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POLITICAL SCIENCE

PAPER I

LESSON NO. 3

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Q I (Contd)

Professor MacIver defines the state as: "an association which, acting through law as promulgated by a government endowed to this end with coercive power, maintains within a community territorially demarcated the universal external conditions of social order". Examples of states are India, the USSR, the USA, Ghana, Tanzania, Canada, the U.K.

Having thus defined the state, let us now discuss its essential physical attributes which as we have already seen are: 1) population; 2) territory; 3) government and; 4) Sovereignty.

(1) Necessity of People or Population: **Population**

The state is a human institution and it is therefore inconceivable to think of the state without human beings. It follows therefore that there can be no state unless there are people to constitute it although there can be people without state. After knowing that there must be people in a state the logical question that arises how many people should be there to constitute a state? Early Greek philosophers like Plato and Aristotle mentioned numerical limits. Plato felt that 5040 citizens should be sufficient to constitute a state whereas Aristotle contended that there should not be too many people or too few. A study of the modern states would immediately expose the fallacy of maximising or minimising the limits of population. Countries like the United States and the Soviet Union have the population of over 25 crores and over 19 crores respectively.

whereas other states like Tanzania and Kenya have a population of one crore and half a crore respectively. There also extremes. The Peoples Republic of China has a population of 75 crores while Gabon has a population of less than half a million. Thus we can conclude that no maximum or minimum limits can be laid down regarding population but "the nearest

approach to a safe rule is to say that population must be sufficient to provide a governing body and a number of persons to be governed, and of course sufficient to support a State organisation. However, general ^{remarks} ~~remarks~~ can be made regarding the population of a State. The ~~pop~~ population should be in proportion to the size and resources of the territory.

(ii) Necessity of territory: **Territory**

A state must have a definite and fixed territory. A ^{nomadic tribe} ~~nomadic tribe~~ moving from one place to another cannot constitute a State. This characteristic of the State makes it to differ from other ^{human} associations. The State is a territorial association whose membership is confined to the people residing in its territory unlike other ^{human} associations or organisations which exist regardless to relations of place; whose membership and activities may include the entire world e.g. International Parliamentary Association, International Journalists Organisation etc.

What about the size of the state? Is there any maximum or minimum limitation for a territory to constitute a state? Like population, it is impossible to make a prescription of the territorial limits of a state. The **Proviso?**

States vary greatly in size. There are states with big areas like the Soviet Union, India, USA, ~~Indonesia~~ and China and there are those with very small territorial areas like Israel? Yet there are others with medium size like ~~Tanzania~~ Cameroon and Tanzania.

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It is therefore out of the question to lay down any concrete rules regarding the size of the state. But it can be rightly observed that the larger the state the greater is the possibility that its resources are going to be immense which in turn imply that the greater would be the capacity to defend itself. We can therefore surmise that the size of the population of which the territory has to support should determine the territorial extent of the said territory. If a territory is large and its resources great then it is quite logical to expect more people to reside in the territory. ~~The danger lies in~~

The territory of the state includes land under its jurisdiction, the natural resources like forests, oil etc., water (lakes, rivers and seas) and air space. According to international convention, the territorial waters of the state ^{with} regards to sea extended to three miles from the coast but now different states unilaterally extend their maritime jurisdiction e.g. Indonesia which ~~is the~~ has declared that all waters between the Archipelago constitute Indonesian territorial waters.

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Necessity of Government: Government.

Government is a third essential attribute of a state without which the state is not conceivable. Even the Anarchists who believe in the withering away of the state when a communist society has been established acknowledge that even their authority shall still be needed. What is government. It is an organisation or agency through which the will of the state is formulated, expressed and realised. While a government is an indispensable part of the state, the types of government differ from one state to another. When we talk of the government

we take it in its wider sense. This means that we talk of all the three important organs of the government namely the legislature, the executive and the judiciary. Thus a government is an indispensable machinery of the State.

Necessity of Sovereignty:

The fourth and most important element of the state is sovereignty i.e. Supreme power, both internal and external, including the authority to make final legal decisions and the physical power to enforce them. ~~People inhabiting a defined territory and having a government do not necessarily constitute a state.~~ It is this feature which distinguishes the State from ^{all} other associations.

