers the most popular explanation is the social contract theory emerging from the thoughts of the three social contractualists, Thomas Hobbes, John Locke and J. J. Rousseau.

The social contract theory is a hypothetical explanation of the emergence of the state as a sovereign institution. All three social contractualists begin from an imaginary situation of 'state of nature' which is a condition that predates the existence of the state. The

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conditions prevailing in the state of nature offer an answer to why the need for a state is felt and how the state is created. The most significant part of this framework is that in the writings of the three thinkers, the conditions prevailing in the state of nature are very different. Hence each thinker starts from a different situation faced by the human collective and its political journey to forming a state. Thereby, each thinker offers a different understanding for why a state must be created and hence the nature of state that they envisage is also different. It is also of significance to point out, that this framework offers an explanation of creation of a state through a contract establishing that state was not a divine creation but a man-made institution in history.

Hobbes' Social Contract:

Hobbes, the first social contractalist, writing in 17th century in the wake of the English civil war, happened to evolve a theory of state through his understanding of the human nature which he expressed in his famous book 'The Leviathan' written in 1651. For Hobbes, human beings residing in a state of nature, a condition that was pre social and pre political, having no political authority to govern them, acted in accordance with their natural selves. For Hobbes, human beings were naturally self-seeking individuals constantly trying to move towards pleasure and away from pain (Hobbes, 1991, edited by Tuck). In a desire to fulfil what they want, human beings seek power and do what they please enjoying the natural rights that they possessed in the state of nature. Having no rules to govern them, the state of nature was a stage of constant struggle, 'a state of war of every man against every man, nasty, brutish and short' (Hobbes, 1991, p. 89).

It is this gloomy existence within the state of nature and a constant fear of life among individuals that a need to create a political authority is felt. However this authority is not any superior power that is called on to govern them, but is created by the individuals by surrendering all their rights, on the condition that he would govern them and preserve their right to self-preservation. The rule so created is the sovereign, called the *Leviathan*, the all-powerful ruler because the individuals bestow all their rights and power into him. This happens through a social contract between the sovereign and the men which is irrevocable. The individuals possess no right against the sovereign except for one that is their right to self-preservation.

The sovereign continues to rule and govern the men till he is able to protect their lives. However, if the sovereign fails to protect their lives and attacks their right to self-preservation, the individual have all the right to kill the sovereign. Thus Hobbes' social contract gives an explanation of an absolutist state created by equal individuals

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surrendering all their powers to the state or the sovereign except one (Held, 1998). The nature of state that emerges out of Hobbes' thoughts is all powerful, all encompassing, absolutist state and it is so because of a certain understating of the human nature that Hobbes had. For him, perhaps the absolutist authority was the best form of state that could have offered a secured, rule bound and peaceful living to human beings who were constantly at war before they decided to create the state through a contract.

Locke's social contract:

John Locke, writing also in the 17th century but after Thomas Hobbes had a different understanding of the state of nature, and this was precisely because of a very different reading of human nature. His thoughts were expressed in his book, 'Two Treatises of Government' written in 1689. For Locke, human beings residing in the state of nature were free and equal and capable of rationality. The state of nature was government by the law of nature that guaranteed to each individual the equal right to life, liberty and property. The human beings did not have a chaotic existence were sociable enough to work rationally in cooperation. Hence the state of nature for Locke was not a pre-social stage, however it was still pre-political as no common political authority governed the humans.

The laws of nature ensured that the state of nature unlike Hobbes' paradigm was not in a constant state of war. If such was the situation, what was the incentive for individuals to get into a contract for the creation of a state? This was attributed to certain uncertainties or inconveniences of the state of nature. Though the state of nature governed by the law of nature was a perfect state of freedom, it was most likely that in the absence of a political authority to govern the individuals, 'the individuals would not equally respect the rights of others, or obey the law of nature or could become vulnerable to external aggression because of being loosely organized' (Held, 1998, pp. 20-21). Hence to ensure the elimination of these inconveniences and to enable a condition whereby the individuals can enjoy the natural rights forever without obstacles, the need for a political authority was called for.

