

## Unit - 02

### Chapter - 04

## Concepts of State and Sovereignty

“The state is an underground society which is divided between rulers and governors and boasts supremacy over other institutions that come into the domain of their borders.” - Laski

What is the state is a complex question of political science. Every person is a member of the state and ‘state’ word is used many times a day, but very few people understand what the state is. Different politicians have explained the state in different ways. According to Karl Marx, the state is a class structure. Some scholars believe that the state is such a thing which belongs to whole society and which is for the entire society. Some consider it a system of power, some others consider it to be a system of philanthropy.

The English word State is derived from the word of Latin language ‘status’, which means the designation of a person given by the society, but day-by-day got its meaning changed, and later it was explained in terms of the status of the whole society.

### Definitions of State

Different authors gave different definitions of the state. Some popular definitions of the state are the following:

**(1) According to Aristotle** - “State is a union of families and villages, which aims at establishing a complete and self-sustaining life, which we mean a happy and respectful life.”

**(3) According to Woodrow Wilson**, “Organized people for peaceful life in a certain part of the earth are called the state “.

**(4)** Hall has defined state according to the international law, keeping in view the situation of the state- “The goal of an independent state is that the society that created it is permanently organized to achieve political goals, it has a certain territory and it is free from external control. “

**(5)** According to Dr. Garner, “As a concept of Political Science and Public Law, State is the name of a less or more numbered organization, which is permanently located in a certain part of the earth. It is completely independent or almost independent from the external control and it has an organized government order of which is followed by most people by nature.”

### Elements of State

Definitions of state show that there are four elements of state: 1. Population, 2 Territory 3. Government, 4. Sovereignty

These four elements of the state are mandatory.

**1. Population-** Population is essential for the formation of the state. Without population there can be no state. No desolate place can be called a state, population limit can not be determined. It is good if the population in the state is in proportion to its means.

**2. Territory-** The second essential part of the state is territory. Like population, it is difficult to say for sure how much area is needed for the ideal state. Some time ago, the scholars thought that the ideal state should have enough food content to generate land so that citizens do not have to depend on other countries. But now a days this assumption has gone wrong.

England produces so much food items that are fail to fulfill the needs of the people throughout the year, but people earn so much money from the industry that they can easily buy food items from other countries. If a state has more land then it will prove to be powerful for it.

The area of America is 30,26,789 square miles, while the area of India is 12,61,323 square miles. There are many states that have a very small area. So the area cannot be fixed for the state, yet it can be said that big states are more useful than smaller states because they are more powerful and they have a generous feeling due to the mixture of different castes.

**3. Government-** The government is the third important organ of the state. The government is an agency through which the will of the state appears and executes. Society is formed by the government itself and peace is established. Without the government, the groups of humans will remain disorganized and there will be unrest in them. The government has three organs-the executive, the legislature and the judiciary. The executive governs the rule of the country and enforces the law, the legislature makes the law and interprets the judiciary laws. The government punishes those who do not follow the rules and laws of the government. There are no definite rules for what form of the government there should be in the state. On the one hand, there are democracies in India, England, America, Canada, New Zealand, France, Italy etc. On the contrary, the communist party has long been there in China, Finland, Czechoslovakia, Hungary and Poland. In many countries there is a parliamentary government, while some other countries have presidential government. This proves that the form of government is not certain to form a state.

**4. Sovereignty-** Sovereignty is the life of the state. Without it the state can not be created. Sovereignty means the highest power of the state. Sovereignty is of two types - external and internal.

External power means that the country will not be subject to external Sovereignty. For example, prior to 1947, India was under British rule, so India was not a state but Great Britain was the only state which was owned by India. The internal Sovereignty means that the state holds supreme power over all its institutions and individuals. No state can be ordered to keep control of the persons and institutions of any other state.

### **Difference between state and government**

**1. State is abstract while government is concrete -** the state is an abstract assumption while the government is a tangible, concrete instrument that is formed by the sum of a certain number of individuals.

**2. The government is the state's agent -** through the government, the state reveals its desire. The government fulfills the goals of the state and receives all its powers from the state, i.e. its most important principle.

