Unit 18
Sovereignty

Contents

Learning Objectives

After studying this unit you will be able to

- discuss the rise of sovereign stated

- legal and political sovereignty

- explain the difference between internal and external sovereignty

18.1   Introduction

Sovereignty is an important element of the state which distinguishes the state from other political associations within a society and similar entities in the international society. The origin and history of the idea of sovereignty is intimately connected with the origin and development of the territorial states in modern times. It is for this reason that the meaning of sovereignty has undergone change across history. Despite the many meanings of the concept, sovereignty has a core meaning. Hinsley, an eminent Political Scientists, captures the core meaning of sovereignty when he says that it is "the idea that there is a final and absolute political authority in the political community…and that no final and absolute authority exists elsewhere".

Sovereignty, then, is an assumption about authority. We might say that sovereignty is the basic assumption about authority of modern political life, domestically and internationally. Authority is the right or title to rule. Sovereignty is the assumption that the government of a state is both supreme and independent. It is supreme over everybody who lives in its territorial jurisdiction and it is independent from other governing authorities.

The concept of sovereignty has been controversial in academic discourse. To a large measure this is because of the contrasting ways in which it is used- to refer to independence and to autonomy. The former is a notion of authority and right, but the second is a notion of power and capability. While historians, international lawyers and political theorists tend to operate with the first concept, political economists, and political sociologists tend to employ the later concept. These two categorically different approaches to sovereignty exist and must be borne in mind as we proceed to analyse the key concept in political thought.

From this starting point, this unit examines the rise of the modern territorial states with which the concept is associated with. Thereafter we will proceed to explain how the concept of sovereignty which was originally associated with the rulers came to be liked with the people or the ruled. We will also examine the two contrasting ways in which the concept has been used in Political Science and International Relations.

18.2 The Rise of Sovereign States

Sovereignty is a constitutional arrangement of political life. It is thus artificial and historical. There is nothing about sovereignty that is natural or inevitable or immutable. In fact, the notion of sovereignty was absent before the modern territorial states came into being in Europe between the 15th and 17th centuries. The idea of sovereignty was not part of the ancient classical Greek world. There the city-states or polis did not differentiate between state and society-ruled as it was by citizen governors. The citizen was both a subject of state authority and also creator of public rules and regulations.

The Roman Empire that eclipsed the Greek city-states established a new type of rule, rule by a single central authority. What pleased the emperor had the force of law. While the idea of sovereignty as a distinct form of law making power was established, it did not outlive the Roman Empire.

The idea of sovereignty was progressively submerged by the rise of Christian faith when the Roman Empire was succeeded by a highly decentralised system of feudal order. During this period, Christianity gradually came to depend on two theocratic authorities, the Papacy and the Holy Roman Empire. The source of authority and wisdom shifted from this worldly to the other worldly representatives. At the core of the Christian worldview was the belief that the good lay in submission to God's will. Law of nature or religious rules came to be regarded as superior to laws of the state. As Benn and Peters point out "in the feudal world the primary concept was not the state but law- a law not made by politicians but part of a universal and eternal order, to be discovered by a study of custom and precedent. Kings, councils and judges found and formulated it but could not make it; for to create new law would be to impose a new obligation by an act of will, and only God could do that."

> ### Box 18.1: The Modern Age
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> That medieval order was weakened by two important movements that marked the beginning of the modern age—the Renaissance and the Reformation. While the Renaissance led to the rediscovery of the humanism as well as the principles and precepts of Roman laws and thus led to new ways of thinking about political authority, the Reformation challenged the papal jurisdiction and authority across Europe. The weakening authority of the Church and the Holy Roman Empire was exploited by princes who asserted their authority over feudal lords and established centralised monarchies. In England this was achieved under Tudor dynasty, in France under the Bourbons, in Spain under the Habsburgs and so on. For the first time, secular rulers were able to claim to exercise supreme power, and this they did in a new language of sovereignty.

As the territorial state was occupying the European continent, piece by piece, eventually forming the system that came to occupy the globe, contemporary political philosophers embraced this form of polity and described what made it legitimate. In the early years of the formation of territorial

states in Europe, two contemporary philosophers, Niccolo Machiavelli and Martin Luther, provided legitimacy to the idea of sovereignty of the territorial state. They did not write explicitly or consciously about sovereignty, yet their ideas amounted in substance to important developments in the concept. Observing the politics of city-states in his Renaissance Italy, Machiavelli (1469-1527) described what a Prince had to do to promote a flourishing republic in terms that conferred on him supreme authority within his territory. The Prince, he advised, should not be bound by natural law, canon law, Gospel precepts, or any of the norms or authorities that obligated members of Christendom. The Prince instead should be prepared to 'not to do good' and perform evil, not because evil is no longer evil, but because it was sometimes necessary to further the cause of a strong and well-ordered state. The obligation of the Prince was *raison d'etat*. The Prince was supreme within the states territory and responsible for the well being of this singular, unitary body.

Martin Luther argued for sovereignty from a different perspective. His theology of Reformation sought to strip the Catholic Church of its many powers, not only its ecclesiastical powers, but temporal powers as well. Luther held that under God's authority, there existed two orders with two forms of government. The realm of the spirit was the order in which Christ was related to the soul of the believer. The realm of the world was the order of the secular society where civil authorities ran governmental institutions through law and coercion. Both the realms furthered the good of the believers, though in different senses. Luther argued that these two realms need to be separately organised, with the leaders of the Church performing spiritual duties and the secular rulers, the princes, kings and magistrates would perform temporal ones. Thus, even without discussing the doctrine of sovereignty, Luther and his followers prescribed for princes all of its substance.

18.3 Conceptions of Sovereignty

The earliest scholar to espouse the doctrine of sovereignty explicitly is the French philosopher and thinker, **Jean Bodin** (1529-96). Writing at a time when France was rife with religious and civil conflicts, Bodin, like Machiavelli, asserted that such conflicts could be solved if it was possible to establish the existence of an unrestricted ruling power competent to overrule all religious and customary authority. He then went on to develop this notion into what is regarded as a classic statement of modern theory of sovereignty: that there must be within every political community or state a determinate sovereign authority whose powers are decisive and whose powers are recognised by the community as the rightful basis of authority. In the **Six Books of a Commonwealth** (1576), Bodin presented sovereignty as the untrammelled and undivided power to make laws. Law is accordingly 'nothing else than the command of the sovereign in the exercise of his sovereign power'. The sovereign power 'cannot be subject to the commands of another', for it is the sovereign that 'makes law for the subject'.

Bodin did not, however, advocate or justify despotic rule, but rather claimed that the sovereign monarch was constrained by the existence of a higher law, in the form of will of God or natural law. The sovereignty of temporal rulers was therefore underpinned by divine authority.

Bodin believed that a sovereign authority could only be properly established if, 'body politic was regarded as being composed of both ruler and ruled, integrated as previous beliefs and politics had failed to integrate them' (Hinsley, 86).

Bodin, preoccupied as he was with establishing the necessity of monarchical sovereignty, did not focus on the tensions inherent in idea of a sovereign power comprising both the ruler and the ruled. The three most important members of the social contract school, Hobbes, Locke and Rousseau dwelt on this theme but they did not agree on the nature of sovereign power and the criteria of legitimacy of government and state. At the one extreme was Hobbes who provided a classic statement about state sovereignty and at the other end was Rousseau who developed the doctrine of popular sovereignty.

Writing at a time of political instability, the civil war in England, **Thomas Hobbes** (1588-1679), like Bodin, sought to establish the necessity of an all powerful sovereign capable of securing the conditions of 'peaceful and commodious living'. But he went on to establish a unique relation of authority—the relation of sovereign to the subject— and a unique political power by arguing that an all powerful sovereign could be established only when the individuals 'lay down their right to all things'. Hobbes based his sovereignty on a covenant of each member of a community with another member to surrender all their rights and powers into the hands of one person or body (the Leviathan, which represented the abstract notion of the state) who thereby becomes the sovereign. Since the sovereign is not himself a party to the contract it cannot be annulled by those who made it. Moreover, this sovereign had the monopoly and the right to use coercive power because 'men's ambitions, avarice, anger and other passions' are so strong that 'covenants without the sword, are but words, and of no strength to secure a man at all'. The authority of the sovereign is therefore permanent, undivided and ultimately unlimited. Hobbes conception of sovereignty thus provided a strong justification for state power.

If Hobbes had transferred sovereignty to the state and the rulers, **Jean Jacques Rousseau** (1712-78) insisted on retaining sovereignty for the people. In Rousseau's view, sovereignty originates in the people. Citizens can only be obligated to a system of laws and regulations they have prescribed for themselves with the general good in mind. The sovereign authority is the people making the rules by which they live. In this perspective, the ruled should be the rulers: the affairs of the state should be integrated into the affairs of ordinary citizens.

Rousseau did not posit any limits on the decisions of the democratic majority. As Berlin (1969) pointed out the community could easily destroy the liberty of the individuals. Thus, if Hobbes placed the state in an all powerful position with respect to the community, Rousseau placed the community (the majority) in a position to wholly dominate individual citizens.

John Locke (1672-1704) transcended the dualism between the ruler and the ruled, state and community by reaffirming the location of sovereignty in the body politic as a whole. In this conception of sovereignty, the community is the source of sovereignty and the state is the proper instrument for its exercise. In Locke's scheme, the formation of the state does not signal the transfer of all subjects rights the state. The subject transfers the law making and enforcement rights, but the whole process is conditional upon the state adhering to its essential purpose: the preservation of 'life, liberty and estate'. Thus supreme power remains ultimately with the people who retain the right to dispense with the rulers and even with the existing form of government.

The ideas of Rousseau and Locke had a powerful role in replacing dynastic rule with representative governments in Europe and later in other parts of the world. Though the subsequent history of the concept of sovereignty has been marked dispute and complexity, there is a broad consensus that 'sovereignty is the supreme law making and decision making power of a community, that the ultimate source of sovereignty is the people, that sovereignty is necessarily delegated by the people to the state and exercised on their behalf through the government, and that constitutional arrangements are necessary to safeguard these political goods (Held 84, p).

From the description of conceptions of sovereignty it is clear that while there is a consensus on the need for a determinate authority, there are differences on the nature of the supreme authority, whether it refers to legal authority or unchallengeable political power. There are also differences on its location, whether it lies with the state or with the people. In the following sections, we will dwell on these aspects before proceeding to examine external sovereignty or the independent and autonomous status of the sovereign states in international relations.

18.4 Legal and Political Sovereignty

As we saw, Bodin argued for a sovereign who made laws but was not himself bound by those laws. Law, according to Bodin, amounted to little more than the command of the sovereign, and subjects were required simply to obey. Hobbes, on the other hand, described sovereignty in terms of power rather than authority. He defined sovereignty as a monopoly of coercive power and advocated that it be vested the hands of a single person or body of persons. This difference of emphasis on authority and power has led to the development of two distinct notions of sovereignty— legal sovereignty and political sovereignty.

Legal sovereignty is based upon the belief that that ultimate and final authority resides in the laws of the state. This is *de jure* sovereignty, supreme power defined in terms of legal authority. In other words, it is based upon the right to require somebody to comply, as defined by law. By contrast, political sovereignty is not in any way based upon a claim to legal authority but is concerned simply about the actual distribution of power, that is, *de facto* sovereignty. Political sovereignty therefore refers to the existence of a supreme political power, possessed of the ability to command obedience because it monopolises coercive force.

It should be noted that though one can analytically distinguish the two concepts, in practice they are closely related in practice. There are reasons to believe that on their own neither constitutes a viable form of sovereignty.

In a sense sovereignty always involves a claim to exercise legal authority, a claim to exercise power by right and not merely by virtue of force. All substantial claims to sovereignty therefore have a crucial legal dimension. Nevertheless, law on its own does not always secure compliance. There will be always some individuals and groups within a society who will disregard

the laws of the state and commit crime. The state, therefore, has to have the ability to secure compliance. Legal authority has to be underpinned by the exercise of power.

Box 18.2: Political Conception of Sovereignty

All states seek a monopoly of coercive power and prevent or at least limit their citizens' access to it. But very few rule through the use of force alone. Almost all states have sought to persuade citizens that they have the right to rule. Such efforts to acquire legal sovereignty have, in part, contributed to the establishment of constitutional and democratic governments. Some states, such as Nazi Germany and Pol Pot's Cambodia, came very close to establishing an exclusive political form of sovereignty. They ruled largely through their ability to repress, manipulate and coerce. But they did not endure for long. Moreover, even these states have sought to acquire the mantle of legal authority by building up vast ideological apparatus.

Thus sovereignty in practice has meant the presence of both legal and political authority.

a) Characteristics of Sovereignty

Before we proceed to examine the external aspect of sovereignty, it will be useful to list out the characteristics of sovereignty emerging from the conceptions of sovereignty. The key characteristics of sovereignty are explained below:

Absoluteness: The sovereign's authority is absolute and unlimited vis a vis other associations in a society. It is absolute in the sense of not being subject to any restraints, legal or otherwise. Laws and decrees passed by the sovereign are binding on all citizens. Social groups and associations such as the family, village councils, clubs, trade unions, businesses can establish rules which command authority, but only within the limits defined by law. If the sovereign is subject to either internal or external control of some other authority, that body ceases to be a sovereign.

Exclusive: The sovereign power of the state is exclusive, in the sense that no association is in a position to compete with it. There can be only one sovereign authority in a state which can legally command obedience of its inhabitants. Sovereignty does not accept any rival or parallel authority within the boundary of the state.

Permanence: Sovereignty is self-perpetuating. As long as the state exists, it is the supreme form of authority. Despite changes of governments, the sovereignty of the state endures. Once sovereignty is lost, the state ceases to exist.

Universality: The sovereign state exercises authority over all other individuals and groups of individuals within its jurisdiction. No group or person can claim immunity from its jurisdiction, as a matter of legal right.

Inalienability: The sovereignty of the state cannot be alienated. Since sovereignty forms the essential personality of the state, the very act of alienating it from the state would amount to the destruction of the state. As Leiber put it: 'Sovereignty can no more be alienated than a tree can alienate its right to sprout or a man can transfer his life or personality to any other without self-destruction'.

Indivisible: In a state there can be only one sovereign power. If sovereignty is divided, it implies that more than one state exists. Even if the exercise of sovereign power is shared among the branches of governmental machinery, the supreme authority is indivisible, in terms of its pervasive coercive command over other associations in the society. Agencies of government are mere functionaries of the sovereign.

As we noted at the beginning of the unit, the concept of sovereignty has been used in two contrasting ways. In the form of internal sovereignty, it refers to the distribution of authority within a state and leads to questions about the need for supreme power and its location within the political system. In the form of external sovereignty, it is related to the role of the state in the international order and to whether or not it is able to operate as an independent and autonomous actor on the world stage. It should be, however, noted that the two do not describe exclusive sorts of sovereignty, but different aspects of sovereignty that are coexistent and omnipresent. Sovereign authority is exercised within borders, but also, by definition, with respect to outsiders, who accept its independence.

18.5 Internal Sovereignty

The preceding discussion on the concept of sovereignty has been largely in terms of internal sovereignty. As we saw, much of modern political theory has been an attempt to decide precisely where sovereignty should be located. Early political thinkers such as Machiavelli, Bodin and Hobbes were inclined to the belief that sovereignty should be vested in the hands of a single person, a monarch. The overriding merit of vesting sovereignty in a single individual was that sovereignty would then be indivisible; it would be expressed in a single voice that could claim final authority. Locke, Rousseau and the subsequent thinkers departed from this absolutist notion of sovereignty. They rejected monarchical rule in favour of the notion of popular sovereignty, the belief that ultimate authority is vested in the people themselves. This doctrine of popular sovereignty is generally regarded as the basis of modern democratic theory.