However, in Locke's scheme of things, the social contract that people get into to create an authority, does not create an absolutist state as people did not transfer all the rights to the state. The social contract ensures the creation of a legislative body that would make and enforce laws but the sovereign power resides with people. The legislative body represented the sovereign power of the individuals. Locke's state was the earliest form of the liberal state being envisaged where the state was limited in scope and power and

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conditional on fulfilment of its purpose. The state existed for safeguarding the rights and liberties of the people who had the right to end the contract if the state failed to do so (Hoffman, 1995). The legitimacy of the state so created and its political obligation, that is, why should people obey the state, rested on the fact that the state was created on the basis of consent. However, this consent need not be only active but it could be passive as well, as Locke put it 'tacit consent'. A lot of times, it was the majority decision that passed in the name of consent, making it obligatory for all individuals to follow the state (Dunn, 1967).

Locke's social contract premised on a very different state of nature from that of Hobbes, propounded a theory of state which was limited in nature. Locke talked of a state which had a legislative body, where executive and legislative functions were divided and majority voting existed. Hence Locke was in actuality envisaging a parliamentary form of representative government based on the liberal right to freedom of each individual. Both Hobbes' and Locke's political thoughts have been approximated to the liberal idea of state. Locke for more obvious reasons was a liberal and Hobbes for some remote reasons in which the most important being the fact that he allowed each individual the equal right to self-preservation against the state. However, the third contractualist Rousseau offers no such direct approximation and is said to have influenced the Marxist thought as well.

Rousseau's social contract:

Rousseau, writing much later than Hobbes and Locke, in 18th century, in his book 'Social Contract' written in 1762, talked about another kind of social contract model to create a political community. Rousseau imagined a state of nature which was not an unhappy stage of human collective but the inequalities that prevailed in the state of nature, and particularly the inequalities related to the possession of private property among individuals, gradually corrupted the social conditions prevailing.

Hence the humans felt the need of creating a law making and law enforcing authority that would do away with the inequalities of the state of nature (Held, 1998). However, the social contract that all willing individuals get into, to create a political community, does not in any way transfer sovereignty to the state. For Rousseau sovereignty rested in individuals and could not be transferred to the ruler like Hobbes did neither could be represented as Locke imagined through his legislative body (Jones, 2002). Hence, Rousseau's contract actually created a political system that was a direct democracy model where the individuals were directly involved in the law making process. The

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legislative function rested in people while the executive function rested in the government or the ruler. However, it was not the ruler that governed the people but it was a model of self-government in which all members of the political community were governed by a 'general will'.

The general will was the sum total of the altruistic motives in all individuals. For Rousseau, all individuals had a lower self that was self-seeking and a higher self that believed in altruism and common good (Jones, 2002). The rule by general will meant that each individual allowed himself to be governed by the higher selves present within and hence legislate in the common good. This would enable a condition of perfect equality. The general will was the principle of governance on which the political community worked. If there were people in the community who did not allow themselves to think in public good, which meant that they were not governed by general will, the political community had the right to force them to follow the general will. This was justified in the name of promoting perfect freedom and equality and Rousseau termed it as 'forcing men to be free' by forcing them to follow the general will.

Thus, Rousseau's contract creates a model of state based on direct democracy and hence prescribed for smaller states, like the Greek city states were, that could allow people to meet face to face and make laws. The political community or state is created to exact the conditions of perfect freedom and equality. However, much in contradictions, Rousseau also prescribes for conditions in which men can be coerced by others to act in the interest of common good. Hence Rousseau's thoughts margin between his propagation of the liberal idea of individual freedom as well as collectivist thought of being ruled by the dominant voices in the community.

See the box below for a comparative understanding of the nature of state in the thoughts of the three social contractualists.