**3. Government is the agent of the state-**the government is one of the four essential elements for the state, whereas the state itself is a comprehensive concept.

**4. State has sovereignty while the government does not have sovereignty -** the state is an important part of the state. The government does not have monarchy, because in the democracy, the public is considered the source of all the powers of the government.

**5. Government is changeable, while state is permanent-** the existence of the state is permanent and always remains the same. Wherever there is a combination of the four elements needed for the state, there will be a state. But there are many forms of governments which are changeable. The changes in governments can be due to various reasons, such as election, military revolution, revolt, attack etc. But even after the change in government, the state remains in existence.

**6. Membership of the state is compulsory, but not of the government** - the individual becomes essential member of the state as soon as he is born. Thus membership of the state is mandatory. Whereas becoming a member of the government depends on the person's wishes.

**7. Territory is mandatory for the state, but not for the government** - sometimes a state government becomes established in another state too. For example, in the second world war when Norway was defeated by Germany, the Norwegian government came to England and started working from there. When Germany was defeated at the end of World War II, the Norwegian emperor returned to his country and the Norwegian legal government began to work again in his country. Whereas the state has its own fixed territory without which the state can not be determined.

**8. The government can be opposed, but the state cannot be opposed-** People can oppose the policies and actions of the government that are anti-public, whereas the state is an abstract institution that the citizen can not oppose.

### **Difference Between State and Society**

1. State is a political system, society is a social system. Society has knowledge of those people who live in mutual social bonding. State is the tool of society through which peace is established.

2. Society does not have sovereignty, while the state has it. The society can be punished by state for violating the law of the state.

3. Society comes before the state. When humans were not organized. Even then there lived as a stroller and a tribe, there was a society. The development of the state came later, when man learned to be civilized and to be organized.

4. The state is related to the political aspect of the man, while society is related to the ethical aspect.

5. Territory is not necessary for society, while it is mandatory for the state. Society can be local and also international.

### **Evolution of the State**

Due to the man's tendency of living in groups and sociability, the primitive people also had a type of organization. The primitive man has not been in a hunting and inexplicable state for a long time. Gradually progressing, he started moving towards civilization. This progress was achieved in two ways, in a farmer form and in the form of animal husbandry.

**Peasant and Animal Rearing Tribes** - There were some states which were more suitable to farming than others. The valleys of rivers and the shores of reservoirs were suitable for cultivation. The grains could be available with ease there. After the knowledge of farming, those who came in these states, naturally paid more attention to the cultivation. It was necessary for cultivation that they would go there frequently. There they built their own houses. Once a lot of houses were built, a settlement or village was developed. The people who settled in these settlements, would always come in contact with each other. The collective sentiment was already present in them. Now it became more necessary for them to treat each other fairly, not to possess any other person's property, not to harm anyone. Anyone who acts inappropriately towards someone, gets punishment. For this reason, in these settlements, the development of a type of statehood was started.

In addition to the adjoining areas of the valleys and reservoirs, there were many states which were not very suitable for farming. These were either desert, or forest. The people living in these areas were not attracted to cultivation, nor were they settled in a stable place. They had started animal husbandry after rising above the predator's condition. They used to take their livestock and roam in forests or deserts, and they used to live in their homes by putting their tents there. Because of not settling in one place, the farmers were

left behind in the field of civilization. But gradually their organizations became systematic, which finally led to the emergence of a type of government.

**Early States-** The following were the places where the man first started having settlement as a result of the knowledge of farms and fields- (1) the valley of Euphrates and Tigris rivers in West Asia, (2) The valley of the Nile in Northern Africa, (3) the coastal regions of the InGian Sea and the diverse islands in the Mediterranean, in which the Crete was first, (4) River valleys in Hong-Ho and Pyongtase-ki Ng in China (5) the valley of the Indus River in India.

