

Introduction to Political Theory
Dr. Mithilesh Kumar Jha
Department of Humanities and Social Sciences
Indian Institute of Technology, Guwahati

Lecture – 19
State and Sovereignty – I: Introduction; Different Conceptions of State and Sovereignty

Hello and welcome friends. Today, we are going to discuss a new topic on the state and sovereignty. In the introduction part of this lecture, we will be focusing to understand the significance of state and its centrality in political theory and political discourse. And we will also discuss about different conceptions of state and sovereignty by discussing the arguments of Hobbes, Locke and Rousseau.

(Refer Slide Time: 01:03)

Intro

Modern

State →

- > The state, in modern times, is central to any political discourse. It is impersonal in nature. That means, it is distinct from both ruler and ruled. It controls monopoly of legitimate violence and is often regarded as the modern political institution or a body politic or the institution of government or an organized political community. It has absolute sovereignty over a defined territory.
- > There are some common attributes of a modern state. These are: state is a public institution and not a private entity, sovereignty as the basic feature of state, application of law by state as the supreme authority, impersonal bureaucracy, and state's capacity to impose and collect taxes from its citizens.
- > State is necessary to protect human lives from external forces and to maintain law and order. It makes legitimate use of force within a demarcated territory.

In any political discourse in the modern times, state is at the center of any political discourse. For a very long time, when we discuss or think about the state, we think of state as an institution and in the ordinary understanding, it is seen as something, as a kind of distant body. The focus of political theory or political discourse is to understand this institution which we call state.

We will discuss throughout these lectures on how state encompasses every sphere of individual and collective life, and no longer, it is merely, a distant body sitting somewhere at a distance, trying to control and regulate the rest of the society. For a very

long time in political science or political theory, the theorization revolves around the state and its institutions.

Gradually, we have seen the pervasiveness of state which is equally there in this sphere of society or economy or other forms of unions or associations. So, the idea of state has broadened or become more comprehensive than merely, known as a very restrained kind of understanding about state, as a body or institution sitting at some distance and we should be thinking about that.

Why does a state is central to any political discourse? All the concepts that we have discussed like equality, liberty and justice is understood or it can be explained only, through its relationship with the state. State is an institution which ensures the condition of justice, where individual can exercise maximum freedom.

State is therefore, central to any political discourse in modern times. What are its characteristics? First, it is impersonal in nature. The state and a kind of political authority did exist prior to the modern state. This definition of impersonal nature of state is only, the modern phenomenon. Prior to the modern phenomena or a modern state, state did exist, but its authority was seen as an extension of the personality of a monarch or any tribesman or chief.

When we refer to a state in the pre-modern times, we refer to a particular person, dynasty or a particular kingdom and then the state was seen as a kind of private or a connection or extension to that person, or dynasty or a kingdom. It is only in modern times, that a state is seen as impersonal. That means, it is seen as distinct from both ruler and the ruled.

For example, Indian state or India of today, the ruler is the BJP, as a government which has got the mandate of the people to rule. They are the ruler and the ruler of the rest of the people of India. The Indian state and the idea of Indian state are very distinct from both the BJP as the ruler or the government or the rest of the population. So, that defining characteristic of modern states is impersonal in nature. It is nobody's personal property or personal freedom. It has a very impersonal nature of it.

It controls the monopoly of legitimate violence. Now, the characteristic of state gives it the monopoly of legitimate violence which we need to understand that's why, state is

central to political discourse. So, no other authority or institution or association can unleash violence or control and subject others in the position of victimhood. If it exercises violence, it will be regarded as unlawful or illegal and the person who is committed to such violence or acts may be subjected to laws and coercive institutions of state like the police and army.

State in modern times, has monopoly of violence. This monopoly of violence, we can understand by the idea that state can legitimately, if, it has not abolished death penalty but can take the life of its citizen by following certain procedures established by law. That means, illegally, it has monopoly of violence. And within a demarcated territory, it is unquestionable in a sense, state's action is subject to criticism or scrutiny, but it has the monopoly of legitimate violence.

So, the institutions like army, police, paramilitary forces, prison, and court are representatives of this idea that state in modern times has monopoly of legitimate violence. All the other groups or associations or institutions which unleash violence in the society is or are subjected to the control or regulation of the state, but state within a territory has monopoly of legitimate violence.

And it is often, regarded as the modern, political institution or a body politic or the institution of government or an organized political community. A state can be understood in all these ways, as a modern, political institution or body politic or the institution of government or an organized political community. So, the idea of stateness is about extension of state from its limited institution or its limited understanding to understand how, this idea percolates down to every sphere of individual and collective life.