Box no. 2	State of nature	Creation of the state through a social contract
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Hobbes	Pre-social, pre-political stage where human beings were in a constant state of war	An absolutist state where sovereignty resides with the ruler and individuals retain the liberal right to self-preservation. State's primary function is to protect the right to self-preservation of individuals.
Locke	Pre-political stage governed by laws of nature with individuals possessing the right to life, liberty and property. But inconveniences and contingencies of nature make human beings vulnerable in absence of a political authority	A liberal state with parliamentary system and a ruler performing executive functions. Sovereignty rests with individuals but is represented through the Parliament. State's primary function is to ensure the right of life, liberty and property to individuals.
Rousseau	Pre-political stage with satisfactory conditions but gradual degeneration through the institution of private property that creates inequality among individuals in state of nature	A political community working on the principle of direct democracy. People themselves form the legislative body and no idea of represented sovereignty. Government performs the function of the executive. Primary function to bring about perfect freedom and equality.

The three models discussed above, as mentioned earlier, create a hypothetical account of how the state was created by human beings in dissimilar situations faced with varied difficulties. However, historical emergence of the state forms follows a different account. This was primarily the account of development of the modern state in Europe between 16th and 17th century that travelled to the rest of the world through colonialism.

Emergence of the modern state:

The form of state that we witness today is the modern state that came into being only in the 17th century with the Treaty of Westphalia in 1648. Does that mean that the history

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that predated this period was a stateless form of human collective? The answer to this question is both yes and no. Yes, because the form of institution that we recognize today as state, did not exist prior to that period. No, because there were structures of governance that existed in that period that could have been loosely termed as states but did not resemble the modern state.

State forms existing prior to modern state in Europe:

Though the earliest known form of state in political theory is regarded to be the ancient Greek city states, they were mainly smaller forms of political communities working on the principle of direct democracy. However these were mainly 'one class citizen bodies' with only the adult male class of the population that owned property were regarded as citizens of the state (Macpherson, 1977). Nevertheless, they did establish the earliest form of organized political community developing the idea of citizens as rights bearing members of a state. The history that followed had the glimpse of state forms under the mighty Roman Empire that existed until the 5th century. Right from the times of Roman Empire till the creation of the modern state in 17th century, various forms of political authorities existed that could be loosely termed as state systems. David Held discusses four such state systems that pre-dated the modern state (Held, 1992).

These were: empires, feudal states, polity of estates, and absolutist states. Empires, of which the Roman Empire was the biggest example, existing until the 5th century and were essentially military systems. The emperors dominated a geographical space but that shifted depending upon wars and victories. There were neither administrative systems in place nor any committed body of citizenry. The feudal states existed between 8th to 16th century creating the class of lords (rulers) and vassals (servants). There was no central authority or sovereign but different centres of power mostly localized in nature. The lords were known as feudal kings who had a small population under their patronage.

The polity of estates existed from the 14th to 16th century and reflected a gradual move towards an extended political system. The feudal lords replaced themselves by rulers who constituted estates. These estates were territorial entities having local assemblies and other such administrative arrangements. Around the 15th century, there was a trend being witnessed where smaller political units were being absorbed to form bigger political units. They now represented a unified political territory, law and order system and a single ruler. These were the absolutist states that existed until the 18th century.

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These were essentially monarchs, headed by a king who claimed to derive the right to rule from the God.

According to David Held, the absolutist states were the exact precursors of the modern states (Held, 1992). The absolutist states declared themselves to be sovereign states having no higher authority to rule over them. Gradually this contributed into a political climate within Europe by the middle of the 17th century whereby the states began to mutually recognize each other and their jurisdictions. This coincided with the Treaty of Westphalia that marked the end of the war between Spain, Dutch and Germany. The peace made at Westphalia recognized the states within Europe as sovereign states, having definite unified territorial boundaries, system of government and their own body of citizenry. This marked the coming into existence of the modern form of state.

Box no 3.

The Modern State

- Defined territorial boundaries
- Claiming monopoly over legitimate use of force
- Structure of power and governance bound by law
- Enjoying minimum support from citizens to continue to rule over them contributing towards a legitimate existence of state
- Recognized as a sovereign entity internationally having no superior authority over it

(See, David Held, 1992, p. 88)

Given this historical account, it does appear that the history of modern state is actually the European history. This is because the modern state did emerge out of that context. It was a product of the many struggles that the societies witnessed, of which the struggle for representation and rights was crucial. Hence it would be a corollary to say that the modern state in Europe was an organic creation of their society gradually developing along history. However, the same cannot be generalized for the world that existed beyond Europe. The concept of modern state travelled to different parts of the world following different routes that we shall see in the sections below. However, before we move beyond Europe, it is important to see how the political theory in that part of the world has conceptualized the nature of state.