In these diverse territories, the earliest settlements of humans were very small, gradually they were transformed into the expected-large states. This process can be explained by examples of the Euphrates and Tigris rivers. The ancient inhabitants of this valley were Sumerian people. They inhabited Nearly 4500 BC Nearly in this region. There they established many small settlements or states. Initially these small states of Sumeria were completely independent. But gradually the struggle started among them. Among these, Erich's state was the most powerful. It conquered all the other territories and subjected itself, and the whole Sumeria came under the authority of Erich. The process that took place in Sumeria also occurred in Egypt (Nile Valley), in the Egean region, China, India etc.

**Form of Early States-** In this ancient state, we have no literary means to gain knowledge of what was the nature of governance. No books highlighting the condition of these states have been made so far. Based on what has been known by archaeologists, historians we can assume that the nature of governance in these states was divine. These people believed in deities, and used to build huge temples for their worship. The work of governance was either accomplished either by the Priest or the king was accepted in the divine form. There was no involvement of the common public in administration. A majority of the public was in a state

of slavery. The people involved in animal husbandry often attacked on these settlements. When a caste conquered these settlements and subdued it, the civil persons were made slaves. In about 2750 BC, Sumeria was invaded and conquered by The Akedians under the leadership of a leader named Sergeant. The Acadians were cattle-rearers and in terms of civilization, they were far behind from the Sumerian people. When they conquered Sumeria and settled down here, they fully adopted the Sumerian civilization. In the political sense, the Sumerians were under the rule, they were made slaves, but they were the winners in terms of civilization. Following the Akedians, the Amarnite (approximately 2100 BC), Assyrian (1200 BC) and Keldian (606 BC) invaded the same state respectively. Of all the different castes in the state of Babylonia, some of the winners were governed by the majority of the slaves. But nothing is known with certainty about the governance of these states. Anything that has been discovered by the findings of the phenomenon is that their rule was under a powerful king, who took the shelter of divine power and ruled the people. There was a similar situation in all the states of ancient Egypt, China, Egean Sea etc. The principle of religion helped a lot in maintaining control of the people of these territories.

**Greek (Greek) city-state-** The oldest civilizations of the world were destroyed by the Aryan race. These Aryans established many small states in Greece. There are many hills in Greece, due to which the country is divided into many valleys. Diverse 'people' of the Greek branch of the Aryans settled in these dense valleys and their states remained separate from each other. The number of these Greek states was in hundreds. Among them were the main Athens, Sparta, Corinth, Thebes, Samos and Miletus. The population of most Greek states was almost fifty thousand. None of them had such a state, whose population was more than three lakhs. There was also a large number of slaves in this population. Free Greek citizens were few in number than slaves.



In ancient Greece, there were many thinkers who, in the context of political science-related many important theories. Among these, names of Plato and Aristotle are particularly notable. The same place which Acharya Chanakya occupies among the thinkers of India, is occupied by Aristotle among the western thinkers. He tried make a comparative study of the various governance of different states of his time, as well as the nature of the state body.

Independence of Greek city states and separate power could not last long. Powerful states such as Sparta, Athens and Corinth gradually won their neighboring kingdoms and subdued them, thus creating their own league. After some time, King Philip of Macedon won all the Greek kingdoms and subdued them. Alexander continued the work of the Empire expansion and created a wide empire from the Mediterranean Sea to the Vyas River.

**The universal empire of Rome** - many Aryan castes that established small territories, soon became subject to an empire. This empire was built by Rome. The freedom of the Greek city kingdoms was ended by King Philip of Macedon. But the Macedonian empire established by Philip and Alexander could not be stable for a long time. In the west of Greece, there was a city state in Italy, the name of which was Rome. It was located on the banks of the Tiber River in the middle of Italy. Established in 723 BC Initially it was such a city-state, such as Sparta and Athens in Greece and Videha or Sakya etc. in India. But slowly, Rome not only won the entire Italian city kingdoms, but also conquered them by conquering the vast kingdoms of Greece, Egian Sea, Egypt, Asia Minor, France Spain and Britain, and the diverse states of far-flung territories.