The state has absolute sovereignty over a defined territory. This concept, what is called sovereignty and how, it gives the state power and authority within a given territory, we will discuss about it in the second part of this lecture. But modern state has absolute sovereignty, over it, within it or it defines a territory.

There are some common attributes of the modern state and state is a public institution and not a private entity. So, the modern Indian state cannot be said as the BJP's state or congress state or someone else's state, but prior to the modern state in India, we could say there was the British rule or Mughal rule or Guptas rule in India.

The state was seen as an extension of a particular individual, dynasty or kingdom and so on. Only in the modern times, state is seen as a public institution or impersonal in nature and not a private entity. Sovereignty is the basic feature of the modern state and what that sovereignty is, we will discuss about it in the second part of this lecture.

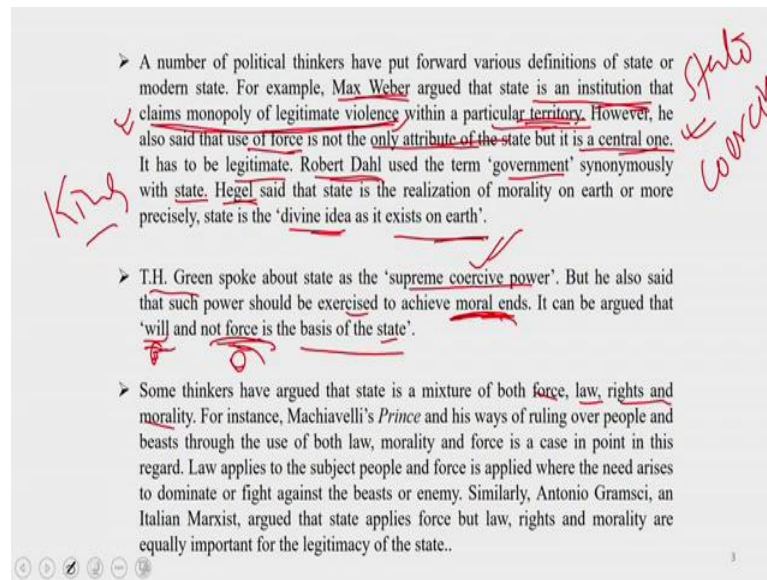
The application of law in the modern state is based on this application of law as the supreme authority. So, the legitimacy of law is within that particular territory over which state rules or governs. The impersonal bureaucracy of the state does not take the partisan position. It is an impersonal bureaucracy and recruitment to that bureaucracy is through the impersonal rule, where Weberian model of bureaucracy, if we like is about impersonality.

Thus, the state and its institutions should not take sides. It must be neutral and impersonal in its application of law, implementation and formulation of policies. So, the impersonal bureaucracy is the other characteristic of modern state and the state's capacity is to impose and collect taxes from its citizens. That is, the objective or characteristic of the modern state.

This state is necessary, to protect the human lives from two things. That is, any threat to the individual life internally, and externally. State must ensure the life and liberty of every single citizen and its citizens must be protected from internal and external threats. The biggest *raison d'être* or responsibility of the modern state is to maintain law and order. So, this is the prime responsibility of a modern state, to ensure law and order in any society and it also, protects individual lives from internal and external threat.

Now, it makes legitimate use of force within a demarcated territory. This point which we have discussed that modern state uses or has monopoly of violence and that violence it can unleash, within a demarcated territory or if, there is an aggression or it tries to resist the external aggression or if it is at war with other states. Thus, it can unleash violence, outside that demarcated territory. But by and large, within a demarcated territory, state makes the legitimate use of force.

(Refer Slide Time: 11:41)



King

- A number of political thinkers have put forward various definitions of state or modern state. For example, Max Weber argued that state is an institution that claims monopoly of legitimate violence within a particular territory. However, he also said that use of force is not the only attribute of the state but it is a central one. It has to be legitimate. Robert Dahl used the term 'government' synonymously with state. Hegel said that state is the realization of morality on earth or more precisely, state is the 'divine idea as it exists on earth'.
- T.H. Green spoke about state as the 'supreme coercive power'. But he also said that such power should be exercised to achieve moral ends. It can be argued that 'will and not force is the basis of the state'.
- Some thinkers have argued that state is a mixture of both force, law, rights and morality. For instance, Machiavelli's *Prince* and his ways of ruling over people and beasts through the use of both law, morality and force is a case in point in this regard. Law applies to the subject people and force is applied where the need arises to dominate or fight against the beasts or enemy. Similarly, Antonio Gramsci, an Italian Marxist, argued that state applies force but law, rights and morality are equally important for the legitimacy of the state..

State Coercive

A number of political thinkers have put forward various definitions of state or modern state. For example, the German sociologist, Max Weber, argued that state is an institution which claims the monopoly of legitimate violence. That is the definition of the modern state or a Weberian model of state, where it is seen as the institution which claims the monopoly of legitimate violence within a particular territory.