Nature of state, the Liberal and the Marxist perspectives:

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The definition of modern state as discussed in the above section has had consensual understanding among all strands of political thought. However, it is very interesting to note that while most theoretical discourses agree on what state is, there is major disagreement on the nature and the function of the state. We will try to study the two most dominant perspectives that differ on the nature of state, the liberal and the Marxist.

The liberal idea of state has been the most dominant state form, so much so that it is believed that the contemporary 'modern state is a liberal state' (Hoffman, 1995, p. 97). However, this is also held true because the developed nations of Europe that first experimented with the modern state are all liberal democracies. And these very liberal democracies exported the modern state to the world outside Europe through colonialism, which we would discuss in the next section. The actually existing nature of a liberal state that history has witnessed has been realized in the functioning of the liberal democracies of the West. Macpherson wrote that this form of polity has tried to work on the principle of the individual freedom, the equal right to self-development of each individual and the capitalist market relations (1977). This may be a defining feature of a liberal democratic state but a liberal state stands slightly at variance with this. The states in the West began as liberal states and it is only after the struggle for democracy and the universal adult franchise was won, that they became liberal democratic states.

Political theory traces the liberal idea of state back to the writings of Hobbes and Locke where the institution of state was said to be based on a voluntary contract among individuals who possessed rights. With the development of liberal thought, primarily two notions of liberal state became dominant.

The liberal idea of a limited state:

The first was the idea of a limited or restricted state that first found mention in the writings of Adam Smith. This view believed that state should play minimum role in the organization of society and the society was essentially a market society where the laws of market governed. State had to be there for law and order functions but its need was limited. This was the basic idea to prevent arbitrary interference in individual's matters, whether it was from another individual or the state itself (McAuley, 2003).

The idea of liberal state though manifestly linked with the free market societies, also paved way for the development of the principle of constitutionalism which is the defining characteristic of liberal democratic states today. Constitutionalism as a doctrine speaks about the idea of a limited government, a frame that defines the ambit of legality and a

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set of rules according to which a society must be governed (See, Sartori, 1962 and Mehta, 2002). Nevertheless, within the philosophy of liberalism, this idea of a limited state was conceived to justify a free market or laissez-faire economy by Adam Smith which was later innovated by neo-liberals like Hayek, Friedman, etc.

The liberal idea of an 'umpire state':

The second idea is that of a neutral or an umpire state within liberalism. The state is believed to be a neutral arbiter among competing interests in society. Hence this view claims that state is a neutral entity that is above all interests and represents all or what is called the common good (Heywood, 2004). This idea has been elaborated as the pluralist theory of state in the thoughts of Robert Dahl and others.

Today, the liberal state is identified as the liberal democratic state which actually combines both the above discussed views. As per the first idea, the liberal democratic state is based on the liberal rights of individuals and recognizes individuals as inalienable right bearing beings. This means that the rights of individuals are inseparable and have come before state. State does not grant these liberal rights but exists to protect them; however, it can impose certain accepted restrictions on the exercise of the rights in the interest of all. This also makes the state a neutral entity capable of acting in the interest of all as espoused in the second idea. Based on these principles, the liberal democratic state is premised on the model of representative democracy with an elected government, legislative body, separation of power, rule of law and equality of all citizens before law.

The Liberal perspective:

1. A limited state, individual rights, market freedom, non-interventionist nature
2. The umpire state, arbiter among competing interests, moving towards a pluralist theory of state

The Marxist perspective:

1. State as part of the superstructure acting as an instrument of class domination
2. State as capable of having its own interest and relatively autonomy from the capitalist class

The Marxist perspective on state completely breaks the myth of the liberal idea of state based on the notion of common good and representing all sections of population. The Marxist theory offers a direct critique of the nature of state itself as being fundamentally incapable of acting in the interest of all.