**The Feudal system** - The attacks of the German race on the Roman Empire in the third century continued for several centuries. Due to these invasions, the Roman Empire got disintegrated. The chieftains of various German tribes formed many small states on

the ruins of the Roman Empire. The number of these states was in hundreds. Apart from these, the territories which had escaped from the German invasions began to be ruled by the feudal independently. Some of the states were in the hands of Christian priests, and in some of the big business towns, the traders group (corporation or corporation) used to rule independently. The idea is that this period was full of chaos. The one who had the power, was able to retain his power. The lives and the wares of the ordinary people were not safe until they were under the protection of a powerful person. In this situation, the feudal system emerged.

In this era of chaos, the system was developed gradually by the feudal system. In the territories where the winner had established his authority, he would divide the living territory among his peers. If the Sardar is to be called King, then his colleagues should are to be called Feudal Lords. Although these feudalists used to get their manor from the king, they were the sole masters of their territory. Their only relation with the king was that when the king needed, they would assist him with his soldiers. In medieval Europe this lack of political unity and system was lacking due to this feudal system. In the feudal system, the form of the statehood was very different from the old town-states and state institutions of the Universal Empire. The fidelity of the public was not against the territory (residence or abode), but against the feudal lords. To the public, ruler was not emperor. The feudal lord was considered ruler. The states under the feudal system lacked sovereignty, an integral characteristic of state.

The dominant power was not with the feudalists, because they themselves were under some king, and dominant power was not in the hands of the emperor because he depended on the feudal lords for the observation of their orders. For this reason, to many of the scholars of political science, the medieval period was a period of anarchy, and at that time there was no rule of state institution.

## **Nation State**

Due to the rise of the feudal system and the development of powerful Central Kings, the states like France, England and Spain had a very good opportunity of progress. Internal arrangement and peace proves very helpful in a country's advancement. Due to the feudal system, there was a complete lack of system in these countries. With the establishment of a powerful central government, these countries went a long way in progress. An important result of this position was that in countries like France, England, etc., strong Central Governments established a sense of unity in them. All the territories governed by the French Kings were one, and considered their king's kingdom a country. The result of this condition was that France gradually started to form a nation, and the citizenship of its inhabitants began to develop. This process was also done in countries like England, Spain and Russia.

On the stage of history, a new type of state began to appear, which is called the Nation State. These nations were not only different from the medieval states, but also differed from the ancient city-states and the sovereign states. The idea was working in their organization that due to the unity of language, religion, customs, historical traditions and culture etc., the people of the country who are mutually respected should have their own separate state. This is called the principle of nationality. After the decline in the feudal system, the powerful kingdoms that were established in Europe, were in the form of nation. There was no single person dominant in these states, nor was the principle of unity in them alone that was loyalty to the ruler only. Due to the realization of national unity these states were very well organized.

The future development of the state - the process of development, which transformed the small states of ancient times as the nation states of the present era, has not ended yet. The development process in the area of the state is still in progress. This development

of the state is happening in two directions- (1) Regarding the pattern of governance and the domain of the state, and (2) the relations of the states. The wave of democracy started in the eighteenth century, its form is now constantly changing. Freedom and equality in the political arena is no longer considered sufficient. Now this requirement is also experienced, that even in the economic area, humans are completely independent and have the same status. For this reason the movement for socialism started, and the principle of socialism was adopted by some of the world's largest states in some form. Following the system of socialism, the form of the statehood is now evolving, it is very different from the nineteenth century democratic national states.

Due to the extraordinary progress made in the field of knowledge-science in past years, various states of the world have come so close to each other that it is no longer possible for them to remain completely separate from each other. Also, due to the invention of the new catastrophic weapons, it is no longer possible for all the states to depend on their power only for self defence. In the ways in which the various states of the modern era are believed to be fully-dominated, they will be the same in the future too, it is very conspicuous. Just as in the medieval period the weakened Feudal lord used to subdue himself under a strong neighboring state, so if the weak state becomes the successor state like America, Britain and China for self-preservation, then it is not unnatural. Under the current circumstances, it has become necessary for states that they should accept the idea of international and interdependence by abandoning their full independence and the idea of universalism. Due to this need, various states are being organized in a number of international organizations.