While these thinkers disagreed about who or what the ultimate authority should be, they were united in their belief that sovereignty could be and should be located in a determinant body. This is the traditional doctrine of sovereignty which is also called as the monistic theory of sovereignty. Even Rousseau, who espoused popular sovereignty, acknowledged that the 'general will' was indivisible whole which could only be articulated by a single individual, who he called 'the legislator'.

This traditional doctrine of sovereignty has come under growing criticism in an age of pluralistic and democratic government. John Friggs, Harold J Laski and other pluralists have argued that the monistic theory is intrinsically linked to its absolutist past and so is frankly undesirable. They emphasise that political power in any given society does not rest only in the state apparatus, but is shared by a number of groups and institutions other than the state in that society. Moreover, they point out that it is no longer applicable to modern systems of government, which operate according to a network of checks and balances. For a pluralist, liberal-democratic principles are the very antithesis of sovereignty.

While the pluralists caution against the danger of 'elected' or 'majority' and call for restraining and influencing the exercise of the sovereign power of

the state, all the same they seem to miss the point that the monist position is that of legal theory of sovereignty. That is, state alone has compulsory and universal jurisdiction in its territory. It alone legally can use coercive power against those who break its law. This right of the state is recognised by all the citizens. Other associations may use power, but their right may not be accepted by all individuals. They may appeal against their actions to the higher authorities. And the state is the highest authority. There can be no appeal against the sovereign actions of state.

b) Locating Sovereignty

After the English and the French Revolutions in 1688 and 1789 respectively, the representative and constitutional governments that were established initially in the West and later in other parts of the world assumed different forms. The task of locating sovereignty in representative governments is particularly difficult. The English jurist, John Austin, investigating who in the name of the people or of the state exercises sovereignty in Britain, came to the conclusion that it is neither vested in the Crown nor in the people but in the 'Monarch in Parliament'. This was the supreme organ that enacted laws binding on everybody else but that was not itself bound by the laws of and could change these laws at will. However, as we shall see later, this idea of legislative or parliamentary supremacy fitted only a particular system of government that prevailed in Britain in the 19th century.

The idea of legislative supremacy does not fit well in federal states, such as the United States, Canada, Australia and India, where government is divided into two levels, each of which exercises a range of autonomous powers. Federalism is often said to involve a division of power between these two levels, between the centre and the states or constituent units. However, in developing the notion of a shared or divided sovereignty, federalism moves the concept away from the classical belief in a single and indivisible sovereign power. It may, furthermore, be suggested that neither level of government can finally be described as sovereign because sovereignty rests with the document which apportions power to each level: the constitution. But then, since the power to interpret the constitution lies with the Supreme Court one can argue that sovereignty resides with the Supreme Court. However, the Supreme Court cannot properly be portrayed as the supreme constitutional arbiter since its interpretation of the Constitution can be overturned by amendments to the original document. In this sense, sovereignty can be said to reside with the institution empowered to amend the Constitution: in the United States it is two-thirds majorities in both Houses of Congress and three-quarters of America's state legislatures, or in a convention specifically called for the purpose; in India, it is two-third majorities in both the Houses of Parliament and one half of the states. To complicate matters further, it can be argued that sovereignty in India ultimately is vested in the Indian people themselves. This is expressed in the Preamble to the Constitution which opens with the words 'We the people. . .' In view of these complexities, a polycentric concept of sovereignty has taken root in federal states.

It has long been argued that in Britain a single, unchallenge-able legal authority exists in the form of the Westminster Parliament. In the words of John Stuart Mill, 'Parliament can do anything except turn a man into a woman'. Being a unitary form of government, no rival legislatures exist to challenge the authority of Parliament; all legislation derives from a single source. However, it can be argued that in reality the British Parliament enjoys neither legal nor political sovereignty. Its legal sovereignty has been compromised by

membership of the European Union (EU). As an EU member, Britain is obliged to conform to European law and is thus subject to the jurisdiction of the European Court of Justice in Luxemburg. In fact, the European Court in 1991 declared the Merchant Shipping Act of 1988 passed by the British Parliament to be unlawful because it contravened European laws guaranteeing a free movement of goods and persons within the European Community (as the EU was then). If Parliament can any longer be described as legally sovereign it is only by virtue of the fact that it retains the legal right to withdraw from the EU. In political terms also, the Parliament has never enjoyed sovereignty in the sense of acting as it pleases. Its behaviour has always been constrained by a wide range of institutions, including the electorate, organised interests, particularly those which possess financial or economic muscle, major trading partners, suprana-tional organisations, international treaties and so forth.

Reflection and Action 18.2

Does sovereignty lie in the state or the Political Community? Discuss with other students and friends.

To conclude, sovereignty resides in the state or political community as a whole. Given the complex checks and balances that operate in democratic states and the internal and external constraints that operate on these states, questions relating to the precise location of sovereignty appear to have become outdated. It is the issue of external sovereignty, that is, independence vis a vis other states in the international order that has become absolutely vital. Let us focus on this aspect of sovereignty.

18.6 External Sovereignty

Sovereignty, as seen from inside a state, is supreme authority and as seen from outside, is self-governing authority. In other words, external sovereignty refers to the state's place in the international order and therefore to its sovereign independence in relation to other states.

In international relations, sovereignty has become synonymous with state power. It is useful to conceive of external sovereignty as constitutional independence. The state possesses a constitution, written or unwritten, democratic or otherwise, which makes it independent from other states. State sovereignty, in the sense of constitutional independence, consists of being apart from other similar entities. The moment a state establishes a constitutional link with another state, it loses its sovereignty, for it is contained within a wider scheme. External sovereignty, in other words, implies that there is no higher political authority over the state. The sovereign state has the exclusive jurisdiction over its territory, its occupants, resources and events that take place there.

Box 18.3: Westphalian International Society

Westphalian international society was based on two principles. The first principle was *rex est imperator in regno suo* (the king is emperor in his own realm). This norm specifies that sovereigns are not subjects to any higher political authority. Every king is independent and equal to every other king. The second principle was *cujus region, ejus religio* (the ruler determines the religion of his realm). This norm specifies that outsiders have no right to intervene in a sovereign jurisdiction on religious grounds.

The practice of sovereignty underlying the contemporary state system is generally traced to the Peace of Westphalia, the set of treaties that marked

the end of Thirty Years War in 1648. While this is a gross oversimplification of a complicated process that developed over centuries. However, by the 17th century some of the features of the state system had solidified. In two broad respects, the system of sovereign states triumphed at Westphalia. First, states emerged as virtually the sole form of constitutional authority in Europe. Secondly, it brought to an end intervention in matters of religion, up to then the most commonly practiced abridgement of sovereign prerogatives.

The principle of exclusive jurisdiction over people and resources within its territory has been codified by many agreements and treaties. The Charter of the United Nations, for instance, incorporated the principle of territorial integrity and political independence in Article 2 (4) thus: 'Member shall refrain in their international relations from the treat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purposes of the United Nations.'

External sovereignty also establishes the basic condition of international relations- anarchy, meaning the absence of a higher authority over the states. There is no rule-making and rule-enforcing institution in international relations. Anarchy or the absence of higher political authority above the states does not necessarily imply chaos or absence of order. In fact, although there is no international government, there exists a rule governed social order in international relations. States, initially free of obligation to one another, have accepted a whole body of formal and informal rules (for instance, international law, rules governing diplomacy and recognition of spheres of influence, etc.

Many of the formal and rules accepted by the states restrict their freedom of action in certain activities and spheres. Moreover, because of the uneven distribution of power capabilities of states, the powerful states have greater freedom of action than the weaker states. Some scholars, therefore, talk of the erosion of state sovereignty or it being present only in great powers. But it should be noted sovereignty is not autonomy or freedom of action but constitutional independence. The distinction between autonomy and independence is the distinction between political and legal sovereignty. The states may be losing the ability to do what they want, but not their right to do so. If sovereignty is understood in political terms, one can argue that from the inception of the state system states had not much freedom of action. But if sovereignty is understood to mean the basic organising principles of international relations, that is, an order structured around sovereign states, then nothing much has changed. International commitments that place restrictions on states domestic polices are those that have been voluntarily accepted by states as sovereign entities. In contemporary international relations, the most basic norms, principles and practices continue to rest on state sovereignty.

While the principle of external sovereignty is widely recognised and enshrined as a basic principle of international law, it is not without its critics. There are those who draw our attention to the sinister implications of granting each state exclusive jurisdiction over its own territory, people and resources. Human rights advocacy groups, for instance, provide abundant evidence of state capacity to abuse, terrorise and even exterminate their own population and argue for intervention in states. They insist that states should conform to a higher set of moral principles, usually expressed in the doctrine of human rights. Attempts have been made to embody such principles in international law, notably in the United Nations Declaration of Human Rights (1948). (Eloberate?)

Then there are those critics who suggest that the classical argument for sovereignty should go beyond national sovereignty. Thinkers such as Bodin and Hobbes emphasised that sovereignty was the only alternative to disorder, chaos and anarchy. Yet this is precisely what a rigorous application of the principle of national sovereignty would turn international politics into. Just as the absence of an internal sovereign leads to brutality and injustice in interpersonal and intra-societal relations, so does the absence of a supreme international authority leads to illegal interventions by powerful states and disputes and armed conflicts (wars) between states. In this way, the classical doctrine of sovereignty can be turned into an argument for world government

18.7   Conclusion

Sovereignty is a contentious concept in domestic and international relations. As we saw, the concept developed as an instrument for the assertion of royal authority over feudal lords in the construction of modern territorial states. Political thinkers from Machiavelli to Rousseau believed that instabilities and disorder were obstacles to a stable society and could only be overcome by viable governments that could firmly establish sovereignty over territory and population. While political thinkers differed on the location of sovereignty and therefore the form of government, they were united in believing that only a determinate authority had the capacity to maintain order. The concept of sovereignty was then integrated into theories of international relations through a set of ideas that evolved over a period of time, but got established at Westphalia that ended the moral authority of the Church over secular rulers. Though external sovereignty has undergone major changes as a result of the international commitments made by sovereign stats as well as because of growing interdependence of states, the basic international norms, principles and practices continue to rest on state sovereignty that is constitutional independence of states.

18.8   Further Reading

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Unit 19

State; Power as Elaborated by Marx, Weber, Parsons and Others

Contents

Learning Objectives

▫ The concepts of state and power and their inter relationship

▫ The conceptualisation of state as an institution by Marx, Weber and Durkheim

▫ The conceptualisation of power in relation to state and society by Marx, Weber and Parsons

▫ The conceptualisation of state and power in other theoretical models such as pluralist, elitist, neo Marxist etc.

19.1   Introduction

In this unit we are going to study the concepts of state and power as elaborated by Karl Marx, Max Weber and others. Here we will look into the definitions and components of state and power as enunciated by these thinkers. They have interpreted the concepts according to the historical and political necessities of the period they lived. They have adopted differing methodologies and understanding for interpreting the universal concepts of state and power. Karl Marx and Max Weber are two prominent social thinkers who elaborated the features of modern state as well as the concept of power in relation to state and society. There are also different theoretical models (pluralist, neo-Marxist, elitist etc.) on state and power, most of that are responses to Marxian and Weberian theories on state and on their understanding of how centralised government uses power. Power relations are normally elaborated in terms of the causal factors that enable one person, or a group of persons, to determine the actions of others. And power is usually explained in relation to governmental or state authority. An examination of Marxian, Weberian and other theoretical models of state as an institution has been done in the first half of the unit. An in-depth analysis of the concept of power in relation to state and society has been done in the second half of the unit.

19.2   The Concept of State

The term 'state' is commonly used as a synonym for nation, government, society or country. One of the prerequisites of state is sovereign power, which implies supreme authority, or power. Aristotle defined state as a union of families and villages having, for its end, a perfect and self-sufficing life, which means happy and honourable life. According to Mac Iver the state is an association, which acting through law as promulgated by government endowed to this end with coercive power, maintains within a community territorially demarcated universal external conditions of social order. It can otherwise be said that when a group of people are permanently settled on a definite territory and have government of their own, free from any kind of external control, they constitute a state and it has sovereign power upon its people (Das and Chaoudhury 1999). State uses power as a mechanism to keep the society bound together. The state uses power as legislative, judicial, military and planning function. Through legislative function it enforces the norms of the society. Judicial function uses power to exert physical force for the protection of citizen's lives and property. Military function uses power to establish relations with other societies and planning function is related to the allocation of scarce goods and resources. Now let us examine the concept of state as elaborated in different theoretical models.

19.3   Marx on State

Although Marx had no fully developed theory of state, he did discuss it in various ways throughout his writings. Marx traces the development of the state to the division of labour in the society. Primitive societies are simple and less complex and marked by least division of labour. As the societies grow from primitive to capitalist it becomes more and more complex and there arises some central organising agency to control. This ultimately leads to the formation of state. His views on state are closely related to his classification of society.

For him the basis of state is force and the state exercises power and authority for promoting the interests of the dominant class and suppressing and exploiting the weaker classes who are collectively called as proletariat in the context of capitalist society. He views state as a man-made institution rather than a natural institution. The Marxists look at the state as a product of class struggle and as an instrument of class rule. Thus, for Marx, the state is essentially a class structure, an organisation of one class dominating over other classes. He views that state as originated at a certain stage of economic development in the history of humanity, when society was broken into two classes, namely 'haves' and 'havenots'.

In Marxist theory the most important activity of human beings is economic activity. According to him understanding the way a society organises its production is the key to understand the whole of its social structure. His view is that the production of the means of subsistence forms the foundation upon which various institutions, the legal conception, art and even the ideas on religion of the people concerned have been evolved. Marx stresses economic production as the key structural feature of any society and he called the way it organises its production as its infrastructure. The rest of its social organisation — its non-economic activities such as ideas, beliefs and philosophies, legal system, the state etc. — he called superstructure

(Jones 1991). The super structure of any form of society is affected by its infrastructure i.e., the economic activities of the society. State according to Marx is a non-economic institution and hence a part of superstructure. The formation and functioning of the state is therefore depend on the way the society organises its economic production. Marx called the different ways of production of goods in the society as modes of production. And based on the modes of production Marx distinguished five historical epochs in the development of humanity. These in chronological order are primitive communist, ancient, feudal, capitalist and communist, each depicting its own characteristic state and government. Apart from the first and last modes of production i.e. the primitive communist and communist mode, each mode of production has one crucial characteristic in common. Each of them produces goods based on class. In each of the historical epochs there are two classes, one is the minority dominant class, the one which owns the modes of production and the other majority subordinate class, the class that does not own means of production or the exploited class which do the productive work.

Those who own means of production control the state. Whenever there is change in the mode of production in a society (see Box 19.1), the government (the physical form of state) also undergoes simultaneous change. And irrespective of the form of the society (ancient, feudal or capitalist) the state invariably is, according to Marx, an instrument for exploitation in the hands of dominant class.