The Marxist idea of state as an instrument of class domination:

In order to understand the Marxist theory of state, it is important to understand the base-superstructure understanding of society propounded by Marxism. In the thoughts of Marx, it is the material base of the society that determines the nature of state the society would have. The material base is the mode of production that the society has. State is a structure that stands on that material base. This was the base-superstructure understanding. If the mode of production is capitalist in nature, the nature of state would also be capitalist. Marx was advancing a critique of the liberal democracies existing in the West hence he was essentially theorizing about the capitalist societies.

According to Marx and Engels, his comrade, the nature of state was dependent upon the material base that created it. In a capitalist society, according to Marx, the mode of production was owned by the capitalist class and because the mode of production determined the nature of state, state also was in the hands of the capitalist. Hence the classical Marxist understanding regards state as an instrument of the ruling class (capitalist class). And through the medium of the state, the economically dominant class

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which owns the means of production becomes the politically dominant class and exploits the oppressed (working) class (Bottomore, 1991).

This was the primary understating Marx had of the nature of state but in his later writing 'Eighteenth Brumaire of Louis Bonaparte', he revised this primary understanding to say that state was not always an instrument of the capitalist class for class domination but was capable of having some independence from the economically dominant class. This view was developed further by later Marxists like Poulantzas and Miliband.

The Marxist idea of the 'relative autonomy' of state:

The debate that started between Miliband and Poulantzas was known as the 'relative autonomy' of state. The starting point of this debate was the question whether the state that had been described as an instrument of the capitalist class, had any autonomy (some degree of independent existence) to act on its own or not. This was to say, whether or not the state was relatively autonomous of the capitalist class.

Poulantzas was the first to take the position the state may act independent of the social classes (the reference here is to the capitalist class) at certain occasions but in the last instance, the state is incapable of acting independent of the ruling class. It is the scope of action allowed to state in certain occasions that made Poulantza term it as the relative autonomy of state. The term relative is crucial to be added before autonomy because the scope of state action is limited and ultimately the state will be constrained to follow the interest of the ruling class (Miliband, 1983). It is also important to note that this idea of the relative autonomy of state was coined for the capitalist societies and may not be applicable to other forms of societies.

Miliband took this debate further to comment upon the relative autonomy of the state. He said that the degree of autonomy that the state would have would depend upon how strong the capitalist class is, in the society. If the capitalist class has a very strong hold over the economy, politics and culture of the society, the scope of independent action for the state would be less. However if the capitalist class is not that strong, (he uses the word 'hegemony'), and is facing challenges from the working class, then scope of state action would be more (Miliband, 1983). In such a condition, the state would be relatively more autonomous.

There are many other variants within Marxism that talk about the nature of state, however, for the purpose of this chapter, we would limit ourselves to these two basic strands that try to define the nature of state with regard to its relationship with the

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economically dominant class. In Marxism, the material factors and economic gains are crucial determining factors. However, if we try to understand other developments also, they serve as useful lenses. The development which we are trying to focus next is colonialism which was a major event in the history of modern state. And the fact is not unknown to anyone, that behind the garb of a 'civilizing mission', colonialism was about economic domination and gains.

Moving beyond Europe: the colonial and the post-colonial state

So far our focus has remained on the forms of state that have existed in Europe and primarily on the modern form of state. However, the modern state that came into existence in Europe also travelled to the world that existed beyond Europe through colonialism. Colonialism brought to the colonized world, also known as the Third World the political apparatus of colonial rule. This was the colonial state, an alien state that was created on the colonized society by the colonial masters as an instrument of rule and domination. Hence, colonial state was also as much a form of the modern state but its nature and purpose was very different from the state that existed in Europe.

Sudipta Kaviraj wrote about the European state existing in two different senses for the Third World. The first was the obvious sense of colonial domination where the state was an instrument of colonialism. However, it also had a second existence, which was in form of an 'idea', the idea of a modern society centred upon a modern state (Kaviraj, 2003). The anti-colonial struggles that took place in the Third world were enchanted with this idea of the modern state, where the end of colonialism meant end of rule by the colonial masters but the form of state continued. It was now known as the post-colonial state. We will try to understand the nature of these two kinds of modern states that existed beyond Europe, the colonial and the post-colonial states.