So, these two things, first is the monopoly of legitimate violence and territory. Thus, territoriality or the monopoly of legitimate violence is very central to the Weberian conception of modern state. However, he also, said that the use of force is not the only, attribute of the state, but it is a central one. The state, therefore, is by nature a coercive institution. It restricts and puts limits to the individual actions and movement, if it is against the law and order.

It is not only the attribute of state, but its central one. State can be a welfare state, liberal state, democratic state, authoritarian state and there are different natures of state which we will discuss later on. But the modern state is seen, according to Weber, as claiming or have having the monopoly of legitimate violence within a particular territory and this monopoly of violence is legitimate violence.

So, two things are very clear in Weberian model of or definition of state that it has monopoly of legitimate violence and the idea of territoriality. That legitimate violence or monopoly of legitimate violence is applicable, within a demarcated territory. The

territoriality or monopoly of legitimate violence defines the modern state and its impersonal nature. The bureaucracy, then he goes on to explain is something, which also, defines the modern state.

Robert Dahl used the term government and state interchangeably. This point we need to keep in mind when we argue about the state. A state is a permanent body but government is something, which we elect in modern times, if the state is a democratic state and it holds election regularly in a free and fair manner. Government may come and go, but state is a permanent entity. For Robert Dahl, however, we often use the terms state and government, interchangeably. He was one such scholar who argued that government and state is one and the same thing.

For Hegel, the state is seen as a 'march of god on the earth'. For him, state is the realization of morality on earth or more precisely, state is the divine idea as it exists on the earth. So, the idea of monarchy or the king is the divine representative on earth and the divine rule of the pre-modern state was based on that conception of king as the representative of god on earth.

Similarly, in modern times, Hegel argues that state represents the universal will or it is the upholder or protector and ensures the realization of morality on earth. Therefore, he saw state as the divine idea which exists on earth. The state is seen as the representative of such a high order, moral, ethical principles and values.

T. H. Green, spoke about the state as supreme coercive power. He also, said that such power should be exercised to achieve moral ends. This coercive power or monopoly of legitimate violence in Weber must be used for the realization of something, which is moral or ethical. It can be argued that will and not force is the basis of state. So, the will power and willingness of people is the basis of state and not its physical force.

The legitimacy of the modern state rests not entirely, on the coercive or its military nature or the violence or monopoly of violence, but on the willingness, and part of people, to give consent to the state to rule over them. So, the legitimacy of the existence of state rests more or at least equally, on the will of people than the claim of state over violence.

Some thinkers have argued that state is mixture of force, law, rights and morality. A state is a combination of all these things together and not merely, the force or law, or not just about the will or rights and morality, but a kind of combination of both of them. For instance, Machiavelli's Prince and his ways of ruling over people and beasts through the use of all laws, morality and force is a case in this regard.

Laws, applies to the subject people and force is applied, where the need arises to dominate or fight against the beast or enemy. The state, in that sense is a combination of the moral, judicious or the rightful and also, the brute, coercive physical force. Similarly, Antonio Gramsci, an Italian Marxist, argued, state applies force, but law, rights and morality are equally, important for the legitimacy of the state.

(Refer Slide Time: 18:04)

History of State Formation

- Prior to the emergence of the modern state, the divine laws governed or ruled human lives and their relationships. It is believed that such divine laws came from a supreme non-human power or god to rule over human lives and to make them acknowledge and understand the power of god or divine laws on earth. *Monarchy*
- After the fall of Roman empire in Europe, the landed nobility and Catholic Church appeared as messengers of such divine laws and imposed it over people to follow and obey them. These laws are found in religious books and it is enforced through economic and social relationships by the conquerors of then Europe.
- However, some changes occurred simultaneously like the growth of merchant trading or more precisely the rise of mercantile capitalism. There were significant changes in the 16th and 17th centuries in the old set up of social relationships or social transformations in Europe.

If we look at the formation of modern state, prior to the emergence of modern state, the idea of divine law governed or ruled human lives and their relationships. Every sphere of human life was governed by the idea of divine law. It is believed that such divine laws came from supreme non-human power or god to rule over human lives and to make them acknowledge, and understand the power of god or divine laws on earth. Thus, the monarchy as a system of political rule was based on the divine law.

After the fall of Roman Empire in Europe, the idea of modern state is also, historically, emerged in Europe, especially, after the Treaty of Westphalia which we will discuss later and then, it extended towards other parts of the world. So, after the fall of Roman Empire

in Europe, the landed nobility and Catholic Church appeared as messenger of such divine laws and imposes it, over people to follow and obey them.