Marx's deliberation of state as an institution is mainly based on the capitalist form of society. For him state is a centralised organising agency, which was necessarily involved in the domination of one class over the others. The prominent classes Marx talks about in relation to capitalist society are bourgeoisie and proletariat. According to Marx, capitalism is an inherently expanding system and the social class at its helm (bourgeoisie) is carried into political power not because of any deliberate or conscious action but because that is the way the society develops. It is argued that Marx believed the state to be a sort of conspiracy against the working class, or that the wealth of the bourgeoisie could be used to ensure that whoever is in power pursues its interests (Miller 1991). For Marx, the concern of the state for individual liberty could be seen as an attempt to enforce the right of the individual property owner (bourgeoisie) against those without property (proletariat) whose only power lay in their banding together to take collective action. The political struggle for trade union rights represent the collective action of proletariat.

Box 19.1: Dialectical Materialism

According to Marx, all history can be explained by the conflict between opposing forces, thesis and antithesis. Every stage of history which falls short of perfection carries within itself the seeds of its own destruction. Each stage reached in the march to the classless society, the thesis, calls into being its opposite or anti-thesis, and from the clash between the two a new synthesis will become the thesis until the classless society has been achieved. This philosophy of the inevitability of change resulting from the struggle of opposites and determined by concrete realities rather than ideas is called dialectical materialism. It is the basic philosophy of communism. In dialectical materialism, evolution is the development of the matter from within, environment helping or hindering, but neither originating the

evolutionary process nor capable of preventing it from reaching its inevitable goal.

According to Marx, capitalism had to be replaced because the evolution of society's institutions is a natural and inevitable process of history. Capitalism itself is the product of the struggle between lords and serfs in feudal society. The evolution into capitalism, instead of some other form of social contract, was due to the arrival of machines and the factory system. This synthesis in turn created two new contending forces: the capitalist class or bourgeoisie, which owns the means of production, and the wage workers or proletariat class, which has to sell its labor to survive.

From the writings of Marx one can decipher broadly three models of state, the liberal, arbiter and functionalist. In his earlier writings it can be seen that the bourgeoisie rule the state or manipulate the state machinery to protect their interests or to put in Marx's words 'state is but a committee for managing the common affairs of the whole bourgeoisie' (Marx and Engles 1968). On this model, economic power is quite simply translated into political power, by means of which the dominant bourgeoisie rules over subordinate classes through liberal state.

In his later writings Marx made various modifications of and reservations about these earlier views. In his later writings, which were more empirical, he views and talks about different sections of bourgeoisie engaging in political struggles through and over the state. Here he suggests a different model of the state, the arbiter model. In *The Eighteenth Brumair of Louis Bonaparte* he sketches the modern state in such a way as to suggest its relative autonomy from the interests of bourgeoisie. The modern state has grown so strong that in exceptional moments when bourgeoisie cannot completely dominate the other classes against which it must struggle, the state may become an arena for competing interests, an apparent mediator, and may even act independently to limit the power of bourgeoisie (Nash 2000). For example the Factory Acts and the arguments over the Corn Laws in UK in the 1840s can be seen as a struggle between industrial bourgeoisie and the agricultural bourgeoisie. He also talks about the state being controlled by people who do not belong to the dominant class (bourgeoisie) but nevertheless exercise power in the interests of the dominant class. For example in UK by the end of the 19th century though the central governing body constituted by the landowning class, they exercised power in the interests of industrial bourgeoisie. This reaches to the conclusion that whoever comes to power, they represent the interests of dominant class in the capitalist society. This is because for the economic development of the societies the state has to protect the interests of the dominant class.

In his latest works, Marx suggested a third model of state, the functionalist model. In '*Capital*', volume 3, he depicts state as supernatural, determined entirely by changes in the economic base in the society. He explains if capitalism is to survive, it requires a reasonably healthy work force educated to a level necessary to operate at the relevant level of technological development and it needs to ensure that the next generation is raised in a reasonable way to whatever standards are required. The state develops in order to fulfil these needs. In Marxist view, in a class society, super structure is indispensable to its survival. It represents the society's cultural characteristics and the institutions that promote these characteristics. Its

infrastructure, its class based mode of production, survives so long as class character of the society remains unrecognised, or is considered legitimate, by those whom it subordinates. The superstructure (state as a prominent institution) ensures this happens. That means the state essentially function as a system integrator. This is how Marx views state as working in the interests of the ruling class because it is working to reproduce the sort of economic and social system that favours the class that rules. For Marx, in any state, the dominant class try to promote and protect its own interests as against the interests of other classes and formulates the laws. And thus the purpose of the state is to protect private property and its function is to oppress the non-possessing class in the interest of the possessing class. Irrespective of the form of the state, whether democratic, republic or monarchy, it is used as an agency for the oppression of one class by another. It is only the class interests that are represented at the political level and ultimately the economic power will determine how state power is to be used.

Reflection and Action 19.1

Elucidate the different models of state depicted by Karl Marx.

Marx states that the system integration in capitalism is constantly threatened by class conflict and is supported by the state and by ruling ideologies. He predicts the class struggle in the capitalist society necessarily leads to the dictatorship of the proletariat and through the dictatorship of the proletariat, there would be the abolition of all classes through a revolutionary transformation and the establishment of classless society, the communist society. When the classless society is established and there is no suppressive function for the state, it would be required only to perform the economic functions. The abolition of class distinctions would also lead to the fulfillment of the political functions of the state and the people will be accustomed to the voluntary performance of their social responsibilities and the observance of the rules of the socialist life. At this stage, there would be no necessity of state and according to Marx the state would 'wither away'.

Box 19.2: Marxism

Marxism as a theoretical system developed out of, and drew inspiration from the writings of Karl Marx. However, 'Marxism' as a codified body of thought came into existence only after Marx's death. It was the product of the attempt by later Marxists to condense Marx's ideas and theories into a systematic and comprehensive worldview that suited the needs of the growing socialist movement. However, a variety of Marxist traditions can be identified, including 'classical' Marxism (the Marxism of Marx), 'orthodox' Marxism or 'dialectical materialism', the mechanistic form of Marxism that served as the basis for Soviet communism, and 'Western', 'modern' or 'neo' Marxism, which tend to view Marxism as a humanist philosophy and are skeptical about its scientific and determinist pretensions. The cornerstone of Marxist philosophy is what Engles called the 'materialist conception of history'. This highlights the importance of economic life and the conditions under which people produce and reproduce their means of substance, reflected, simplistically, in the belief that the economic 'base', consisting essentially of the 'mode of production', or economic system, conditions or determines the ideological and political 'superstructure'. Marxist theory therefore explains social, historical and cultural development in terms of material and class

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factors. The basis of the Marxist tradition is Marx's teleological theory of histroy, which suggests that history is driven forward through a dialectical process in which internal contradictions within each mode of production are reflected in class antagonism. Capitalism, then, is only the most technologically advanced of class societies, and is itself destines to be overthrown in a proletarian revolution which will culminate in the establishment of a classless, communist society. The intellectual attraction of Marxism has been that it embodies a remarkable breadth of vision, offering to understand and explain virtually all aspects of social and political existence and uncovering the significance of processes that conventional theory ignores. Politically, it has attacked exploitation and oppression, and had a particularly strong appeal to disadvantaged groups and peoples. With the collapse of communism in former USSR and some East European countries some group of academicians started arguing that the relevance of communism and Marxism came to an end. However the fact of the matter is that the forms of communism as practiced by those countries failed to deliver goods and the system itself failed due to variety of reasons. This has nothing to do with Marxism as a theory which is still one of the foremost theoretical formulations of class, power, state and society.

19.4 Weber on State

Max Weber suggested in *Politics as a Vocation* that the state is a human community or a special kind of institution that claims the monopoly of legitimate use of physical force within a given territory (Weber 1948). By this he meant not only that the state had the ability to ensure the obedience of its citizens but also the acknowledged right to do so. A monopoly of legitimate violence is therefore the practical expression of the state sovereignty. He saw the state as the most powerful institution in modern society since it has gained the legitimate monopoly of force over a given territory (Weber 1948).

He elaborates four defining characteristics of modern state. First, it has a legal and administrative order, which is subject to change by legislation only, not by the whim of a lord or the dictate of a charismatic leader. Secondly it has an administration which works in accordance with legislation. This means that civil servants and judiciary do not make up their own rules but implement those formed by the legislature. Thirdly the state has binding authority on all its members and over the acts carried out in its territory. And the membership is usually given by birth. Finally state can use force if that is legally prescribed and permitted.

For Weber the 'political society' is one whose existence and order is continuously safe-guarded within a given territorial area by the threat and application of physical force on the part of the administrative staff. And a political organisation becomes a 'state' where it is able successfully to exercise a legitimate monopoly over the orgainised use of force within a given territory. According to Weber legal, religious and political institutions and their inter relationships has decisive significance to economic structures and economic development not vice-versa as seen by Marx. Weber opposed to Marx's economic determinism. He took concentration of the means of administration as most important factor in the nation-state.

It can be seen that Weber's theory of state and authority are cordially

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associated. This in turn has close association with his typology of domination. Weber talks about three types of domination: charismatic, traditional and legal-rational. According to him these three types of domination coexist in any situation but it is likely that one or other will be dominant. Weber says legal-rational domination is more predominant in modern state.

According to Weber the modern state is legitimate if people believe in its legitimacy. Any three kind of domination can exist in a modern state. We cannot choose between the three on any rational ground, each can be justified on its own ground. Each system justifies on itself; traditional domination justified by tradition, charismatic domination by charisma and in rational legal domination laws are legitimate if they are enacted according to the law. There is no overall or superior set of values by means of which we choose better or worse systems. Weber believed that in modern state any norm could be enacted as a law with the expectation that it would be obeyed; government and government apparatus are bound by the abstract system that these laws comprise and justice is the application of this laws. In such a system of governance people hold authority, doing so by virtue of being temporary office bearers rather than possessing personal authority and people obey laws not the office bearers who enforced them. The state with a national legal authority could not interfere with individual rights without the consent of the people through the duly elected representatives.

> ### Reflection and Action 19.2
> What are the salient features of Weber's State? Compare and contradict the views of Marx and Weber or State.

For Weber bureaucracy is the organisational apparatus of the modern state and the modern capitalist state is completely dependent upon bureaucratic organisation for its continued existence. Weber describes the state as gaining its power in modernity by concentrating the means of administration in the hands of an absolute monarch. Bureaucratic set up developed, for example in ancient Egypt, when the monarch needed a permanent army, to ensure supplies of arms and military equipment. According to Weber these developments were the most important factors promoting the emergence of the modern state in which the expert officialdom, based on the division of labour is wholly separated from ownership of its means of administration. Officials in modern, rational bureaucracies have little or no control over what they do since the rules and procedures of bureaucracies take on a life of their own, restricting the activities and decisions of those who work in them to the functions of the offices they fill. The bureaucracy (see Box 2 for features of ideal type of bureaucracy) become the 'steel-hard housing' in modern sate.

This growth of rational state, which has its corpus of bureaucratic officials, is not wholly derivative of economic rationalisation, but to some extent preceded the development of capitalism as well as created condition, which promoted its rise. The head of the system of the legal authority or bureaucracy is the head of the state. And it can hold a position through appropriation, election or designated by succession. But even then his or her power is legally limited.

Box 19.3: Ideal Type of Bureaucracy

The characteristic features of the ideal type of bureaucracy according to Weber are:

1) A continuous organisation of official functions bound by rules.

2) A specific sphere of competence. This involves (a) a sphere of obligation to perform functions, which has been marked off as part of a systematic division of labour. (b) The provision of the incumbent with the necessary authority to carry out these functions. (c) That the necessary means of compulsion are clearly defined and their use is subject to definite conditions.

3) The organisation of offices follows the principle of hierarchy; that is, each lower office is under the control and supervision of a higher one. There is a right of appeal and of statement of grievances from lower to the higher. Hierarchies differ in respect to whether and in what cases complaints can lead to rulings from an authority at various points higher in the scale, and as to whether chances are imposed from higher up or the responsibility for such changes is left to the lower office, the conduct of which was the subject of complaint.

4) The rules which regulate the conduct of an office may be technical rules or norms. In both cases, if their application is to be fully rational, specialised training is necessary. It is thus normally true that only a person who has demonstrated an adequate technical training is qualified to be a member of the administrative staff of such an organised group, and hence only such persons are eligible for appointment to official positions.

5) In the rational type it is a matter of principle that the members of the administrative staff should be completely separated from ownership of the means of production and administration. Officials, employees and workers attached to the administration staff do not themselves owns the non-human means of production and administration. These are rather provided for their use in kind or in money, and the official is obliged to render an accounting of their use. There exists, furthermore, in principle complete separation of the property belonging to the organistion, which is controlled within the sphere of office, and the personal property of the official which is available for his own private uses. There is a corresponding separation of the place which official functions are carried, the 'office' in the sense of premises, from living quarters.

6) In the rational type case, there is also a complete absence of appropriation of his official position by the incumbent. Where 'rights' to an office exist, as in the case of judges, and recently of an increasing proportion of officials and even of workers, they do not normally serve the purpose of appropriation by the official but of securing the purely objective and independent character of the conduct of the office so that is oriented only to the relevant norms.

7) Administrative acts, decisions and rules formulated and recorded in writing, even in cases where oral discussion is the rule or is even mandatory. This applies at least to preliminary discussions and proposals, to final decisions, and to all sorts of orders and rules. The combination of written documents and continuous organisation of official functions constitutes the 'office' which is the central focus of all types of modern action. Source: Craib, 1997

According to Weber, though rationalisation is evident in economic life, cultural life etc. of a society it is fundamentally evident in the modern institutions of administration, more especially bureaucracy. He says neither capitalism with its connection with liberalism nor state socialism with its formal commitment to social justice, can avoid the use of bureaucratic means of administrative domination. The impersonality and calculability characters of the bureaucracy are seen not only as constraining but also as extremely efficient in securing the popular compliance with the structures of domination. They are for Weber a key instance of the typical modern form of legitimate domination that is replacing the appeal of tradition as society's predominant legitimating principle.

19.5 Durkheim on State

Durkheim discusses the nature and features of the State in his work *Professional Ethics and Civic Morals* (1957). According to him the opposition of governing and the governed is central in political life. His views on state are very much associated to his explanation of division of labour and types of solidarity. Durkheim traced the development of the state to the division of labour in the society, as societies became more complex there occurred the distinction between governing and governed, which in turn results in the formation of state. For Durkheim the function of state was to mediate between different interests and in particular to protect the individual against the power of smaller groups. That is how state protects individual and balance group interests.

Mechanical solidarity is the trademark of less developed or primitive society where division of labour is very little. Whereas societies with highly developed division of labour are held together by organic solidarity. For Durkheim there was no politics or state existed in primitive societies because there was no or little division of labour and hence no grouping into government and governed.

At the same time he argues that the division of a social group into governing and governed do not only exist in states; there is a similar division in the patriarchal household as well. Durkheim tries to make a distinction between state and such organisation. The size and control of a determinate territory will distinguish state from such organisation. But for Durkheim the crucial feature of a state is that it controls not necessarily large numbers of people but a number of different secondary social groupings. The state is the organisation of officials concerned with governing these secondary groups. It is not an embodiment of society as whole, but a specialised institution.

Durkheim next takes up the relationship of the state to the individual. This according to Durkheim, is not an issue in societies where mechanical solidarity dominated where individuals were absorbed into the social whole; But as organic solidarity develops, the power of the state develops so also the rights of the individuals. The growth of the state does not threaten but enables the rights of individuals.

> **Reflection and Action 19.3**
> Compare the perspective of Marx and Durkheim on the state.