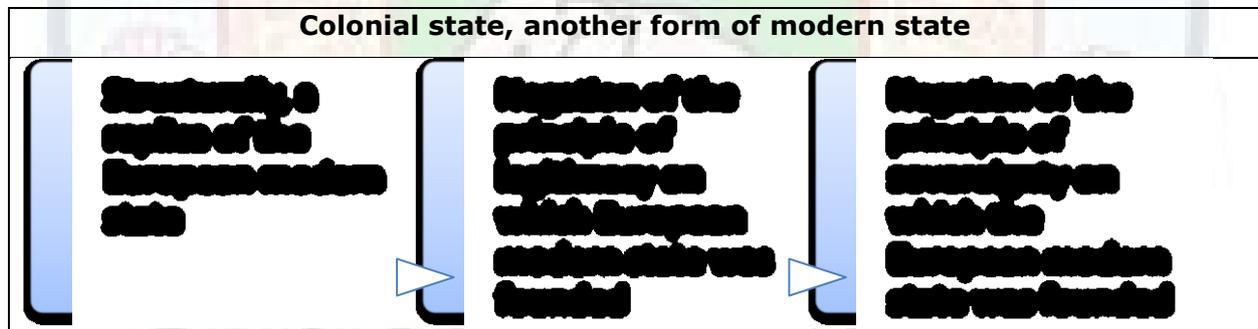
The colonial state: similarity of structure but difference in nature and functions

Colonial state being a modern form of state replicated the same structures as its counterparts in Europe. But in its nature and purpose, it was very different. If we recollect the above sections, we have learnt that the modern state was a creation of a unified administrative system in which the government claimed to represent the citizens rather than the claim of a ruler ruling over citizens. Legitimacy was the basic requirement; it was considered the rule by consent. Colonial state was a direct negation of all these principles on which the modern state was founded.

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The states in Europe tried to unite the various sections of the population in order to create a strong sense of nationalism that would have helped in creation of a stronger state. But the colonial states were primarily based on the principle of difference between ruler and ruled (Khan, 2005). There was an active effort to divide the population and allow no feeling of nationalism to foster that would have challenged colonialism. The colonial states were imposed states on colonies and did not enjoy the support and loyalty of those who were being ruled. Hence it violated the principles of legitimacy.

Colonialism, the act of conquering and ruling over a foreign territory by use of force in itself was a violation of the principle of sovereignty. Hence the two basic principles of legitimacy and sovereignty were negated by the colonial state (Khan, 2005). Despite the violation of these two principles, structurally colonial state was also a modern form of state, only with a very different purpose and functions allotted.



The element of domination and control is not new to modern state. According to the Marxist perspective, even the European states functioned primarily on behalf of the economically dominant class and exploited the working class. But within colonialism, the colonial state did not favour a particular class or oppressed the other. It was an instrument of domination and control of the entire society in the colony that included all sections of the population, on behalf of a foreign and alien capitalist class (Chandra, 1999).

The process of decolonization led to the end of foreign rule in the Third world countries and indigenous governments were formed. But the apparatus of the state remained the same. Hence, decolonization did mark the end of colonial states and these apparatuses

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were now known as post-colonial states but their structures remained the same as that of colonialism. This had implications for the relationship between the state and the now newly independent societies. Hence, post-colonial states again were forms of modern states but their nature differed from the European states because of the history of colonialism.

The post-colonial state, a critique of the European theory of state:

The theory of post-colonial state engages in a direct conversation with the Marxist theory of state which tried to theorize the European state and its class bias, as discussed in the previous section. The post-colonial theory of state says that the base-superstructure theory of state as propounded by the Marxists in Europe, works differently for the post-colonial societies. The reason behind this is the specific context of colonialism in these societies. We have already discussed above that colonial rule established the institution of the modern state in the Third world societies before they gained independence. However, the capitalist class in the colonized societies were too weak to exercise any kind of control over the state. The state on the other hand was very strong as it is used as an instrument of colonialism to control different classes of societies. When it is said that the state is strong, it means the structure and the apparatuses that form the state are very strong, for instance, the army, the bureaucracy (Alavi, 1972). Through these apparatuses the state is able to penetrate the society.