The rise of the church and its authority after the fall of Roman Empire was the precursor of modern state and after the religious war, there was the gradual decline of church and assertion of new political autonomy or political independence that leads to the creation of modern sovereign state which subordinated religion and economy. These laws are found in religious books and it is enforced through economic and social relationships by the conquerors of then Europe. The rise of monarchy or kingdom was the result of this fall of Roman Empire and the resurgence of Catholic Church in Europe.

However, some changes occurred simultaneously, like the growth of merchant trading or more precisely, the rise of merchant capitalism and with that growing middle class in Europe and their demand for the protection of safety, security, rights, and protection of life which leads to the creation of modern, democratic or representative forms of government that would be impersonal or it should not be the extension of a person or dynasty.

There were significant changes in the 16th and 17th century, in the old sets of social relationship or social transformation in Europe. So, the 16th, 17th and 18th century was the period, when there was a new discourse about human being, their fate, idea of a dignified life or the idea of legitimate rule based on the people or the natural rights.

(Refer Slide Time: 21:03)

➤ Although, the divine laws were still ruling over people, the monopoly of the church was declining and as an outcome of religious wars new system of political rule emerged. Thus, the modern system of state emerged out of the treaty of Westphalia (1648) after thirty years of religious wars which witness emergence of autonomous political sphere in Europe independent of Church and religion.

➤ Renaissance and religious reforms movement in the form of protestant ethics further led to the beginning of new thinking about organizing self and collective lives. Their focus was on rationality or reasoning capacity of human beings to make their lives worth living for or in other words to live with dignity.

➤ The formation of modern state and its legitimacy was seen as a precondition for living a dignified life. And it was regarded as the prime responsibility of the state to provide its citizens conditions to lead such lives. State must protect certain inalienable rights and freedoms of the individuals. This new discourse replace the divine right justification for the existence of the state.

5

That leads to a new discourse about new political authority and the political organization of state and its legitimacy. It should be based on the idea of divine right and the legitimacy of state and its existence should be justified in the name of divine right or it should be based on the consent of ruled or concept of the people. The whole argument about the social contract or Hobbes, Locke, Rousseau is a reflection or representative of that kind of churning which was going on in the political discourse.

Although, the divine laws were still ruling over the people or their psyche, the monopoly of church was declining. Gradually, there was a kind of assertion against the authority of the church or the Catholic church. The church of England was the first such resistance against the interference of religious authority in the matters of politics and from then on, there is a kind of emergence of the absolutist state, asserting its independence which further, led to the representative or modern democratic states in Europe.

So, what was happening, that divine law was still ruling over people. However, the monopoly of church was declining and as an outcome of religious wars, a new system of political rule emerged. Thus, the modern system of history emerged out of the Treaty of Westphalia in 1648, which believes that all states are equal. It divides the world into different states and all states are regarded as having equal status in the eyes of the international.

In any international debate or discussion or forum, all states are treated equally, without any consideration to their territorial size or size of the population, because all states have equal status in the international forums. For example, in United Nations General Assembly, state like India and USA have same vote as like Papua New Guinea or smaller state like Bangladesh have.

So, the emergence of modern system of state or modern state is the result of this Treaty of Westphalia in 1648, after the 30 years of religious wars which witnessed the emergence of autonomous political sphere in Europe, independence of church and religions. That assertion of independence and autonomy of the state, and the idea of secularism, where the religion must not interfere in the matters of politics.

Politics and religion is seen as separate and church as the religious authority must not interfere in the matters of politics which is the domain of monarchs. So, the absolutist

state and their resistance against the interference of the Catholic church was the result of modern state.

Further, renaissance and religious reforms movement in the form of protestant ethics focused on the individual rights and his or her entrepreneurship enables him or her to lead a dignified life. This Weberian idea is about the rise of capitalism in Europe and it is the result of protestant ethic. Similarly, in the political field, the idea of a dignified life or the individual having certain rights or individual must take actions concerning his personal life is the result of the discourse of renaissance and religious reforms movement in the forms of protestant ethics.

It further, led to the beginning of a new thinking about organizing self and the community lives in Europe. Their focus was on the rationality or reasoning capacity of individual. So, individual as rational beings or having the capacity to reasoning must make their lives worth living for. In other words, to live with dignity. To live with dignity is to have the condition, where individuals can take the decisions concerning about his or her life, and each individual is regarded as capable of taking such decisions because he or she is rational.

Descartes understanding that, 'I think therefore, I am'. So, it refers to that thinking which is the reflection of this new discourse in Europe, about how to lead a good life and this idea or new discourse led to a new creation of political structure which recognized the individual, his dignity and protect his or her rights, to create the condition in which he or she can live a dignified life. The whole structure of modern state revolves around this new understanding of self and community, and also, how a state ensures those conditions, where such life with dignity is possible.