Durkheim makes a clear distinction between society and the state. Every society is despotic, at least if nothing from within supervenes to restrain its

despotism (Durkheim 1957). As societies become more compelled, then there is a need for individuals to move from group to group and need to prevent the secondary groups exercising despotic control over its members, it is the function of the state to provide this need. Durkheim's argument was that, given that individual members of society felt their commitment to society, the function of the state was to create and protect the space where the individuals could exercise such responsibility.

For Durkheim society is 'suigenerous'. His notion of society dominated everything else; society exists over and above the individual over whom it exercises an immense power. This notion of society reflects in his idea about state also. For Durkheim State essentially is a mediator between secondary groups. The secondary groups are developed in society, as the division becomes more sophisticated as in modern societies. The secondary groups mediate between society and the individual just as state mediates between the individual and secondary group.

19.6   The Concept of Power

Although power is a universal phenomenon in human activities and social relationships, there is no uniform conceptualisation of this concept. It is highly abstract and overlearned concept deeply embedded in human society and culture. Though the vast literate in social science on power is scattered and heterogeneous, the concept has been discussed in these literature on a conceptual framework based around power as characteristic of individual, power as interpersonal construct, power as a commodity, power as causal construct and power as philosophical construct. Each framework illustrates unique dimensions of the concept of power (Kakabadse, 1984). The concept of power is often expressed in this literature as the ability to bring about the outcomes as one desire. The social significance of the exercise of power is that it limits the range of choice open to individuals. Sociologists often distinguish between two forms of power - authority and coercion. This unit concentrates in elaborating power in relation to state and society.

19.7   Marx on Power

Marx does not give a clear definition of power, for him, power means coercion. Marx views power to be held by a particular group in society at the expense of the rest of the society. According to him the source of power in society lies in economic infrastructure and those who own the modes of production i.e. the dominant group uses power to further its own interest and there by exploiting those who subject to power. Marx argues that although from time to time dominant classes do have to resort to naked force to maintain their power and supremacy, the absence of such obvious coercion should not be taken to signify an absence of exploitation, a lack of naked oppression does not indicate lack of oppression and the lack of any need of force. Lack of naked oppression does not mean that domination is not taking place. It is only that the dominated are unaware of their condition, because of the effectiveness of the ideologies into which they have been socialised.

How do such dominant ideas, which hails the dominating power of the dominant class and the exploitation of the subordinate class, gain such general acceptance. Marxists argue that particular ideas come to prevail through various key agencies of socialisation. Institution like the family, education systems and the mass media play a crucial role in promoting generally

held beliefs and values. For Marxists through these institutions of socialisation the real character of class society is justified and thus it ensures social inequality and domination and thereby the acceptance of the power structure in the society. This is the key element in Marxist approach to the superstructure, a society's non-economic institutions and the ideas and beliefs they promote. The assumption is that they exist to prop up a class-based mode of production. Thus the power inequality in the economic infrastructure is reflected in the superstructure.

Dominance and Subordination

Marxist theorists argue that institutions like education, state and mass media justify the stereotypical images of superiority and inferiority coinciding with class position. Thus in terms of Marxian theory the relationship of dominance and subordination in the infrastructure is justified and legalised by the super structure. For example, in capitalist society the unequal relationship between employees and employers will be reflected and legitimated in the legal system. A range of legal status protect the rights of property owners and in particular their right to a disproportionate share of the wealth produced by their employees. Marxists argue that such an analysis of the relationship between the infrastructure and super structure tells in great deal about power in a class society. That means, for example, in capitalist society the infrastructure produce particular kind of state, education system, family structure etc, all institutions of super structure that reflect the domination of class structure reinforce the power and privilege of the ruling class in the society.

Marx views power as to be held by a particular group (dominant class) in society at the expense of the rest of the society (subordinate class). This is a constant sum concept of power since a net gain in the power of the dominant group represents a net loss in the power of the next society. The dominant group uses power to further its own interests and these interests are in direct conflict with the interests of their subject to its power.

For Marx the source of power in society lies in the economic infrastructure. The basis of dominance or power is the ownership of forces of production. The ruling class, those who own the forces of production uses power to exploit and oppress the subject class in all societies. The case of power to exploit others is defined by Marx as coercion. It is seen as an illegitimate use of power since it forces the subject class to submit to a situation which is against its interests.

The only way to return power to the people is communal ownership of the forces of production. Since everyone will now share the same relationship to the forces of production, power will be shared by all members of society. Here Marx's concepts of false consciousness and class-consciousness are of importance. When the subordinate class subscribe to dominant ideologies which obscure the real nature of class society from their gaze, their picture of the world and their place in it is false. When the exploited class realises their exploited status and start recognising themselves to belonging to the same class, there originates class consciousness among them. In their subjective view of themselves and their condition comes to match its objective reality. It is the emergence of a class consciousness by a subordinate class that is the key which unlocks the revolution which overthrows the existing power structure of the society to replace it with one which suits to the new economic arrangements.

19.8 Weber on Power

Weber deals power primarily in the context of society and state. Weber defines power as the probability that an actor will be able to realise his own objectives against opposition from others with whom he is in social relationship (Weber 1994). This is a broad definition. His definition of domination is more specific. It refers only to those cases of exercises of power where an actor obeys a specific command issued by another. In making the distinction between power and domination Weber put forward two types of solution to the problem of order. Power represents action likely to succeed even against the opposition and resistance of those to whom it is applied. This solution is typically found in warfare and class conflict, but it has the limitation of being unstable as long term source of order. Legitimate domination, by contrast, involves an element of voluntary compliance from those to whom it applied and therefore embraces the issue of meaningful action. Domination can be legitimised in terms of the appeal to the different principles, namely tradition, national legality as embodies in enacted law and charisma (Turnner 1996).

Weber's concept of class, status and party along with his analysis of state and bureaucracy are the centre of his concept of power. Each grouping is focussed around or oriented towards power as an independent point of conflict. Each represents an aspect of and a basis for power. Let us discuss each of them in detail.

Weber's discussion of 'class', 'status' and 'party' are three dimensions of stratification in society, each of which conceptually separate from the others, and specifies that, on an empirical level, each may causally influence each of the others. Weber did not ignore economic sources of power, and considered these to be among the more important sources, especially in capitalism. But, unlike Marx, he claimed that power did not emerge only from economic sources, and he certainly does not restrict power relationships to ownership or non-ownership of the means of production. Power can also emerge from status or party (associations concerned with acquiring power) or can also be pursued for its own sake. Among these different forms of power, there are cross-cutting influences and effects, so that power obtained in one of these spheres may lead to power or a change in situation in another sphere.

For Weber class is an expression of economic order to be more precise it is determined by a persons' market situation. Here a class denotes an aggregate of individuals who share the same class situation. So as per the identification of class situation with the market situation there could be as many class divisions as there are minute gradations of economic position. But similar to Marx, Weber also argues that the ownership versus non-ownership of property is the most important basis of class division in a competitive market. Weber distinguishes two types of classes, positively privileged class who are the property owners and acquisition or commercial class. He also identifies middle class, a group that can be placed between these two. For him property or lack of property is the basis of all class situations. He also distinguished social class which is composed of the plurality of the class statuses between which an interchange of individuals on a personal basis or in the course of generation is readily possible typically observable. For Weber power is associated with property class in terms that they enjoy more status and privilege in the society. The acquisition classes are in a negatively privileged situation

and they are workers of the various principal types. They are less powerful in the society. Social mobility is possible between different classes or strata in the society. But this movement is possible only to a limited extent according to Weber. He says moving into a wider range of position is blocked by power differentials between different classes (Crib 1997).

Box 19.4: Characteristics of Status Groups

Since Weber rejects the notion that economic phenomena directly determine the nature of human ideals, he distinguishes such conceptualisations independent of class interests and hence the distinction of 'status' groups from 'class' groups. By status situation Weber refers to that part of a person's life chances, which are decided by the social esteem in which he/she is held, such esteem might be positive or negative. The status situation of an individual refers to the evaluations which others make of an individual or her/his social position, thus attributing to her/him some form of social prestige or esteem. A status group is number of individuals who share the same status situation. They normally manifest their distinctiveness through following a particular life-style, and through placing restrictions upon the manner in which others may interact with them. It is a system of stratification that may petrify at times into classes though they are clearly differentiated. The status groups are amorphous though they are conscious in and of themselves. Along with the social esteem there occurs a specific lifestyle and restrictions and this becomes the characteristic of particular status group. In Weber's view class distinction and status distinction remained separable in analysis and in fact but they were also linked and they moved across each other in patterned ways.

Weber consider both class and status group membership as basis of social power. But the formation of political party has more influence upon power. For Weber a party refers any voluntary association, which has the aim of securing directive control of an organisation in order to implement certain definite policies within the organisation. Parties are organisations, rather than communities or groups, and they involve striving for a goal in a planned manner. Weber notes that classes are in the economic order, status groups in the social order, and parties in the sphere of power. In some senses, power is not a separate order, in that classes and status groups are concerned with power. The difference between parties on the one hand, and status groups and classes on the other, is in the level of analysis. Parties are organisations, whereas classes and status groups are groupings of people. If status groups or classes become well organised, they may form parties, or their parties may become the organisational wings of the class or status group. Trade unions, professional associations, ethnic organisations, and religious institutions are examples. Parties represent power at the macro level. When it comes to his perception of power at macro level, his concepts of power and domination are closely associated. He distinguishes between these types of domination: charismatic, traditional and legal rational.

In charismatic leadership the basis of power is the charisma of the leader. The term charisma is applied to certain quality of an individual personality by virtue of which he is set apart from ordinary individuals and treated as endowed with supernatural or specifically exceptional powers and qualities. In traditional domination the basis of power is age-old traditions. Patriarchalism is a good example of traditional domination. The basis of power in legal-rational domination is legitimate law.

For Weber all three — class, status and party are sources of power. Thus his view on power is extensive cutting across economy, social and political parameters.

19.9 Parsons on Power

Parsons regards power as something possessed by society as a whole. As such power is a generalised facility or resource in the society. It is the capacity to mobilise the resources of the society for the attainment of goals for which a general public commitment has been made. In this sense the amount of power in society is measured by the degree to which collective goals are realised. Thus, the greater the efficiency of a social system for achieving the goals defined by its members, the more power exists in society. This view is known as a variable sum concept of power (different from Weberian and Marxian constant sum concept of power), since power in society is not seen as fixed as contrast. Instead it is variable in the sense it can increase or decrease (Haralambos 1980, Turner 1996).

Parsons' view of power is developed from his general theory of the nature of society. He believes that order, stability and cooperation in society are based on value concerns, that is a general agreement by members of society concerning what is good and worthwhile. He assumes that this value consensus is essential for the survival of social system. From shared values desire the collective goals, that is goals shared by members of society. For example if materialism is a major value of the Western Industrial society, collective goals such as economic expansion and higher living standards can be seem to stem from this value. The more able Western societies are also to realise these goals, the greater the power that resides in the social system. Steadily rising living standards and economic growth are therefore the indications of an increase of power for the society as a whole.

Parsons' view of power differentials within society also derives from his general theory of social system. He argues since goals are shared by all members of society, power will generally be used in the furtherance of collective goals. Thus, for Parsons, power is an integrative face in social system just as social stratification. Parsons argues that as value consensus is an essential component of all societies, it follows that some form of stratification results from the ranking of individuals in terms of common values. Thus those who perform successfully in terms of society, values will be ranked highly and accorded high prestige and power sicken they exemplify and personify common values. And Parsons, a functionalist, believes that this differential distribution of power and prestige among the different strata of society is just, right and proper since they are basically an expression of shared values.

Parsons views relationship between the social groups in a society as one of cooperation and interdependence rather than conflict and confrontation. Particularly in complex industrial societies different groups specialise in particular activities. As no one group is self sufficient it cannot meet the needs of its members and hence each group enter into interaction with other groups for exchange of goods and services which makes the relationship between different social groups one of reciprocity. This relationship extends top the strata in a stratification system. In individual societies, which exhibit highly specialised division of labour some members will specialise in organisation and planning (those who govern), others will follow their

directions (those who governed). Parsons argues that this inevitably leads to inequality in terms of power and prestige.

Box 19.5: Power and Prestige

Parsons argues that inequalities of power are based on shared values. Power is legitimate authority in that members of society as a whole generally accept it as just and proper. It is accepted as such because there are positions of authority use their power to pursue collective goals, which derive from society's central values. Parsons views power and prestige differentials associated with social stratification is both inevitable and functional for the society. It is inevitable because it derives from shared values, which are necessary part of all social systems. It is functional because it serves to integrate various social groups.

Parsons' later work on power involved a conscious modification of his previous views (Giddens 1995). In his later works criticising C.W. Mills' power theory Parsons viewed power as generated by social system in much the same as wealth was generated in this productive organisation economy. The parallels, which Parsons developed between power and money, were based upon the supposition that each had similar role in the two of the four functional subsystems of the social systems evolved by Parsons.

Power for Parsons is a direct derivative of authority; authority for him is institutionalized legitimation which underlay power and was defined as the institutionalisation of the rights of leaders to expect support from the members of the collectivity (Parsons 1960). By speaking of binding obligation, Parsons deliberately brought legitimation into the very definition of power, so that for him there was no such thing as illegitimate power (Giddens 1995).

Reflection and Action 19.5

Outline the Parsonian view of state and power.

Parsons stressed that the use of power is only one among several different ways in which one party might secure the compliance of another to a desired course of action. Parsons says compliance can be secured by applying positive (rewards) or negative (coercion) sanction. But in most cases when power was being used, there was no overt sanction (either positive or negative) employed. Parsons argues it was particularly necessary to stress that possession and use of power should not be identified directly with the use of force.

19.10 Other Theoretical Models on State and Power

The state and power, both concepts essentially are contested concepts. There are a number of sociological theories/models of state and power each offering different accounts of its origin, development and impact. Liberal theory, plural theory, elite theory, neo-Marxist and anarchist theory are some of the theories explained here in brief.

The liberal theory of state dates back to the writings of the social contract theorists such as Hobbes and Locke. These thinkers argued that the society had risen out of voluntary agreement, or a social contract, made by individuals who recoganised that only the establishment of a sovereign power could safeguard them from the insecurity, disorder or brutality of the 'state of nature'. Here the state is a neutral arbiter amongst competing groups and

individuals in society capable of protecting each citizen from the encroachment of his or her fellow citizens. The state is therefore a neutral entity, acting in the interests of all and representing what can be called the 'common good' or 'public interest'.

The liberal theory has been elaborated by modern writers into a pluralist theory of state. Pluralist theory argues that political power is dispersed amongst a wide variety of social groups rather than an elite of ruling class. It is decentralised, widely shared, diffused and fragmented deriving from many sources. Arnold Rose, Peter Bentley, Robert Dahl, Talcott Parsons, Neil Smelser are some of the key pluralist theorists. Robert Dahl, an advocate of this theory who termed rule by many as 'polyarchy'. According to pluralist perspective competition between two or more political parties is an essential feature of representative government. According to pluralists interest groups and pressure groups representing various interests play a major role in affecting the decision making process of state. Pluralists believe that a rough equality exists amongst organised groups and interests in that each enjoys some measure of access to government and government is prepared to listen impartially to all. They claim that competition for office between political parties provides the electorate with an opportunity to select its leaders and a means of influencing government policy. Pluralist theory explains the origin of liberal democratic state. For pluralists, state represents institutionalised power, an authority and it is in the supreme guardian of representative democracy in the modern society. The primary task of state is to balance interests of a multitude of competing groups, represents interests of society as a whole and coordinating other major institutions. They view the state itself as a set of competing and conflicting institutions rather than a monolithic entity which exerts its power over the rest of the society (Smith 1995). They argue that power exists only in situations of observable conflict and that people's interests are simply what these overt preferences reveal.