Post-independence, the material base of the independent post-colonial society is started building in terms of industrializations, etc. But the capitalist class unlike the European capitalist class is too weak at the time of the independence to exercise complete control over the means of production and consequently control the superstructure of the state as well. Hence the state, which is already developed because of its colonial background, helps the capitalist class in building the material base of the society. In this situation the superstructure of the state is stronger and creates the material base. This is a complete reversal of the Marxist theory where the base creates the superstructure. The state then, in post-colonial societies, is over-developed in comparison to its base (Alavi, 1972).

Given the nature of the state and the nature of the capitalist class in newly independent societies, the relationship between the two also changes. The state in post-colonial societies is not under the domination of any single class. Hence the relative autonomy that it enjoys is a distinct one and different from the European societies.

Marxist theory of state based on the European modern state:

Material base stronger and creates the superstructure

The material base creates the superstructure of the state in which the state is either completely dominated by the capitalist class which controls the material base or has some degree of relative autonomy but ultimately it remains under the control of the capitalist class.

Post-colonial theory of state:

Superstructure more developed than the material base

The newly independent society has a weaker capitalist class which is unable to create a material base on its own. The superstructure is more developed owing to the context of colonialism in which it was created and after independence helps in creating the material base in the post-colonial society. In such a situation, the state is not controlled by any single class.

While the Marxist theory of state was a critique of the liberal idea of state, the post-colonial theory of state in some ways is a critique of the Marxist theory of state that captured the reality of only the European societies. However, there is one other perspective that we may focus upon that offers a challenge to the very idea of state, which is the feminist perspective.

The feminist perspective:

In the short space that this chapter allows, it is difficult to discuss the entire feminist theory as feminism like all other ideologies, is not about a uniform set of principles. There are various strands within feminism that argue differently about the concept of state. However, there is one underlined unity among different strands of feminism that argues that the nature of state is patriarchal. State reflects the general bias of society that has regarded men as the superior and women as the inferior sex both biologically and socially. The general rules and practices in society are conditioned by this belief and state is no different in this regard.

This has been evident in the nature of politics since the time of Ancient Greece. The Greek city states extended the citizenship rights only to adult men and women along with slaves were excluded from participation in the political process. Aristotle while theorizing his notion of political community in context of ancient Greece did not extend

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the right to participate in the functioning of political community to women. He thought women to be human beings incapable of reasoning and lacked rationality hence incapable of political activity. It is more evident in the fact that the struggle for democracy in Europe was not a struggle for universal adult franchise from the beginning. It only demanded male suffrage rights initially. Women were granted voting rights much later than men.

The social contract theory laying the foundation of the liberal idea of state was equally gender blind. Carole Patemen in her book 'The Sexual Contract' critiqued Hobbes' social contract in which women are absent at the time of the contract which is an agreement only between all equal men. However, in the new contractual order, women are made visible. This implies that the notion of consent did not apply to women while surrendering their rights to the sovereign. Since their submission is not contractual, they are made to give up their right to self-preservation to men (Hoffman, 1995). Rousseau's political community was also exclusive in nature by making citizenship conditional upon some qualifications such as possession of some land and a condition of absence of dependence on others (Held, 1998). Women were excluded based on these two qualifications from being members of the political community that legislated for the society.

Feminists have also argued about the Marxist theory of state that though it critiques the idea of liberal state as neutral arbiter above all interests in society, Marxism itself has not been able to move its focus beyond class. Feminists have argued that class is not the only variable in society along which discrimination and exploitation takes place, gender is also a variable. Women suffer exploitation at two levels, one at the level of class and second at the level of gender.

Iris Marion Young as developed an understanding of state based on man-woman relationship in a household. She says the relationship between state and its citizens is similar to a relationship between a man and a woman which is a relationship of subordination (Young, 2003). The man in the household claims to protect the woman citing fear from the men outside who would attack the woman if her man is not there to protect her. Similarly, the state claims to protect its citizens on the logic that the outside world is full of violence and instability and it is the duty of the state to act as the protector. But this logic of protection demands that those who are being protected must choose to live under the submission of the protector who can impose restrictions on them in the name of protection. This is how men subordinate women and the state subordinates its citizens. But the most significant part of this understanding of the state is that the subordination is not questioned but welcomed by those being subordinated.