The formation of modern state and its legitimacy was seen as a pre-condition for living a dignified life. So, state is necessary. Why it is necessary? Because it creates the conditions and provide conditions for the individuals and communities to live a dignified life. Therefore, the state must protect certain inalienable rights and freedoms of individuals. This new discourse replaced the divine right justification for the existence of a state, as it is based on certain new responsibilities and consent of the people.

(Refer Slide Time: 26:56)

➤ Modern state is also a nation state. And it gives it enormous power and control over its citizens. Now, the state combined with technology of surveillance governs almost every spheres of individuals and collective lives. There are different conception of modern states such as liberal, Marxist, and Governmentality. These forms of the states and its authority we shall discuss in the subsequent lectures.

Sovereignty

➤ Sovereignty is the absolute authority of state within its territory. It refers to a coercive form of power and authority. It legitimizes the use of coercive power of state over its people.

➤ Sovereignty is dominant, absolute, supreme and inalienable. Thus, the possessor or holder of sovereignty is superior among all other authorities under its jurisdiction. French theorist Jean Bodin believed that sovereignty must reside in a single individual. Hobbes said that sovereign is above law.

➤ An important element of sovereignty is territoriality. It defines that sovereign can rule over all members residing within a given territory. It is a defining feature of modern state.

Now, modern state is also, a nation-state and it has enormous power and control over its citizen. The state combines with technology of surveillance and governs every sphere of individuals and collective lives. There are different conceptions of modern states, such as liberal, Marxist and the idea of governmentality, which we will discuss in one of our lectures.

These forms of state and its authority, we shall discuss in the subsequent lecture. We will come to the second part, where we will discuss about the idea of sovereignty which is the defining characteristic of modern state. Sovereignty is the absolute authority of state within its territory. In the simple language, sovereignty is the power or authority which ensures the supremacy of state within a territory. In a particular demarcated territory, state is the supreme institution. Thus, no other institution of the society is above the state.

Sovereignty is the absolute authority of state within its territory. It is referred to the coercive form of power and authority. It legitimizes the use of coercive power of state over its people and their institutions. State can force or compel people to comply, with its laws and policies or any institutions of society and it must function under the regulation or control of the state. In that sense, the state has both the coercive power and the use of that coercive power is legitimate within the given territory, if the state is legitimate or it has the legitimacy in the eyes of people.

Sovereignty is then, dominant, absolute, supreme and inalienable. So, sovereignty gives the state, the status of absolute authority or supreme authority and this sovereignty of a state is inalienable. That means, it cannot be transferred to some other entities internally, or externally. So, it resides with the state. Thus, the possessor or holder of sovereignty is superior among all other authorities under its jurisdiction. Thus, within a demarcated territory, the state holds or possesses sovereignty is the supreme authority.

French theorist, Jean Bodin, defines sovereignty or laws as the command of the sovereign. Sovereign is the supreme authority and it resides in the single individual. In Jean Bodin's conception of sovereignty, it resides in the single individual. We will discuss about Hobbes that sovereign is above the law. So, the one, who is sovereign, according to Hobbes, is not subject to the laws which governs and controls the ordinary citizens in a society or state. Sovereign is thus, above the ordinary laws.

So, an important element of sovereignty, however, is the idea of territoriality. The exercise or legitimacy of the state as the sovereign entity is within a particular territory. It defines that sovereign can rule over all members residing within a given territory and that is the defining feature of a modern state.

(Refer Slide Time: 30:42)

➤ Some political thinkers argued that sovereignty has always existed and it is not a modern concept or it came into existence along with the arrival of modern state. Its forms were perhaps, different in nature. The idea that God exercised sovereign powers or divine laws had absolute power or control over people focuses that sovereignty was existed even in pre-modern period or before the existence of modern state.

➤ However, the idea of modern state as a sovereign body has a particular use in modern times. It has two dimension. Internally state is regarded as a supreme authority and externally state is treated equally and regarded as the legitimate representative of the voices of their people internationally.

Thomas Hobbes on State and Sovereignty

➤ Thomas Hobbes argued about 'state of nature'. It is a hypothetical state which is believed to have no law or no security or no authority to arbitrate disputes and to protect the lives of individuals. In this state of nature there lies an atmosphere of tension and fear of violence. Thus, it was necessary for individuals to give away their rights to the sovereign head who is a person or a body of persons.

Some political thinkers, argue that sovereignty has always, existed and it is not a modern concept or it came into existence along with the arrival of modern state. There are many

arguments about the existence of sovereignty. Many scholars have argued that all the states where the monarchs or the feudal states did enjoy sovereignty.

However, its forms were perhaps, different in nature and the idea that god exercised sovereign powers or divine laws had absolute power or control over people. It focuses that sovereignty was existed even in the pre-modern period or before the existence of modern state.