An alternative neo-pluralist theory of the state has been developed by writers such as J.K. Galbraith and Charles Lindblom. They argue that the modern industrial state is both more complex and less responsive to popular pressures than the classical pluralist model suggests. According to them meaning of democracy is changed from one of direct popular rule to that of competition between and within elites to control the states. They argue the elites are not single integrated group but multiple centres of political power. Neo-pluralists see elites, especially corporate elites as having a greater degree of influence than other groups on government/state policy and it may constrain the effective influence of other interest groups.

The elite theory of state argues that all societies are divided into two main groups the ruling and the ruled. The classical elite theorists such as Vilfredo Pareto, Gaetano Mosca and Robert Michels argued that the political power always lies in the hands of a small elite and the egalitarian ideas such as socialism (Marxist theory) and democracy (pluralist theory) are a myth. Elite theorists are concerned with the question of how and why it is that a minority always rule over the majority, a fact which see as inevitable in any society. According to them societal power is concentrated in elite groups who control resources of key social institutions and regardless of how democratic a society may be elites hold the bulk of power, use all or any means of power and power becomes end in itself.

Pareto places particular emphasis on psychological characteristics as the basis

of elite rule. He argues there are two main types of governing elite, which he calls 'lions' and 'foxes'. Lions achieve power because of their ability to take direct and decisive action and they tend to rule by force. Military dictatorship provides an example of this type of governing elite whereas foxes rule by cunning and guile, by diplomatic manipulation and wheel dealing.

Major change in society occurs when one elite replaces another a process, which Pareto calls circulation of elites and he believes history is a never-ending circulation elites. For him state is a tool in the hands of the ruling elite. He saw modern democracies as merely another form of elite domination.

Box 19.6: Rule by a Minority

Gaetano Mosca believed that rule by a minority is an inevitable feature of social life. He claims that in all societies two classes of people appear a class that rule and a class that ruled. The first class, always the less numerous, performs all political functions and monopolises power and the advantages that power brings, whereas the second, the more numerous class is directed and controlled by the first. He viewed that there are important differences between democracies and other forms of rule. By comparison with close systems such as caste and feudal societies the ruling elite in democratic societies is open. There is, therefore, a great possibility of an elite drawn from a wide range of social background. As a result the interest of various social groups may be represented in the decisions taken by the elites. The majority may therefore have some control over the government of society.

C.Wright Mills explains elite rule in institutional terms. He argues in his sociological model of power, "the Power Elite" that the structure of institutions is such that the top of the institutional hierarchy largely monopolises power. According to him the American politics was dominated by big business and the military, commonly referred to as the military industrial complex, dictate the government policy. He claimed that the picture of the United States of America as a democratic pluralist society, characterised by decentralised decision-making and the separation of powers, was false. Beneath the cover of constitutionality there was in reality a unified class or power elite which could always get its way on important decisions. The personnel of this elite were drawn from three interlocking elements in American society; business, politics and military. Michels took the concentration of power in the hands of an elite to be a necessary outcome of complex organisations. His famous 'iron law of oligarchy' states that, in modern societies, parties need to be highly organised and so inevitably become oligarchic, being hierarchically run by party leaders and bureaucracy such that the bulk of members are excluded from decision-making (Michels 1962).

The classical Marxists stressed the coercive role of the state. But neo-Marxists took account of the apparent legitimacy of the bourgeoisie state particularly in the light of the achievement of universal suffrage and the development of the welfare state. Antonio Gramsci and Louis Althusser influences post-Marxism to a great extend. According to Antonio Gramsci, in the modern conditions it is the political party, which forms the state. He was an advocate of arbiter theory of state. He emphasised that the degree to which the domination of the ruling class is achieved not only by open coercion but is also elicited by consent. He argued that the ideological and political superstructures are relatively autonomous of the superstructure. He

believed that bourgeoisie had established hegemony, ideological leadership or domination, over the proletariat and insisted that the state played an important role in this process. By hegemony, a key term propounded by Gramsci, he meant the way in which the dominant class gains consent for its rule through compromises and alliances with some class fractions and the disorganisation of others, and also the way in which it maintains that rule is a stable social formation. According to him hegemony is gained in the first place in civil society where ideology is embodied in communal forms of life in such a way that it becomes the taken for granted common sense of the people. For him all relations of civil society involve issues of power and struggle, not just class relations. The French Marxist Louis Althusser gives a functionalist interpretation to the Marxian conception of state. Although he viewed the state as relatively autonomous of the economic base, for him the state is fully implicated in the logic of capitalism where it functions to reproduce the mode of production. He adds, since the capitalist mode of production requires the state to reproduce its conditions of existence, there is a reciprocal determination between the economic and political levels (Althusser 1971).

Reflection and Action 19.6

Examine how pluralists and elitists differ in their deliberations on state and power.

Although the neo-Marxist theory echoes liberalism in seeing the state as an arbiter is nevertheless emphasises the class character of the modern state by pointing out that it operates in the long term interests of capitalism and therefore perpetuate a system of unequal class power.

Anarchists condemned the state power and they believed that the state and all forms of political authority are both evil and unnecessary. They view the state as a concentrated form of oppression; it reflects nothing more than the desire of those in power often loosely referred to as a ruling class, to subordinate others for their own benefits.

19.11 Conclusion

This unit familiarised the conceptualisation of state and power as done by Karl Marx and Max Weber and other thinkers. Marx has explained the concepts of state and power on the basis of dialectical materialism and the antagonism of classes. Economic activities like modes of production, means of production and distribution formed the core idea of Marx for explaining state and power. Marx emphasised the role of economic power and he argued those who control the economic power do command the super structures of the society. Weber defined state as a human community that claims legitimate use of physical force within a given territory. He explained how the state acquired legitimacy to use power. He gave primacy to bureaucracy for deciding the affairs of the state and stressed rationalisation for the legitimate use of authority within the state. Weber closely linked power with legitimacy. To him class status and party are three dimensions of stratification in society. Unlike Marx, Weber did not give much emphasis to economic phenomena. He distinguishes between charismatic, traditional and legal rational types of domination.

The unit also briefly look into how the concepts state and power are deliberated in functionalist and other theoretical models such as liberal, pluralist, neo Marxist and elitist.

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Unit 20
Citizenship

Contents

Learning Objectives

After reading this unit you would be able to

≈ define global and dual citizenship

≈ outline the rights and duties as a citizen

≈ describe the nation of civil liberty

20.1 Introduction

Citizenship is one of the most commonly used terms in a democracy. It is used at all levels of politics; in formal legal documents, in laws, in constitutions, in party manifestoes and in speeches. But what is citizenship? Or, who is a citizen? A citizen is not anyone who lives in a nation-state. Among those who live in a nation-state, there are citizens and aliens. A citizen is not just an inhabitant. He or she does not merely live in the territory of a state. A citizen is one who participates in the process of government. In a democratic society, there must be a two-way traffic between the citizens and the government. All governments demand certain duties from the citizens. But, in return, the state must also admit some demands of the citizens on itself. These are called rights. A citizen must have political rights. A person who is ruled by laws but who has no political rights is not a citizen.

It is not possible to have citizens under all types of governments. Governments, which are not democratic, cannot, strictly speaking, have citizens. They have only rulers and subjects. In governments which are not democratic, people who live in the country often have only obligations towards the state and no rights. The government expects them to perform their duties, to pay taxes, to obey laws, to do whatever else the government wants of them. But they cannot question their rulers or ask them to explain their actions. Politics in these societies is like a one-way traffic. The government tells the people what to do and what not to, but does not

listen to them. Only the rulers have rights. The ruled or the subjects have duties laid down for them by the governors. Such undemocratic governments have been much more common than democratic ones. Feudal states were terribly undemocratic. There have been thoroughly undemocratic states in modern times, too. Nazi Germany or Fascist Italy are examples of the most brutal authoritarian state. So were the most colonial states. Democratic governments are not necessarily associated with the advanced industrial societies of the West. The British were reputed for their democratic system of governance. But they maintained the worst autocratic governments in their colonies. France is a democratic country, but fought a savage colonial war in Algeria. Most colonial states practiced democracy at home but authoritarianism abroad. Industrial societies like Germany and Italy produced most brutal fascist governments during inter war period. Historically, the term citizenship was linked with the rise of democracy. The demand for democratic government came up first in the western societies like England, France, and the United States of America.

Democracy means that everybody should have political rights. When one has political rights, the right to vote, the right to participate in deciding about important questions facing one's society, one is a citizen. Universal suffrage is a recent phenomenon. The ideas of democracy made people fight for their rights. Many of the ideas which democracy is made up were accepted after the great revolutions. For instance, after the revolution France became a republic. All citizens were made equal and had the same rights. The revolutionaries published a declaration of the rights of man. This became a symbol of democratic revolutions in Europe. Initially, very few people had the right to vote, or stand for election. But people fought for the universal adult franchise. Finally, universal adult suffrage was accepted and everybody came to have the right to vote.

The word citizen was made popular by the French Revolution in 1789. Later on, this word was used whenever democratic governments were constituted. At present it is common usage to treat people in democratic societies as citizens. It means, above all, that in relation to his government, the individual is active, not simply passive. He does not only obey and listen to what the government says. The government must also listen to him in turn. He has the right to express his views freely, to be consulted and to be involved in the politics of his country. The citizen does not only enjoy rights. He also has some duties towards his country, society and fellow citizens. A citizen is a person who enjoys rights that the constitution provides; and enjoyment of rights also imposes some duties upon him. A good citizen is one who is conscious of his rights and duties.

One essential thing for a democratic state is that citizens must participate in the governing process. The quality of democracy improves if citizens from all walks of life can participate in its activities and if they take interest in the basic processes of making important decisions for their society. Democracy implies that the decisions affecting the whole society should be taken as far as possible by the whole society. Participation of ordinary citizens makes the government more responsive, and the citizens more responsible. Citizens' participation is the basis of responsible, limited and constitutional government.

> **Box 20.1: Idea of Citizenship**
>
> The idea of citizenship means that not only the government has some claims on the citizen, the citizen too has some claims on the government. A government is an association like many others in society. But it is an association of a special kind, an association that one simply cannot escape or be indifferent about. Democrats rightly feel that since the government control the people, it is good that people must have some kind of control over the government. The best government is one in which the largest number of people participate in making decisions for the whole society. This participation of ordinary people is precisely what is called citizenship. The idea of citizenship is closely linked to participation of people in government. This is how the ideas of democracy and citizenship are linked to each other.

20.2 Historical Perspective

In modern times, three major issues have dominated the world. First, the place of the church and various religions within the nation-state. Second the admission of the lower strata, particularly the workers, to full political and economic 'citizenship' through universal suffrage and the right to bargain collectively. And third, the struggle for the equitable distribution of the national income among the people.

The place of the church in society was fought through and resolved in most of the nations in the 18th and 19th centuries. The citizenship issue has also been resolved in various ways. The United States and Britain gave the workers suffrage in the 19th century. In countries like Sweden, which resisted until the first part of the 20th century, the struggle for citizenship became combined with socialism as a political movement, thereby producing a revolutionary socialism. In other words, where the workers were denied both economic and political rights, their struggle for redistribution of income and status was superimposed on a revolutionary ideology. Where the economic and status struggle developed outside of this context, the ideology with which it was linked tended to be that of gradualist reform. The workers in Prussia, for example, were denied free and equal suffrage until the revolution of 1918 and thereby clung to revolutionary Marxism. In southern Germany, where full citizenship rights were granted in the late 19th century, reformist, democratic, and non-revolutionary socialism was dominant. In France, the workers won the suffrage but were refused basic economic rights until after World War II. The workers have won their fight for full citizenship in the Western nation-states.

Representatives of the lower strata are now part of the governing groups. The basic political issue of the industrial revolution, the incorporation of the workers into the legitimate body politic, has been settled. The key domestic issue today is collective bargaining over differences in the division of the total product within the framework of a welfare state.

In the newly independent nations of Asia and Africa the situation is somewhat different from the Western nation-state. In Western nations the workers were faced with the problem of winning citizenship from the dominant aristocratic and business strata. In Asia and Africa the long-term presence of colonial rulers has identified conservative ideology and the more well to do classes with subservience to colonialism, while leftist ideologies have been

identified with nationalism. The trade unions and workers' parties of Asia and Africa have been a legitimate part of the political process from the beginning of the democratic system.

20.3 Definition

Since antiquity, citizenship has been defined as the legal status of membership in a political community. Under Roman jurisprudence, citizenship came to mean someone free to act by law, free to ask and expect the law's protection. This legal status signified a special attachment between the individual and the political community. In general, it entitled the citizenship to whatever prerogatives and responsibilities that were attached to membership. With the creation of the modern state, citizenship came to signify certain equality with regard to the rights and duties of membership in the community. The modern state began to administer citizenship; it determines who gets citizenship, what the associated benefits are, and what rights and privileges it entails. As a legal status, citizenship has come to imply a unique, reciprocal, and unmediated relationship between the individual and the political community. Citizenship, in short, is nothing less than the right to have rights.

Complete participation of the members in the activities of a territorial state is citizenship. The term implies a universal basis: either all adults or some general category of them, for instance males or property holders, are citizens. It is a predominantly western concept, originating in Greece and Rome, current in small city-states in medieval Europe, then expanding enormously in capitalist societies of the 19th and 20th centuries.

Given a central place by the British sociologist T.H. Marshall in *Citizenship and Social Class*, an analysis of the development of class conflict in modern states, which is a combination of Marxian and Weberian insights. Capitalism increased the pervasiveness of class conflict in modern societies; citizenship in the territorial state represented not its elimination, but its institutionalisation, and the conversion of national into nation-states. In Britain this occurred in three stages. (1) In the 18th century, civil citizenship: equality before the law, personal liberty, freedom of speech, thought and religion, the right to own property and make contracts. (2) In the 19th century, political citizenship: electoral and office-holding rights. (3) In the 20th century, social citizenship: a basic level of economic and social welfare, the welfare state, and full participation in national culture. Subsequent research has supported the general applicability of the model to advanced capitalist nation-states, though with many particular qualifications. Bendix in *Nation-Building and Citizenship* attempted to apply the model to third world countries.

In political and legal theory, citizenship refers to the rights and duties of the members of a nation-state or city. In some historical contexts, a citizen was any member of a city; that is an urban collectivity, which was relatively immune from the demands of a monarch or state. In classical Greece, citizenship was limited to free men, who had a right to participate in political debate because they contributed, often through military service, to the direct support of the city-state. Historians argue that citizenship has thus expanded with democratisation to include a wider definition of the citizen regardless of sex, age, or ethnicity. The concept was revived in the context of the modern state, notably during the French and American Revolutions, and gradually identified more with rights than obligations. In modern times

citizenship refers conventionally to the various organisations which institutionalise these rights in the welfare state.

In sociology, recent theories of citizenship have drawn their inspiration from T.H. Marshall, who defined citizenship as a status, which is enjoyed by a person who is a full member of a community. Citizenship has three components: civil, political, and social. Civil rights are necessary for individual freedoms and are institutionalised in the law courts. Political citizenship guarantees the right to participate in the exercise of political power in the community, either by voting, or by holding political office. Social citizenship is the right to participate in an appropriate standard of living; this right is embodied in the welfare and educational systems of modern societies. The important feature of Marshall's theory was his view that there was a permanent tension or contradiction between the principles of citizenship and the operation of the capitalist market. Capitalism inevitably involves inequalities between social classes, while citizenship involves some redistribution of resources, because of rights, which are shared equally by all.