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This happens because the subordinator claims to give security to those it is subordinating. Young calls this kind of state as security state which is yet another form of patriarchal state.

Conclusion

Having considered the idea of state both as a concept in political theory and as an institution, it becomes inevitable to say that the nature of state is highly contested. From being called a neutral arbiter in society to being called an instrument of class exploitation, from being regarded as a necessary evil to maintain law and order in society to being critiqued as a form of patriarchal domination, the state as had varied existence. However, the fact remains undeniable that it is the supreme form of political community that has refused to wither away. There have been anarchist challenges to the institution of state who have affirmed that human societies do not need an institution like state for governance and progress. There have also been challenges from the free market ideologies that have tried to roll back the state to its police functions. It was also being claimed that the phenomenon of globalization would weaken the national boundaries making the state subservient to an international community. However, the modern nation-state has proven this claim wrong to only emerge as an active agent of globalization.

The fact that the institution has stood the test of time; it does not make it the perfect form of political community. The criticisms against it, as we have seen through the chapter have well founded grounds. In such a scenario, the task of political theory would remain to engage critically with the idea of state and its existing forms to make it more humane and just as an institution.

Glossary:

Sovereignty: It is the basic element of the modern state that differentiates it from state forms existing before it. Sovereignty implies that the state is the supreme authority over the territory that it governs and has no superior authority to command its actions.

Coercive power: It is the power of the modern state to use force on its citizens to make them act in a manner that they wouldn't otherwise act and the use of force is considered legitimate because the people owe minimum allegiance or loyalty to the state they belong to.

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Political apparatuses: Those structures, organizations or system that the state requires in order to govern its people over a said territory. For instance, the army is a political apparatus of the state.

Monopoly: It is an economic term that implies control of market by a single entity. In context of the theory of state, it means that modern state is the only single entity that can use force on its citizens and the use of force would be considered legitimate.

State of nature: It is that stage of human collective where human beings are living in a stateless situation. It means the absence of an organized form of political community to command human existence.

Social Contract: It is a theoretical framework in political theory that hypothetically explains the origin of political community or state through a contract that progresses the human collective from the state of nature to a political community. The social contract theory says that political community or state was a human creation that came into being through a contract that human beings made, thus challenging the idea of a state as a divine creation.

Laissez-faire economy: It implies the existence of that kind of economic system in which the economic exchange between two parties is not governed by the state or state made policies. It means complete freedom to market and no interference of state which exists only to maintain the law and order system.

Modes of production: In Marxist theory the modes of production determine the base of any society. The modes of production include forces of production and relations of production. The forces of production are those elements that are used in production of any commodity like land, labour, capital and entrepreneurship. The relations of production mean the relationship between the employer and the employee. Since the employer belongs to the class of capitalists and the employee forms the working class, relations of production is actually the relationship between different social classes.

Constitutionalism: It is doctrine that emerged in Britain that says the power of state should be limited. It means that government which has the authority to use state power should not be allowed to use it arbitrarily and there must be checks on it in form of citizens' rights, separation of power, etc. The government should be limited in scope.

Exercises:

Q. 1. What do you understand by a modern state? What was modern about it?

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(Hint: Try to think what the characteristics of a modern state are and how are they different from the state forms that existed prior to it? The elements that the modern state possesses that did not exist before it are actually the elements that make it a modern state.)

Q. 2. Why do we need state?

(Hint: One of the answers to this question is provided by the social contract theory that begins from a stateless situation of human collective)

Q. 3. how does political theory define the nature of state?

(Hint: we have read that there is no one particular understanding of any concept. Go back to the different perspectives that have deliberated upon the nature of state like the liberal, the Marxist, the feminist)

Q. 4. Is colonial state a modern state yet different from it?

(Hint: Try to see how modern state is defined in context of Europe and compare it with the situation in colonized societies and see what where the similarities and difference)

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