Many scholars have argued that sovereignty as a form of authority or as a phenomenon gives the state or political organization of society, the supreme status that is something, existed prior to the modern state, also. For a monarch, in the pre-modern times, he was the supreme entity within his monarchy or his or her kingdom. Sovereignty is the absolute supreme authority within a given territory is something, which existed prior to the modern state as well.

However, the idea of the modern state as a sovereign body has a particular use in modern times. Perhaps, it has existed in pre-modern times, but its nature might have been very different. Now, in modern times, modern state as a sovereign entity has two dimensions. First, within its internal demarcated territory, it is the supreme authority. So, the citizens of a particular state must abide himself or herself, by the laws of that particular state.

Every sphere of individuals and collective life within a given territory is governed and controlled by the state and within that territory, there cannot be outside interference or any external authority must not interfere in the internal matters of the state. That is the guiding principle of modern inter-state relationship or foreign relationship, where all the states treat other states as sovereign and thereby, independent or supreme authority within the given territory of a particular state.

So, internally, a state is regarded as a supreme authority and externally, state is treated equally. This point, we have discussed that even the smaller and bigger state has the same or equal status in the international forum and it is regarded as the legitimate, or representative of the voices of their people, internationally. The international forum is where a particular state is regarded as the authoritative voice or representative of the voices of their people.

Thus, Indian state or Indian Prime Minister in the international forum represents authoritatively, the legitimate representation of the voices of the Indian people. That is the understanding of modern state which is also, a nation-state and its sovereignty has two dimensions. Internally, it is regarded as the sovereign and externally, it is treated as equal and at par with other states and representatives of the voices of their people.

Now, if we look at these three scholars and through them, we try to understand the idea of state and sovereignty. So, starting from Thomas Hobbes, he wrote a text in the beginning or he is regarded as the first modern political thinker for his understanding of the state and why, we should obey the state not because a state exists for some divine purposes. But the very creation of state is based on the consent of people and once, we give the consent to the state, we must obey the state. His theory of political obligation is a radical departure from the earlier understanding of political obligation.

For the existence of his state, he argues, the individual life in the 'state of nature' is a hypothetical state which is believed to have no law, or no security and no authority, to arbitrate disputes and protect life of the individual. In that 'state of nature', there lies an atmosphere of tension and fear of violence of war for all against all. So, in that 'state of nature' where the very life of individual is at constant threat and everyone was at war with each other. There cannot be progress, there cannot be order there cannot be any development.

So, when the very survival of the person is under threat, there is no possibility of any progress or any development or any growth for the individual and society. Now, to regulate, to ensure order or to establish order in such a 'state of nature', it was necessary, to come together and form a contract thereby, trading certain rights of the individual to the sovereign who can be a person or a body of person and this person he called the sovereign which is the result of the people living in a 'state of nature', where the conditions of life is nasty, brutish and short. Everyone is at war with each other and there is all pervasive violence and constant threat to life.

Therefore, individual came together to form a sovereign which would establish order in the society and that would lead to protection of life. It led to further progress and development. Now, the creation of the sovereign is the result of people coming together and giving away or compromising certain rights.

(Refer Slide Time: 36:31)

➤ The subjects must establish a mutual contract to obey a common authority who is the sovereign (whom he calls Leviathan) and they must obey his commands. However, in this scheme the sovereign is not subject to terms of contract. In other words he is free and independent of the terms of contract. Hobbes further emphasized that individuals should surrender or transfer their rights and freedom to the sovereign. But he also said that political obligation or obedience to the sovereign would end if he fails to protect individuals from war or violence.

➤ There are criticisms to Hobbes concept of sovereignty. Critics have argued that Hobbes leave the individual at the mercy of sovereign. Macpherson criticized Hobbes sovereignty and model of state on the ground that Hobbes was arguing for creation of a free market society and protecting the possessive individuals of a capitalist economy.

➤ Thus, in Hobbes we find creation of an absolute, all powerful sovereign who is independent of any covenant. And, citizens are duty bound to obey the sovereign.

Sovereign

The subject must establish a mutual contract to obey a common authority. This idea that all the people living in a 'state of nature' come together to establish a mutual contract and to have a common authority, who is the sovereign. This sovereign, he gives the name as 'leviathan' and they must obey his commands.

Here, for the first time, the idea of political obligation is not embedded in some religious or cultural discourse. It is very scientifically, and objectively, explained in a sense that people came together to create a sovereign which is 'leviathan' and that creation of 'leviathan' is the coming together of the people.