Marshall's theory has given rise to many disputes. Critics argue that it is a description of the English experience only, and it is not a comparative analysis of citizenship. It has an evolutionary and teleological view of the inevitable expansion of citizenship, and does not examine social processes, which undermine citizenship. It does not address gender differences in the experience of citizenship. It fails to address other types of citizenship, such as economic citizenship; and it is not clear about the causes of the expansion of citizenship. Some sociologists believe that Marshall's argument can be rescued from these criticisms if the original theory is modified.

There are very different traditions of citizenship in different societies. Active citizenship, which is based on the achievement of rights through social struggle, is very different from passive citizenship, which is handed down from above by the state. There are also very different theoretical approaches to understanding the structure of the public and private realm in conceptions of citizenship. For some sociologists, such as Talcott Parsons, the growth of citizenship is a measure of the modernisation of society because it is based on values of universalism and achievement. These different theoretical traditions are primarily the product of two opposite views of citizenship. It is either viewed as an aspect of bourgeois liberalism, in which case it involves a conservative view of social participation, or it is treated as a feature of radical democratic politics. It is either dismissed as a mere reform of capitalism, or it is regarded as a fundamental plank of democracy. Recently, sociologists have gone beyond these traditional theories of democracy, liberalism, and civil society, to ask questions about the changing relationships between individuals, communities, and states, in a world in which the nation-state is increasingly subject to influences from supranational institutions. Will globalisation replace state citizenship with a truly universal conception of human rights?

20.4 Global Citizenship

Citizenship is an obsolete concept since its cause, the nation state, itself has become obsolete. In a globalised world where technology and trade are creating transnational communities, global citizenship is the beginning of a process that will obliterate boxed identities defined by blood and soil. This

will not just expand our consciousness as citizens of the world but also help us tide over tensions that have been the product of ethnic and national histories. Nation states have the tendency to influence the course of history by imposing it on feuds and rivalries from the past. These impulses of history have been responsible for large-scale bloodshed. The holocaust was a result of the Nazi quest for a racially pure national identity. Similar state-sponsored mass murders have occurred in the Balkans and Africa in the twentieth century. The long standing wars and border disputes all over the world— Palestine, Kashmir, Rwanda, Chechnya— are all a result of our inability to traverse the faultlines of regionalism, religion and ethnicity. Citizenship has been the passport to partake in this dance macabre of violence. It does not offer one the choice of identity but imposes an identity that brings with it a history of prejudice and violence. Any measure that attempts to dilute the influence of a narrow, national identity is welcome.

> **Box 20.2: The Information Age**
>
> Marshall McLuhan predicted the global village in the 1960's. That is now a reality. As sociologists like Manuel Castells argue, we are in the information age. Aided by the flow of people and capital, new social networks are emerging. These seek to imagine a world without borders. Such a world is obviously too cosmopolitan to entertain constricted visions of nationalism. What is needed today is the option to explore multiple identities without creating a hierarchy of them. Global citizenship endorses this view. It allows people to be stakeholders in the future of more than one country and culture. It takes us closer to the Upanishadic vision of *vasudaiva kutumbakam* (entire world is a one family).

20.5 Dual Citizenship

Assimilation of a migrant community into their adoptive society is not about giving up your own ethnic or cultural identity. Assimilation is all about making your host country more comfortable with you, and you with it, to the mutual benefit of both. The concept of dual citizenship is an anachronism in today's globalised world. It is contrary to the process of assimilation of the migrant community into the host society. Those aspiring for it show a parochial mindset. Such a mindset stands in the way of merging with the mainstream and results in social and cultural ghettoisation. More importantly, it is something that is likely to be resented by the locals of the adoptive country and could lead to a backlash.

Dual citizenship is also likely to cause heartburn among the local residents, who might feel that the migrants are being rewarded for having deserted the homeland for greener pastures. In the context of India, the dual citizenship gives the emigrant Indian the unfair advantage of having his cake and eating it too. Indians who migrate should accept all that goes with migration. Especially those who left India after independence and who are the main beneficiaries of the dual citizenship scheme of the Government of India. Unlike indentured labourers, they were not forced to migrate. They were well-educated, well-off professionals who chose to go elsewhere because it was more comfortable and lucrative. Why then should they continue to seek a foothold in their country of origin? If it is the business in which they are interested in, then why can not they trade and invest like other foreigners? The truth is, dual citizenship is all about material benefit and convenience. It confers the right and ability to non-resident Indians to travel, study, work,

and buy property anywhere in India. There is no emotional attachment to homeland in it.

20.6 State and the Citizen

The state is an important political organisation that exists within society. However, it is not the only social organisation. There are many other organisations which exist in society, e.g., family, religious, cultural economic and other organisations. All these organisations are established for the achievement of some consciously defined objectives and thus limited purposes. So, the purposes for which the state stands are not all the purposes which man seeks in society. All the organisations pursue their goals in different ways. The state pursues its objectives mainly through law and the coercive force behind it. But that is only one of the ways in which men strive to achieve their desired ends. There is no doubt, however, that the state plays a exceedingly important and increasingly decisive role in the lives of the individuals.

One of the reasons for its pervasive impact is its universality. All the people in a territorial society come under the jurisdiction of the state. In their relationship with the state, they are known as citizens. Another reason for the predominant role of the state in the lives of the citizens is the expanding scope of its activities. Still another reason is the use of coercive force, which only the state can employ in the pursuit of its objectives. The police and defence forces are coercive structures of the state. Another is bureaucracy, a well organised army of government officials who in their dealings with citizens, stand as organs of authority.

Because of its universality, the state's dealings with the citizens become peculiarly impersonal; as expressed in the bureaucracy. Since the state includes all men, its prescriptions apply to all men without the many actual distinctions of value-systems and separate interests. The same law applies to all. So, whatever policies a government may pursue, there would be many citizens and groups of citizens who would be opposed to the existing laws and policies because they believe that a particular law or a particular policy does not serve their interests but those of others.

Sometimes a law may compel a person to do what his conscience forbids him to do and vice versa. And because the law is enforced by coercive power, the citizen may carry the impression that the state or government is an external force denying them the freedom and liberty which they value. There may be issues of morality, private sentiments, high social values or interests of mankind as a whole coming in conflict with the prescriptions of the state. When the state extends its sphere of activity to hitherto excluded areas of social life, this may be regarded as an expropriating attempt by the state and, therefore, resented and opposed. Thus the issues of relationship between the state and the citizen have been matters of genuine concern and endless controversy.

Reflection and Action 20.1

Distinguish between State and Citizens. In what way is each the reflection of the other?

20.7 Nation-State and the Citizenship

Of late, assertion of ethno-religious identities has emerged as a dominant global reality. This has, in turn, questioned the basic premises of the nation-state, which was conceived as the most authentic expression of group life and all encompassing political community. The strong faith reposed in the idea of nation-state and citizenship as means of striking equality, protecting liberty and promoting fraternity among the people of diverse socio-economic groups stands shattered. The neutrality of the state and disjunction between ethnicity and state is under question. The basic assumptions of the hyphenated concept of nation-state are contested by the emergent global reality of ethno-national movements, assertion of minorities for their identity and rights, and a strong politics of identity and politics of representation. Now minority and disadvantaged groups are demanding their space in the structure of governance. Autonomy and self-governing rights are major agenda of the new social movements across the world. This has resulted into compounding ethnic conflicts in different parts of the world.

Nation-state is Euro-centric construct, and in many situations and conditions state has been conflated with nation in their conceptualisation. The conflation of state and nation has given rise to many wrong policies of the state towards its ethnic groups and minorities. The occurrences of ethnic violence are not unconnected with the approach of the state towards different ethnic groups. This is not confined only to the case of the developing world which have attempted to emulate the model of the West for building their own structure of state and society but also in the developed world of the West which have been regarded as the citadels of the idea of nation-state. The politics of identity and ethnicity has emerged very forceful. The concept of nation and state has been the part of the grand narratives of modernity. Consequently, the project of nation and state building in third world countries has not been congruent with the European experience, for the societies in these countries have been traditional and diverse. Multiple allegiances have not been co-terminus with the loyalties to the nation-state of the western construct.

Language and territory are the main basis of nation formation. There are strong tendencies to conflate state to nation and state building as the nation building. This conflation has given rise to multiple and compounded problem of programmes and policies of the state towards the ethnic groups. Religion cannot provide authentic basis of nation formation and national identity. Therefore, any effort to espouse nationalism by invoking religious exclusivity is not only alienating but also exclusionary. Any such effort in the past has not succeeded and it is bound to fail in the future also.

20.8 Rights and Duties of the Citizenship

Harold J. Laski asserts that every state is known by the rights that it maintains. The state is not merely a sovereign organisation which is entitled to the citizen's allegiance and which has the power to get its will obeyed. The citizen owes, and normally renders allegiance to the state and carries out its commands. However, the citizen does not render allegiance and obedience to the state merely for their own sake. On the contrary, he does so because of his conviction that the state exists and functions for the achievement of common welfare, which includes his own welfare. The citizen has his obligations to the state. At the same time, the state has an obligation

towards the citizen, namely, the obligation to provide and maintain those conditions and opportunities, which facilitates the fullest development of his physical, mental and moral faculties. The citizen is entitled to these conditions and opportunities. In other words, they are his rights.

Rights are closely related to duties. Rights imply duties. Rights and duties are two aspects of the same coin. Rights represent a man's 'claims' on society while duties indicate what he owes to society so as to be able to enjoy his rights. Thus, while society guarantees security and well being to the citizen, the citizen owes to society the duty to make his contribution to the security and well being of the community as a whole. In other words, the citizen owes to society as much as he claims from it. His rights are not independent of society. He cannot act unsocially. There is a twofold relationship between rights and duties. In the first place, every right implies a corresponding duty. A right belonging to one individual imposes on others the duty to respect his right. His right, therefore, is their duty. In the second place, a right is not only a means to the individual's self-development, it is also a means to the promotion of general welfare. Every right of a citizen is accompanied by the duty that he should use it for the common good. Rights, valuable and indispensable as they are, are not absolute or unlimited. Rights and duties are correlative. As a citizen, man owes some obligations and duties to his fellow citizens and to society is universally recognised. As in the case of rights, the obligations of citizenship are also equally applicable to all alike.

20.9 Civil Society

The term 'civil society' was used by writers such as Locke and Rousseau to describe civil government as differentiated from natural society or the state of nature. The Marxist concept derives from Hegel. In Hegel, civil or bourgeois society, as the realm of individuals who have left the unity of the family to enter into economic competition, is contrasted with the state, or political society. For Hegel it is only through the state that the universal interest can prevail, since he disagrees with Locke, Rousseau or Adam Smith that there is any innate rationality in civil society, which will lead to the general good. Marx uses the concept of civil society in his critique of Hegel. Marx uses civil society in his early writing as a yardstick of the change from feudal to bourgeois society. Civil society arose, Marx insists, from the destruction of medieval society. Previously individuals were part of many different societies, such as guilds or estates each of which had a political role, so that there was no separate civil realm. As these partial societies broke down, civil society arose in which the individual became all-important. The old bonds of privilege were replaced by the selfish needs of atomistic individuals separated from each other and from the community. The only links between them are provided by the law, which is not the product of their will and does not conform to their nature but dominates human relationships because of the threat of punishment. The fragmented, conflictual nature of civil society with its property relations necessitates a type of politics, which does not reflect this conflict but is abstracted and removed from it. The modern state is made necessary and at the same time limited by the characteristics of civil society. The fragmentation and misery of civil society escape the control of the state, which is limited to formal, negative activities and is rendered impotent by the conflict, which is the essence of economic life. The political identity of individuals as citizens in modern society is severed from their

civil identity and from their function in the productive sphere as tradesman, day-labourer, or landowner.

> **Box 20.3: Ideal of the State**
>
> In Marx's analysis two divisions grow up simultaneously, between individuals enclosed in their privacy, and between the public and private domains, or between state and society. Marx contrasts the idealism of universal interests as represented by the modern state and the abstractness of the concept of a citizen who is moral because he goes beyond his narrow interest, with the materialism of the real, sensuous man in civil society. The irony according to Marx is that in modern society the most universal, moral, social purposes as embodied in the ideal of the state are at the service of human beings in a partial, depraved state of individual egotistical desires, of economic necessity. It is in this sense that the essence of the modern state is to be found in the characteristics of civil society, in economic relations. For the conflict of civil society to be truly superseded and for the full potential of human beings to be realised, both civil society and its product, political society, must be abolished, necessitating a social as well as a political revolution to liberate mankind.

Although Gramsci continues to use the term to refer to the private or non-state sphere, including the economy, his picture of civil society is very different from that of Marx. It is not simply a sphere of individual needs but of organisations, and has the potential of rational self-regulation and freedom. Gramsci insists on its complex organisation, as the 'ensemble of organisms commonly called 'private' where 'hegemony' and 'spontaneous consent' are organised. He argues that any distinction between civil society and the state is only methodological, since even a policy of non-intervention like laissez-faire is established by the state itself. The metaphors he uses to describe the precise relationship between the state and civil society vary. A fully developed civil society is presented as a trench system able to resist the incursions of economic crises and to protect the state. Whereas Marx insists on the separation between the state and civil society, Gramsci emphasises the inter-relationship between the two. The state narrowly conceived as government is protected by hegemony organised in civil society while the coercive state apparatus fortifies the hegemony of the dominant class. Yet the state also has an ethical function as it tries to educate public opinion and to influence the economic sphere. In turn, the very concept of law must be extended, Gramsci suggests, since elements of custom and habit can exert a collective pressure to conform in civil society without coercion or sanctions.

In any actual society the lines of demarcation between civil society and the state may be blurred, but Gramsci argues against any attempt to equate or identify the two. And while he accepts a role for the state in developing civil society, he warns against perpetuating statolatry or state worship. Gramsci redefines the withering away of the state in terms of a full development of the self-regulating attributes of civil society. In Marx's writings civil society is portrayed as the terrain of individual egotism. Gramsci refers to Hegel's discussion of the estates and corporations as organising elements, which represent corporate interests in a collective way in civil society, and the role of the bureaucracy and the legal system in regulating civil society and connecting it to the state.

A reading of the concept of civil society in both Marxist and non-Marxist thinkers leads to an examination of the concept of politics itself. It involves the relationship between individuals, and between individuals and the community, a view of society as organised or not, the delineation of public and private.

Reflection and Action 20.2

Distinguish between multiculturalism and pluralism in social culture.

20.10 Multiculturalism and the Citizenship

The problem of multicultural accommodation is high on the global political agenda. Accommodation refers to a wide range of state measures designed to facilitate identity groups' practices and norms. Due to the anti-ancient regime legacy of standard conceptions of citizenship, individual rights generally are prioritized over assertions of legal entitlements based on sub-national group affiliation. Thus liberal, civic-republican, and ethno-cultural models of membership all share in common a basic mistrust of 'identity groups' as a relevant component of citizenship theory. The term 'identity groups' here refers to a range of cultural, religious, or ethnic groups that are recognisable by virtue of their nomos. 'Identity groups' are distinguishable by a unique history and collective memory; a distinct culture or set of social norms, customs, and traditions; or perhaps an experience of maltreatment by mainstream society.