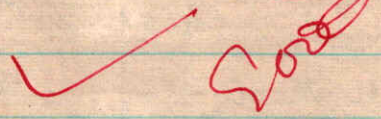
Sovereignty has two aspects - internal and external. External sovereignty is the quality of independence from control or interference of any other state in the conduct of its international relations. This is tantamount to say that people, inhabiting permanently in a definite territory and having a government must also be independent of foreign control to constitute a state. Professor Garner ^{rightly} says: "If they are subject to the control of another state which sets limits to ~~their~~ their power, regulates their affairs, and exercises the power of government over them generally, they do not constitute a state but are part of the state which exercises control over them." ~~Therefore~~ ^{in short,} external sovereignty of the state implies that it is free from the control of any other state or political authority and that its territory and population form no part of a wider political unit.

Sovereignty also has an internal aspect. In this sense it relates to the power and authority

The most important characteristic of the State is Sovereignty whereas Society lacks Sovereignty. Sovereignty implies that the State has the capacity to enforce its authority on all those who live within its territorial limits. To this end, the State may also use coercive power on those who disobey its laws. Society, however, does not possess this Sovereign power to compel obedience through force on those who dare to trample on its laws. This does not mean that Society has no rules. Every Society has its own rules of conduct, the observance of which depends on the goodwill of its members. Society members may or may not adhere to its rules. Appeals and persuasion are used to make the members of a Society to observe its customs. Banker rightly puts it: "The area of Society is voluntary cooperation, its energy that of goodwill and its method that of elasticity; while the area of the State is that of mechanical action, its energy force and its method rigidity."

It is very clear from the above narration of differences between the State and Society that these two are not identical or synonymous. And it would be an act of sheer fallacy to fail to make a distinction between them. MacIver rightly says: "To identify the social with the political is to be guilty of the grossest of all confusions, which completely bars any understanding of either Society or State." The political is just one aspect of social life and should not be allowed to dominate it. If this distinction is ignored, there is danger that eventually individual liberties will be suppressed thereby giving rise to dictatorships and tyranny. Nevertheless it is the State which preserves social order, holding the

Society together and binding members of the Society to certain uniform rules of conduct, which are imperative for a harmonious and orderly social life.



Q.1 (b)

State and Government

The terms State and government are frequently identified in popular usage. This interchangeable utilisation of the terms sometimes lead to unnecessary confusion. In fact, these two terms have different meanings and both the Statists in England and political philosophers like Hobbes who have also been employing the terms State and government to denote the same thing have been in the wrong to do so.

The ^{first} difference between the two is that the State is wider than the government. The State consists the whole body of people - the governed as well as the governors. But government includes only a small fraction of the ^{total} community residing in a defined territory of the State. MacIver says: "When we speak of the state we mean the organisation (or association) of which government is the administrative organ.... A state has a constitution, a code of laws, a way of setting up its government, a body of citizens. When we think of this whole structure, we think of the state". Government as an administrative organ of the State, is only part of the State. Government is ~~not~~ only an instrument of the state. Its status is just like a Directorate ~~of a school~~ in a school. For just as a Directorate of a school cannot be

...considered to be a school in itself, so the government is not the state. If the state and government are considered identical, then the whole becomes the part and the instrument achieves the status of the main (whole).

Secondly, Sovereignty is an attribute of the state not of government. Government has no original powers. All its powers are derived from the state which delegates it to exercise them. In the same way as the state grants powers to the government it can take back these powers.

Thirdly, whereas the state has a characteristic of permanency, governments may change. We very often witness changes of governments in different countries either through revolutions, coup d'état ^{or} constitutional processes, but states continue to exist. The Chinese state continued to exist even though the Communist Revolution in 1949 overthrew the Chiang Kai-shek regime and installed the government led by the Chinese Communist Party. In the USA, political power may change hands between the Democrats and Republicans but the state of the United States of America will continue ^{unaffected}. In Latin America, hardly six months pass ^{when} before we hear of a coup yet in one of the Latin American states yet the states in these ~~states~~ countries remain unchanged. The ^{violent} overthrow of King Faisal II in Iraq in July 14, 1958, for example, did not mean any change in the state of Iraq; only the government changed. New Iraq has become a republic-monarchy.