The basis of the existence of sovereign is not divine right or not some religious discourse, it is the people coming together and creating a sovereign. Now, once the people decided mutually, to form a sovereign, then it is the responsibility of the people to obey that sovereign or command of that sovereignty. They cannot reject the commands or orders of the sovereign. Therefore, the people must obey the commands of the sovereign.

However, in this scheme of sovereign, the sovereign is not subject to the terms of contract. It is also, scientifically, explained, why? Because the sovereign is not the party of the contract, it is the people who are the party to the contract and therefore, sovereign cannot be subjected to the terms of contract. Because, it is independent and autonomous from the contract. It is the contract that creates a sovereign who is among the people and

therefore, the terms, of the contract is applicable to the people and therefore, they must obey the sovereign. However, the sovereign himself is not party to the contract and so he is not subjected to the terms of that contract.

In other words, the sovereign is free and independent of the terms of contract and Hobbes further, emphasized that individuals should surrender or transfer their rights and freedom to the sovereign. But he also, said that the political obligation or obedience to the sovereign would end, if he fails to be the sovereign or protect individuals from war and violence. That means, if he, the sovereign fails to protect the life of people, then people can defy or reject to follow the commands or orders of the sovereign.

Because the very purpose of coming together and creating the sovereign is to protect one's life, if that is not being protected by the sovereign, then people may not obey this sovereign. Otherwise, people must in all conditions subject or surrender himself or herself to the order or command of the sovereign.

There are criticisms to Hobbes concept of sovereignty and critics have argued that Hobbes, leave individuals at the mercy of the sovereign. So, sovereign is given the supreme or absolute power over the people and their existence is at the mercy of sovereign. Macpherson criticized Hobbes sovereignty and model of state on the ground that Hobbes was arguing for the creation of a free market society and protecting the possessive individuals of a capitalist economy.

The kind of behavior that Hobbes is arguing in the 'state of nature' was actually, the way individual behaves in a competitive market economy. It is not really, the 'state of nature', but the market economy which Hobbes is talking about and he wanted the state to enforce the contract or order in that society, whether that kind of Bourgeoisie or the possessive individuals can interact for commerce, trade or industry.

However, what we find in Hobbes is a creation of absolute, all powerful sovereign who is independent of any covenant or is not part of that contract and citizens are duty bound to obey the sovereign. So, why, we should obey the sovereign is rationally, scientifically, explained because we ourselves come together and form the sovereign body. Therefore, since that sovereign body is our own creation, we cannot defy or disobey that sovereign.

Only condition of disobeying is when that sovereign fails to protect the life of individuals, otherwise, we must in all conditions and circumstances subject or surrender ourselves to the command of the sovereign. So, there is a kind of absolute or all powerful sovereign in the Hobbesian understanding of sovereignty.

(Refer Slide Time: 42:26)

John Locke on State and Sovereignty ✓

- Locke did not supported an arbitrary or absolute sovereign power or sovereignty like Hobbes. For him, the state is bestowed power by individuals to protect their lives and property. However, if state fails to protect individuals and fulfill their interests individuals have the right to overthrow the government.
- Locke emphasized on a constitutional form of government where the executive and legislature uphold the political power and they will continue to enjoy powers so long they are based on the consent of the people.
- He said that "man may have at one time been willing to give power to a single good and excellent man...to a kind of national authority but then finding that his successor could not keep their properties secure in the same manner, insisted that power be placed in collective bodies of men". Thus, he was against absolute form of monarchy or any kind of absolute government.

In Locke, what we find, however, is a kind of minimal or accountable or what you called a limited sovereign. Locke did not support an arbitrary or absolute sovereign power or sovereignty like Hobbes. For him, the state is bestowed power by the individuals to protect their lives and property. These two things are not just the life, but also, the property which is the responsibility of a state, to protect individuals life and liberty.

However, if the state fails to protect individuals and fulfill their interests, individuals have the right to overthrow the government. So, in Locke, there is the scope for people to resist, or to revolt against the state or to throw the sovereign and create a new sovereign which could promise to protect individual lives and property.

Locke, emphasized only on constitutional and not absolute or arbitrary forms of government, where the executive and the legislature uphold the political power, and they will continue to enjoy powers, so, long as they are based on the consent of people. The consent is very crucial. He said that man may have at one time been willing, to give power to a single good and excellent man or to a national authority but then, finding that

his successor could not keep their property secure in the same manner, insisted that power be placed in collective bodies of men.

So, there are the possibilities of throwing the governor or the sovereign, and creating a new sovereign for the protection of individual lives and property. Locke was against the absolute form of monarchy or any absolute government. He talked about a limited government based on the consent of people which could protect the individual lives and property.