Proponents of a multicultural understanding of citizenship are concerned with the power of the state and dominant social groups to erode identity groups. This concern derives from a philosophical position that stresses the role of culture in constituting a person's understanding of who they are, of their fundamental defining characteristics as a human being. Charles Taylor in his famous essay *The Politics of Recognition,* argues that we form our identities and our conceptions of ourselves as free and equal agents through a dialogical process, using certain given cultural scripts. Culture, under this view, is not just something that we use to understand and evaluate the world; it also is a fundamental part of us.

Membership in an identity group combined with active participation in its cultural expressions as distinct from mere blood ties can provide individuals with an intelligible context of choice and a secure sense of identity and belonging. This emphasis on the links among culture, identity, and group membership stands at the core of the quest for a new multicultural understanding of citizenship. Under this new understanding, persons stand forth with their differences acknowledged and respected, and they participate in the public sphere without shedding their distinct identities. This approach departs from blindness to difference ideal and aims to carve out a philosophical and legal rationale for recognising identity groups as deserving of special or differentiated rights. The multicultural understanding of citizenship therefore departs from the perception of all citizens as individuals who are merely members of a larger political community. Instead it views them as having equal rights as individuals while simultaneously meriting differentiated rights as members of identity groups. Hence in legal terms, the move toward a multicultural citizenship model raises potential conflicts among three components: the identity group, the state, and the individual.

20.11 Conclusion

In this unit, we have discussed the various aspect of citizenship. The concept of citizenship has been defined in the legal and historical perspectives. Its evolution has been delineated from Greek city-states to modern nation-state. Earlier it was a rare privilege of few, now it is the legal political rights of every human being residing in a territory called state. Citizenship refers to the relationship between individuals and the state. Citizenship confers certain legal and political rights and it is the duty of state to enforce and protect these rights. Not only states, citizens also have certain duties towards their fellow being, society, and the state. The concept of citizenship is closely linked to the concept of democracy. In non-democratic societies we have subjects but no citizens. Citizenship means active participation of the people in the decision-making, and the process of governance.

With the emergence of globalisation, the concept of nation-state has become obsolete and with it the concept of citizenship has also lost its sheen. Now, in place of state citizenship, there is talk of global citizenship. Upanishadic vision of *vasudhaiva kutumbkam* is on the verge of realisation. There is also greater demand for dual citizenship in view of large-scale migration of population from one country to another. India has recently granted dual citizenship to people of Indian origin living in some countries.

Modern society has been described as civil or bourgeois society by Marxist and non-Marxist thinkers. Civil society refers to the realm of private sphere of an individual. The economic competition and the independence of the individual characterise civil society. Unity of the family and other medieval associations is absent in the civil society. Civil society has emerged from the destruction of medieval society. For non-Marxist thinkers, it is a rational system, which ensures the social welfare. Marxist thinkers, however, don't agree with this thesis.

Contemporary society is a multicultural society characterised by the diverse cultural, ethnic, religious, and linguistic groups. Multiculturalism aims at accommodating diverse identity groups into a homogeneous society, without eroding their distinct identity. Multiculturalism promotes unity in diversity and is opposed to assimilation of distinct identity groups. There exists a link among culture, identity, and group membership. This is at the core of the quest for a new multicultural understanding of citizenship.

20.12 Further Reading

T. H. Marshall, *Citizenship and Social Class* (1950)

R. Bendix, *Nation-Building and Citizenship* (1964)

Jack Barbalet, *Citizenship* (1988)

Bryan S. Turner (ed.), *Citizenship and Social Theory* (1993)

M. Bulmer and A.M. Rees (eds.), *Citizenship Today: The Contemporary Relevance of T.H. Marshall* (1996)

Charles Taylor, "The Politics of Recognition", in Amy Gutmann ed., *Multiculturalism: Examining the Politics of Recognition* (1994)

Unit 21
Civil Society and Democracy

Contents

Learning Objectives

After you have read this unity you will be able to

- explain what is civil society

- outline the relationship between civil society and democracy

- democractise of danger of civil society

21.1   Introduction

In the recent years the concept like 'civil society' and concern for democracy has gained much of the space in academic discussions, debates and writings around the world. In the world of ideas, civil society is hot. It is almost impossible to read an article on foreign or domestic policy without coming across some mention of the concept. Though the terminology 'civil society' and 'democracy' is as old as the social science is yet they have undergone radical change in its meaning and essence. For our understanding of the concepts, it would be desirable to have a look at the historical perspectives of these concepts, where different intellectuals have placed their thoughts in these directions.

21.2   Civil Society: A Retrospection

The rise in popularity of civil society was largely due to the struggles against tyranny waged by resistance groups in Latin America, Africa and the former communist world. The period of 1980s and 1990s witnessed the advent of a global democratic revolution of unprecedented proportions, unions, women's organisations, student groups and other forms of popular activism provided the resurgent and often rebellious civil societies in triggering the demise of many forms of dictatorship. These developments encouraged the rise of the complex notion that if an invigorated civil society could force a democratic transition, it could consolidate democracy as well.

The term 'civil society' can be traced through the works of Cicero and other Romans to the ancient Greek philosophers. In its classical usage civil society was largely equated with the state. The modern idea of civil society found expression in the Scottish and Continental Enlightenment of the late 18th

century. Here a range of political philosophers, from Thomas Paine to George Hegel, developed the notion of civil society as a domain parallel to but separate from the state where citizens associate according to their own interests and wishes. Hegel's nineteenth-century notion of civil society included the market in contrast to contemporary concepts of civil society as a non-profit sector. This new definition reflected changing economic realities: the rise of private property, market competition and the bourgeoisie. It also resulted in the mounting popular demand for liberty, as manifested in the American English and French revolutions.

The term, however, lost its concurrence in the mid-19th century as political philosophers and sociologists turned their attention to the social and political consequences of the industrial revolution. It bounced back into fashion after World War II through the writings of the Marxist theorist Antonio Gramsci who revived the term to portray civil society as a special nucleus of independent political activity, a crucial sphere of struggle against tyranny. Although Gramsci was concerned about dictatorships of the right, his books were influential in the 1970s and 1980s amongst persons fighting against dictatorships of all political stripes in Eastern Europe and Latin America. Czech, Hungarian, and Polish activists also wrapped themselves in the banner of civil society, endowing it with a heroic quality when the Berlin Wall fell.

Understanding the importance of the given concept, recently David Held tried to give shape to the concept of 'civil society' through a sociological definition. In his words, "Civil society retains a distinctive character to the extent that it is made up of areas of social life—the domestic world, the economic sphere, cultural activities and political interaction—which are organised by private or voluntary arrangements between individuals and groups outside the direct control of the state."

Suddenly, in the 1990s, civil society became a mantra for everyone from presidents to political scientists. The global trend toward democracy opened up space for civil society in formerly dictatorial countries around the world. In the United States and Western Europe, public fatigue with tired party systems sparked interest in civil society as a means of social renewal. Especially in the developing world, privatisation and other market reforms offered civil society the chance to step in as governments retracted their reach. And the information revolution provided new tools for forging connections and empowering citizens. Civil society became a key element of the post-cold-war zeitgeist.

21.3 Democracy: A Universal Appeal

Like 'civil society', 'democracy' has also been a fluid concept across the times and places. Sharp contrast could be visualised between ancient Athenian democracy and modern liberal democracy, representative democracy and deliberative democracy, national democracy and cosmopolitan democracy.

Yet a common theme runs through all these conceptions of democracy that it is a condition where a community of people exercises collective self-determination. Through democracy, members of a given public demos take decisions that shape their destiny jointly, with equal rights and opportunities of participation and without arbitrarily imposed constraints on debate. Given the paucity of space it would be sufficient to say that democracy is essentially participatory, consultative, transparent and publicly accountable. By one

mechanism or another, democratic governance rests on the consent of the governed.

Emphasis added, democracy is constructed in relation to context and should be reconstructed when that context changes. Contemporary globalisation constitutes the sort of change of situation that requires new approaches to democracy.

According to Schmitter and Karl, for purposes of clarity and consistency, modern political democracy is defined as "a system of governance in which rulers are held accountable for their actions in the public realm by citizens, acting indirectly through the cooperation of their elected representatives"

Before, we attempt to make analysis of the relationship between civil society and democracy, how far they could be complementary in promoting each other, it would be imperative to have a view of the over-arching concept of civil society.

21.4   The Scope of Civil Society

The much of the current enthusiasm about civil society is its fascination with non-governmental organisations, especially advocacy groups devoted to public interest and causes and its concern for environment human rights, women's issues, rights of the disabled, election monitoring, anticorruption, etc. Such groups have been on the increase in recent years, particularly in the countries under influence of democratic transitions. However, it would be a misconception to equate civil society with mere NGOs. Whereas civil society is a much broader concept, encompassing all the organisations and associations that exist outside the state including political parties and the market oriented organisations, it includes the plethora of organisations that political scientists traditionally label— interest groups or pressure groups. Apart from NGOs, labour unions, professional associations (such as those of doctors and lawyers), chambers of commerce, ethnic associations and others. The list is all comprehensive; it also incorporates many other associations that exist for purposes other than advancing specific social or political agendas, such as religious organisations, student groups, cultural organisations, sports clubs and informal community groups.

Emphasise added, non-governmental organisations do play important role in developed and developing countries. They help in formulating policy by exerting pressure on governments and by furnishing technical expertise to policy makers. They induce citizen participation and civic education. They provide leadership training to young people who want to engage in civic life but are apathetic towards political parties. In theocratic and dictatorial countries NGOs are outweighed by more traditional parts of civil society. Religious organisations, cultural organisations and other groups often have a mass base in the population and secure domestic sources of funding. Here, advocacy groups usually lack domestic funding.

The burgeoning NGO sectors in such countries are often dominated by elite-run groups that have only weak ties with the citizens and for their functioning they largely depend on international funders for budgets they cannot nourish from domestic sources.

Apart from these positive contours of civil society formation, it is worth

pointing out that the mafia and militia groups are also as much as part of the civil society as the other humane organisations are. Some civil society enthusiasts have propagated the one sided notion that civil society consists only of noble causes and welfare action-oriented programmes. Yet civil society everywhere is a mixture of the good, the bad, and the outright bizarre. A random surfing through web pages on the Internet helps convey a sense of that diversity where one gets through the real scope of civil society.

If one limits civil society to those actors who pursue higher humane aims, the concept becomes, 'a theological notion, not a political or sociological one', which could injure the notion of society itself.

21.5 Relationship between Civil Society and Democracy

It is emphasised here that in certain conditions civil society can contribute to the democratisation of authoritarian regimes and can help to sustain a democratic system of governance once it is established. For example, in the Eastern European countries, South Africa, Serbia, Philippines, and recently in Georgia, citizens have used civil society organisations to wage struggle for political independence by learning about democracy and by mobilising millions of their fellow citizens against repressive regimes.

In democratic setup, civil society organisations provide basis for citizens to pursue common interests in political, social, or spiritual domain; here they participate freely, collectively and peacefully. By their involvement in civil society, citizens learn about fundamental democratic values of participation and collective action and they further disseminate these values within their communities. Civil society movements that represent citizen interests can considerably influence both government policy and social attitudes. Independent activities of the civil society can pause a counterweight to state power.

Box 21.1: People's Power

The idea of civil society is largely associated in many Westerners' minds with 'people power' movements to oust dictators. The successful Western democracy, programs to strengthen civil society in different parts of the world have become a standard agenda for U.S. and European countries. It is also known as the 'democracy promotion tool kit'. Thomas Carothers and Marina Ottaway provide two interesting contributions to the discussion on the potential collaborative role of the international community and civil society in consolidating democracy. "Aiding Democracy Abroad" is one of the most comprehensive and important published work on current practices in U.S. democracy promotion. Carothers without going into the international relations debate over whether democracy promotion as a strategy, corresponds to realist security interests or idealist, humanitarian motivations. He claims that it is the blend of the two.

To substantiate his view point in a systematic manner, he discusses three central aspects of democracy aid: electoral assistance, institutional reform, and civil society assistance. He does this by elaborating on four case studies of countries on the receiving end of various types of U.S. democracy assistance: Guatemala, Nepal, Zambia, and Romania.

Democracy aid, in Carothers's view, is the byproduct of democratisation, not the vise-versa. The political space created by democratising regimes has made it possible for international assistance to pursue democracy promotion in these countries. In his conclusive observation, he remarks that despite variations in local context, U.S. democracy promotion activities follow a 'one size fits all' democratic template, which is not a healthy promotion scheme. This template of aiding democracy, he propounds, has developed in the course of practice rather than by conscious application of academic theories.

The strengthening of civil society in different parts of the world is frequently offered as the answer to the questions pervasive in Washington, How can the Arab world democratise? And what should the United States do to help democracy there?

Though one can not concur U.S. interference in the internal affairs of any other country yet there is strong consensus among scholars that civil society is uppermost to the incarnation of democracy. John Keane expresses this view when he notes that "where there is no civil society there cannot be citizens with capabilities to choose their identities, entitlements and duties within a political-legal framework."

21.6   Functions of Civil Society in a Democratic Order

Throwing light about the functions of a civil society in promoting democratic polity, Larry Diamond in his article, '*Rethinking Civil Society*'(1996), says, "Civil society plays a significant role in building and consolidating democracy." He opines: "The democratic civil society…the more likely it is that democracy will emerge and endure". In Diamond's view, civil society performs following important functions:

1) To limit state power—By checking its political abuses and violations of the law and subjecting them to public scrutiny. Diamond maintains, "a vibrant civil society is probably more essential for consolidating and maintaining democracy than initiating it."

2) To empower citizens by "increasing the political efficacy and skill of the democratic citizen and promoting an appreciation of the obligations as well as rights of democratic citizenship."

3) To inculcate and promote an arena for the development of democratic attributes amongst the citizens—Such as tolerance, moderation, a willingness to compromise and respect for opposing viewpoints." According to Diamond, this is an important function as it allows "traditionally excluded groups—such as women and racial or ethnic minorities—access to power that has been denied them in the 'upper echelons' of formal politics."

4) To provide avenues for political parties and other organisations allowing them to articulate, aggregate, and represent their interests- This enhances the quality of democracy as "it generates opportunities for participation and influence at all levels of governance, not the least the local government."

5) To function as a recruiting, informational and leadership generating agency especially in economically developed societies—Where, Economic reform is sometimes necessary, but often difficult to bring about if it threatens vested economic interests. the massive economic collapse in Indonesia

unleashed mass discontent and made President Suharto suddenly vulnerable. This transformed the environment to allow civil society groups and opposition parties to mobilize citizens in an unprecedented fashion.

6) A well founded civil society could act as a shock observing institution, where wide range of interests that may cross-cut and mitigate the principal polarities of political conflict.

7) To generate public and political support for successful economic and political reforms—which require the support of coalitions in society and the legislature.

8) A well-rooted civil society also helps in identifying and train new political leaders—As such, it can "play a crucial role in revitalising...the narrow and stagnant" party dominated leadership recruitment patterns.

9) Election monitoring— Many non-partisan organisations engage in election monitoring at home and abroad. Such efforts, says Diamond, "have been critical in detecting fraud, enhancing voter confidence, affirming the legitimacy of the result, or demonstrating an opposition victory despite government fraud." The Philippines in the mid 1980s and Panama in 1989 6 are cited as examples.

   a) Strengthening citizen attitudes toward the state— Civil society enhances "the accountability, responsiveness, inclusiveness, effectiveness, and hence legitimacy of the political system." In so doing it gives citizens respect for the state and positive involvement in it. Here, civil society is crucial to the development and maintenance of stable, quality sensitive democracy.

10) In addition to this, other scholars have also come out with their view point on the subject. Borrowing from Robert Dahl's classic work on democracy, Alfred Stepan in his work, *Problems of Democratic Transition and Consolidation* (1996), states that among the basic requirements for democracy "is the opportunity to formulate preferences, to signify preferences, and to have these preferences weighted adequately in the conduct of government." According to Robert Dahl for the proper functioning of the government, it should ensure the following institutional guarantees which include:

    1) freedom of association and expression;

    2) the right to vote;

    3) run for public office;

    4) free and fair elections;

    5) the right of political leaders to compete for support and votes;

    6) alternative sources of information;

    7) policy making institutions dependent on votes;

    8) Other expressions of preference.

Box 21.2: Fundamental Liberties

However, while accepting the importance of these institutional guarantees, Stepan considers them as a necessary but not a sufficient condition for the functioning of democracy. Not sufficient, 'because no matter how free and fair the elections, and no matter how large the majority of the government, the political society' lacks quality unless it is able to produce a constitution that provides for fundamental liberties, minority rights, and a set of institutions and checks and balances that limit state power and ensure accountability, necessary for any given democratic system.

21.7 Civil Society as a Promoter of Democracy

In an article, '**Civil Society and Democracy in Global Governance**', Dr. Jan Aart Scholte Makes a comprehensive analysis of the concepts. She not only visualises positive aspects of the relationship between civil society and democracy, but also evaluates the unenthusiastic side of it too.

Taking a positive note of the civil society as promoter of democratic form of governance, Scholte identifies six areas where civil society could advance democracy.

1) *Public education*—Awareness is key to any democratic system. The civil society might enhance democracy through educating the public. An informed citizenry could sustain effective democracy, civic associations can contribute a lot by raising public awareness and understanding of world wide existing laws and regulatory institutions. To accomplish this goal civil, society groups can prepare handbooks and information kits, produce audio-visual presentations, organize workshops, circulate newsletters, supply information to and attract the attention of the mass media, maintain websites on the Internet, and develop curricular materials for schools and institutions of higher education.

2) *Voice to stakeholders*—Civil society could promote democratic governance by giving voice to stakeholders. Civic associations can opportune the concerned parties to relay information, testimonial, and analysis to governance agencies about their needs and demands. Civil society organisations can give voice to neglected social circles like the poor, women and persons with disability who tend to get a limited hearing through other channels including their elected representatives in executive and legislative bodies. In this way civic activism could empower stakeholders and mould politics toward greater participatory democracy.

3) *Policy inputs*—Government policy formulation is considerably influenced from the Inputs given by the civil society not only at home but also in the international arena. For example, civic groups have been pioneer in sparking debate about the so-called 'Washington Consensus'. They have also constantly raised issues pertaining to ecological imbalances, made qualitative assessments of poverty, and pressurised for the schemes of debt reduction in the South.

4) *Transparency of governance*—Vigilant civic mobilisation can cause public transparency in governance. Constant pressure from civil society can help in bringing regulatory frameworks and operations into the open, where they could be accessed for public scrutiny. Generally citizens do not have the awareness about what decisions are taken by the government, by whom, from what options, on what grounds, with what expected results, and with what resources to support implementation. Civic groups through their well lit networks can question the currently popular official rhetoric of 'transparency' by asking critical questions about what is made transparent, at what time, in what forms, through what channels, on whose decision, for what purpose, and in whose interest.

Reflection and Action 21.1

What is civil society? What are its functions in a democracy?

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5) *Public accountability*—Civil society can hold various concerned agencies accountable to public. Civic groups can keep an eye on the implementation

and effects of policies regarding people and press for corrective measures when the consequences are adverse. For example, independent civic agencies have impartial policy evaluation mechanisms for the World Bank and the IMF. Whereby, they have more often criticised their policies towards the Less Developed Countries. The Western countries, which claim to be democratic in the behaviour, often while as a part of global player some times become far more dictatorial than those whom they criticize and put sanctions against them. Here, the civic agencies through an accountability function can push authorities in global governance to take greater responsibility for their actions and policies.

6) *Legitimacy*—The sum total of the preceding actions by the civil society could lead to a legitimate democratic rule. Legitimate rule prevails when people concede that an authority has a right to govern and that they have a duty to obey its directives. As a result of such consent, legitimate governance tends to be more easily, productively and nonviolently executed than illegitimate and dictatorial authority.

Here, it is important to understand that democracy should not be understood only in terms of national governance. The civil society should have a larger agenda of democracy as a policy of global governance. The civil society not only could promote democracy at home, their impact could be clearly seen in the democratisation of global order. Civil society can offer a means for citizens to affirm that global governance arrangements should guide and where necessary, constrain their behaviour.

Apart from this, the international concerns for human rights, women rights, rights of the disabled and concerns for environment have great impact on the domestic policy formulation and its implementation too. For example, various development related NGOs and think-tank,s who lobby for global debt relief and socially sustainable structural adjustment, have gone on to scrutinize public finances in national and local governments. In addition to this, women's movements have often used international laws and institutions in their favour to democratise the state on gender lines. The rights of the persons with disability also get impetus from international concerns for human rights.

21.8   The Democratic Dangers of Civil Society

Civil society's contribution to democracy in domestic as well as global governance is well placed in context. But here it must be noted that civil society might in certain ways actually detract from democratic governance of international relations. In these situations it is not that civic activities fail to realise their democratising potential but that they, in fact, obstruct popular rule. Seven general negative possibilities can be identified.

1) *Civil society activities may not essentially pursue democratic purposes.* Though the term *civil* society at the outset seems to convey elements of civility and virtue, but in practice, voluntary associations do not ipso facto have the promotion of democracy on their agenda. On the contrary, elements of such organisations may engage themselves in subverting democracy. For example, some civic organisations can work to promote their private petty interests and privileges. The destructive groups engaged in promoting racism, ultra-nationalism and religious fundamentalism work contrary to the democratic rights of others. Those parts of the Islamic sector that are politically relevant, such as the Muslim Brotherhood, have not pushed for democracy in a comprehensive fashion.

2) *Civil society might draw away from democracy if its efforts are poorly planned and designed or executed*—if the said activists function without understanding the institutional arrangement of governance, they could cause real harm to the very objectives of their organisation. Even academicians may fail to link their theoretical models of universal application of democracy to empirical evidence and political exigencies of that particular area.

3) *Ill-equipped government agencies can not handle civil society inputs*— Regulatory bodies may lack relevant staff expertise, adequate funds, suitable procedures or the necessary receptive attitudes to take advantage of the benefits on offer from civil society. Government officials may consult civic associations only in the later stages of policymaking when the key decisions have already been taken. Instead of promoting democracy this could lead to friction in the society and cause turmoil.

4) *The state funding and benefits could corrupt the volunteers of the civic organisations.*—Instead of focusing on there aims and objectives they could run in short term gains.

5) *Inadequate representation could seriously undermine the very fabric of democracy*—If civil society has to realise its promises fully, then all stratas of civil society should be duly allowed to access authorities and more over equality of opportunity in terms of participation otherwise civil society can reproduce or even enlarge structural inequalities and arbitrary privileges connected with class, gender, nationality, race, religion, urban versus rural location and so on.

6) *Civil society concern for global democracy could be insensitive towards the local cultural practices.*—Here, civil society may not respond to all of the contexts of local population. In particular there is a danger that civil society in the South and the former communist-ruled countries could come under the strong influence of western-styled, western-funded NGOs led by the westernized. Such campaigners might criticize prevailing conditions of global governance; they have stronger cultural affinities with global managers than with local communities. Thus NGOs and other professionalised civil society bodies may perhaps quite unintentionally marginalise grassroot circles that could give better voice to the diverse life-worlds that global governance affects.

7) *Civil society may lack internal democracy.*—Civil society groups -including those that specifically campaign for greater democracy, can fall short of democratic behaviour in their own functioning. A lack of internal democracy within civil society circles is not only objectionable in itself, but also contradicts its very goal of bringing democracy to society at large. It is an often realised situation, where civic associations offer their members little opportunity for participation beyond the payment of subscriptions. Civil society organisations may advocate on behalf of certain constituencies without adequately consulting them. The leadership of a civic organisation may suppress debate in the name of welfare. Civic groups may lack transparency as some times they do not publish financial statements or declarations of objectives of their organisation, let alone full-scale reports of their activities.

Given these potential problems, we should balance our enthusiasm for civil society as promoting agency for democracy in domestic as well as international arena with due caution and care. One should not be swayed by much of the

alluring fantasies with civil society. Much can go right but much can also go wrong. Civil society can be a means to good ends, but it is not the end itself. There are circumstances where civic involvement may detract from democracy or sabotage the very fabric of democracy. It should be the first demand of the society that civic associations should not merely assert but also demonstrate their democratic legitimacy.

Reflection and Action 21.2

What is the relationship between civil society and democracy?

In addition to this it should be clearly inferred that those who propagate or fund the very institution of democracy abroad are themselves democratic in their behaviour. U.S. has aided several pro-democracy organisations in the Middle-East since 1991. Majority of democracy aid for the Middle East from 1991 to 2001 had been around about $150 million. The projects were classified as 'civil society strengthening.' In West Bank and Gaza the United States had funded some Palestinian NGOs during the Israeli occupation—after the Palestinian Authority was created in 1994. The United States expanded this aid and categorized much of it as civil society strengthening. In 2000, US Aid programme launched a $32 million project to support Palestinian NGOs (mostly service NGOs). In Lebanon, U.S. Aid Programme spent several million dollars to assist community-based service NGOs during the 1990s.

'Aiding civil society' was the leading element of U.S. efforts. Promoting democracy was not the only rationale for these projects. In Egypt, the United States believed that giving private groups an expanded role in development would advance its larger policy goal of economic liberalisation. In the West Bank and Gaza, the United States hoped to generate popular support for the Oslo peace process by helping Palestinian NGOs improve living conditions under self-rule. (In addition, NGOs were a key instrument for channeling aid, because Congress had imposed a ban on direct U.S. funding of the Palestinian Authority.)

In Lebanon, the United States wanted to help local communities rebuilt in the aftermath of civil war. As government agencies were very weak, community-based organisations and NGOs were better aid partners. During the Clinton administration, political Islam became a factor, though not one that was openly acknowledged. Some U.S. officials saw service NGOs as a potential counterweight to the Islamic charities and other groups that were a major source of grassroots' support for Islamist opposition movements and these officials wanted to direct resources to such groups for this reason. However, when in 1991 and 2003 America attacked small countries Iraq and Afghanistan, United States's commitment for global democracy by undemocratic means could be easily inferred. America's liking for democracy is not new, nearly two-dozen military invasions launched in the name of democracy throughout Mexico, Central America and the Caribbean by American presidents (most notably Wilson, president from 1913-21) did not produce a single viable democracy. More instructive still are the most recent instances in which the United States has forcibly removed dictatorial regimes with the implicit promise of creating democracy—Panama in 1992, Haiti in 1994 and Afghanistan in 2002. None of these experiences can be held up as examples of successful democratisation.

21.9 Conclusion

After having done an in-depth study of the civil society in relation to functional and promotional aspect of democracy both at national and international level, we come across a jumbled up situation that those who always propagate democracy as the best and universal system of governance themselves detract from the same while coming to their own interests, even some times petty interests. Still there cannot be two points on the issue that civil society has largely helped to give convenient path to the functioning of democracy. But the general perception that less developed World should accept is that Western Model of civil society and democracy is equally dangerous and self imposing.

There is so much of academic assertion on this point that some anthropologists even question whether the concept of civil society even applies outside the West. In a comparative study of China and Taiwan, for example, Robert P. Weller writes, "I have studiously avoided the term 'civil society' while writing about many of its core issues. The term 'civil society' comes with a set of problematic theoretical assumptions and historical connotations, which have strong roots in a particular European philosophical tradition." Political theorists Sudipta Kaviraj and Sunil Khilnani offer a more explanatory reason for the advent of the concept of civil society: "With the arrival of European colonialism, the state became an undeniable, unavoidable part of the business of social living; and the institutional organisation of the modern state invites a discourse in terms of a state/civil society distinction." However, they largely tried to unfold the debate regarding the advent of civil society and State in the colonial context.

To further evaluate the subject in more theoretical context, the following points could be of use for understanding the existing complexies in the subject.

Firstly, advocates often depict civil society as wholly positive, even flawless. For example, in an article, 'Civil Society and Building Democracy: Lessons from International Donor Experience' Harry Blair says that civil society organisations increase citizens' participation in the policy-making process, enhance the state's accountability to its citizenry, and provide civic education in democratic politics. This describes an ideal—an ideal that since 1989 has helped motivate hundreds of millions of dollars in international grants to civil society organisations in less-developed countries, with mixed results.

Secondly, those who idealise civil society often talk about citizen engagement without mentioning citizen conflict. Yet conflict over resources, laws, policies, influence is central and inherent to the plurality of interests is at the heart of civil society. For this reason, fundamentalist societies that believe in a single source of truth, such as the Soviet Union under Stalin and other communist countries in the latter part of 20th century or Iran under the leadership of Ayatollah Khomeini, are much less tolerant of civil society than societies that welcome plural points of view.

Third, from Tocqueville onward, Westerners have generally placed individualism at the heart of civil society. Ernest Gellner, for example, describes the building block of civil society as 'modular man,' an individual who is autonomous yet willing and able to associate. In much of the world, however, individuals do not consider themselves modular. They regard their identities as members of

particular communities (determined by family, religion, ethnicity, caste, race, or something else) as fundamental, not choices easily made and unmade. For example, in Sakété Center, Muslims, Christians, and worshippers of local gods live together and Muslims and Christians often sacrifice to local gods when facing particularly vexing problems. Yet this openness to different practices does not mean that individuals are modular and can easily exchange one faith for another. Religion, like family and ethnicity, embeds the individual in a web of social connections and cultural meanings that can be severed only at significant cost. The basic thesis of civil society rests with the presumption that man being social is challenged. If individuals are considered modular, how do we fashion a definition of civil society that works trans-nationally?

Fourthly, the concept of civil society is placed with too broad parameters. Some have argued that civil society consists of all forms of non-state organisation other than the family which is unacceptable proposition because it includes within civil society many social forms that are essentially private, and thereby fails to distinguish civil society from society at large. To make the concept more useful for the purpose, 'civil' aspect of civil society must limit the category to those networks, movements and organisations that have a public dimension.

Fifthly, here it is stressed that civil society is essentially two-fold in nature: private in origins but public in focus. Civil society groups represent private interests by employing more often non-violent public means, such as association, education and demonstration to influence policy and polity, whether at the neighborhood, city, regional, state, or national level. The interests pursued can be individualistic, or they can be oriented toward religion, race, or other social groupings. In a way that might generate pressure on government.

To conclude our discussion on civil society with positive academic note the essential idea that has been put into practice is that democracy requires a healthy and active civil society. The international community, by providing resources and training to different civic groups, can help to build up domestic civil society in democratising countries. However, at the same time caution should be duly taken in imposing one's ideas and culture in the name of civil society or as a matter of fact democracy. Though democracy is one of the healthiest systems of governance both in domestic and international arena yet there is no final word in social sciences. There are so many ancient cultural systems and practices in the East which are far better than the existing western way of life. They should not be discarded merely because we have fantasies and and fondness for the West. More importantly, the debate and enthusiasm for promoting better life style should continue in order to benefit the people who are living in authoritarian societies with abysmal poverty and sufferings.

21.10 Further Reading

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