(Refer Slide Time: 44:34)

Rousseau on of State and Sovereignty

- Rousseau explained about state in his work *On the Social Contract* (1762). For him, state resides in the people who actually surrenders their freedom or liberty to the state and state is representative of 'general will'.
- State formed by a social contract should treat every individual as equals. The idea of 'general will' that is basis of such state has a radical conceptualization in Rousseau. He argued that 'general will' is about ensuring the maximum freedom of all. And only that government is legitimate which is based on the 'general will'. However, once this 'general will' is constituted, individual must obey it. In fact, he goes on the argue that one can be forced to be free which is possible by following the 'general will'. Thus in Rosseau, like Hobbes, we get the idea of an absolute and all pervasive sovereign.
- There are many criticisms to Rousseau's idea of sovereignty or 'general will'. Many scholars have argued that it may legitimize the authoritarianism or dictatorship. For Rousseau, 'general will' can be the will of all or few or even a single individual. Now, this gives a lot of scope to government or ruler to justify their undemocratic actions in the name of 'general will'.

Rousseau, on the other hand, we find, makes a radical interpretation of sovereignty which he explained in his text, *On the Social Contract* written in 1762. For him, the state resides in the people who actually, surrender their freedom or liberty to the state and state is the representative of 'general will'. So, sovereignty, resides in the people who actually, surrenders their freedom or liberty to the state and state is representative of this 'general will'. This 'general will' is the central idea in Rousseau's conception of sovereignty and state.

State formed by a social contract. So, it treats every individual as equals. The idea of general will is a basis of such a state which has a radical conceptualization in Rousseau. He argued that general will is about ensuring the maximum freedom of all. In Rousseau, the starting point was that in the 'state of nature', life was really, perfect. There was no inequality, or injustices and people had maximum freedom in the 'state of nature'. It is

only, in the society and state, where there is all pervasive inequalities, injustices and people are everywhere in the chains.

So, to create that kind of society and state, where individual can exercise maximum freedom, Rousseau talked about this idea of 'general will' and he wanted the state and the sovereignty to be based on this idea of 'general will'. Only that government is legitimate which is based on the general will. Now, this general will is something, which is in the interest of all and not in the personal interest of a few, many or one person. Thus, once, this 'general will' is constituted which is the basis of state and sovereignty, individuals must obey it.

Here, unlike Locke but like Hobbes, he is also, arguing for an absolutist state or absolutist conception of sovereignty, where he wanted the state and sovereign must be based on 'general will' that is will of everyone, that is in the interest of every member of that society, which will ensure their maximum freedom, but once, that conception of 'general will' is constituted, then everyone must obey it and they cannot defy it as well.

In fact, he goes on to argue that one can be forced to be free. This idea of forced freedom is that individual can be forced to be free, by ensuring that he must follow the 'general will'. Thus, in Rousseau, like Hobbes, we get the idea of an absolute and all pervasive, powerful sovereign.

There are many criticisms to Rousseau's idea of sovereignty or 'general will'. Many scholars have argued that it may legitimize the authoritarianism or dictatorship. For Rousseau, 'general will' can be the will of all people or a few people, if they are working in the interests of all or it can be the will of a single individual.

The 'general will' not necessarily, requires the consent of everyone. It may be the will of only few, if they are working in the interests of everyone or even one person who is working in the interests of everyone in the society. So, that may lead to legitimize some dictators or undemocratic authority who claims to work on behalf of the people or in the name of 'general will', they may legitimize their undemocratic actions.

So, this idea of 'general will', as the will of all or few or even one person gives a lot of scope to governments or rulers to justify, their undemocratic action in the name of

‘general will’. That is the kind of understanding, we have in Rousseau about the idea of sovereignty.

In summary, what we find in Hobbes and Rousseau, we have the absolutist conception of sovereignty, where within a demarcated territory, the sovereign body is the supreme body. In Locke, where we have a kind of limited or accountable sovereign, where the existence of sovereign is based on its ability to a) protects the individual life and property and be) it should be based on the consent of people. So, people have the right to overthrow the sovereign in Locke. But in Hobbes and Rousseau, what we find, once you create the sovereign, it is your obligation to obey the sovereign in all circumstances. So, Rousseau, goes to the extent of forcing the individual to obey the sovereign in the form of ‘general will’.

These are some of the debates about the idea of state and sovereignty. In the next class, we will discuss about different forms of state and sovereignty like liberal, Marxist.

(Refer Slide Time: 50:06)



On this lecture, you can refer to some of these readings like in Rajeev Bhargava and Ashok Acharya’s book, *Political Theory: An Introduction*, there is a chapter on state. And then, Martin Conroy’s, book *The State and the Political Theory*, you should refer to and also, John Hoffman and Paul Graham’s, book *The Introduction to Political Theory* is a useful resource to understand the conceptualization of a modern state. That is all for today’s lecture.

Thanks for listening. Thank you all.