**Features of the Evolution of State** - Prof. Gatal has outlined five characteristics of the Evolution of State:

1. The development of the state has been from simplicity to complexity. The initial organization of the

state was very simple. With the development of human life, the work of the state increased and the organization of the state kept on growing complex.

2. Initially the population of the States was low and the area was small. Over time, the population of the states and the area continued to grow.

3. In addition to the development of the state, political consciousness has also been developed in the citizens. As a result of the development of political consciousness, the system of republican democracy and the formation of a federal state has developed.

4. At the initial levels of state development, the state and the religions were united with each other, but at present, religion and state have become separate from each other and today the idea of 'secular state' is recognized.

5. At the initial levels of state development, there were generally autocratic governance arrangements in which individual freedom was not available. Slowly, the importance of personal liberty came to be understood and the path of coordination between the state's sovereignty and personal liberty began to be adopted.

## Sovereignty

"Sovereignty over the citizens and people is the ultimate power that is not governed by the laws."

Sovereignty is an indispensable integral characteristic of state. According to J. W. Garner, "Sovereignty is such a specialty of the state because of which it is not tied to anything other than its own will, and is not limited by any force other than its own." Traditional definitions of sovereignty express the same idea.

The sovereign, whether a crowned prince, the Chief Executive or an Assembly, can declare the law only with its will, can issue orders and make political decisions. These laws, orders and judgments are

binding to all the people or groups and organizations falling into its jurisdiction; In fact, the supreme legal authority of the state can be established only on the basis of the concept of sovereignty.

Since the concept of sovereignty recognizes the will of the sovereign as the supreme power, therefore sovereignty is an infinite and lasting supreme power. This does not mean that the use of sovereignty does not work with discrimination, or the idea of the prevailing customs, social values, justice or general interest is not kept in mind. This only means that when the meaning of all these things is concerned, the sovereign does not have to consult any other authority or organization. In other words, when the sovereign ruler adheres to justice or ethics, he himself decides what justice is; he decides the right-wrong decision by his discretion, not by the direction of any other person. To consider sovereignty Arbitrary power will be absolutely wrong.

### Meaning of Sovereignty

Sovereignty is also called Rajsatta or Prabhusatta in Hindi. In English, it is called Sovereignty, which is derived from the Latin word 'Suprenus' which means supreme power. Rajsatta is the special feature of the state, and is the most important of the four elements that make the state.

**Two aspects of Sovereignty:** sovereignty is of two types, one internal and the other external. Internal sovereignty means that all persons and organizations living within the state are in full control of the (state). If they do not obey the orders of the state, the state has the full right to punish them. Professor Harald Laski wrote in this regard: "The state commands all the people and communities of the state and does not order any of them. There is no legal restriction on his will. Only after expressing his desire in a matter, he becomes the official."

The external sovereignty means that the state is not subject to any external country or institution. Each

state has full right to make business treaties and military agreements. Every country has the right to run its own foreign policy in any way, whether it be a group or someone to interfere with someone. Therefore, the external Sovereignty means that the state is completely independent of external pressure, which means national independence. Professor Laski says that “modern state is a sovereign state. So it is free from other nations. It can tell them its will, without any external influence. “This proves that the state is a complete sovereign state internally and externally.

**Definitions of Sovereignty:** Sovereignty has been defined as follows-

(1) According to Jelenek, “Sovereignty is the quality of the state, because of which it does not interfere with the will of any other person or the order of external power other than its will.”

(2) According to Grosius, It is the supreme political power inherent in any sovereignty, whose work is not subject to any other person and whose will cannot be violated.”

(3) According to Bodin,” Sovereignty is the power above citizens and people which is not governed by laws.”

(4) According to Dewguit, “Sovereignty is the power that orders the state. It is the will of the organized state as a state; it has the right to order unconditionally all persons living in the territory of the state. “

(5) According to Burgess,” Sovereignty is the fundamental, dictator and unlimited power of every state and its communities

(6) According to Polok “Sovereignty is the power that is neither transient nor given by any other person nor is it under any such laws that can not be changed.

(7) According to Willobei, “Sovereignty is the highest will of the state.”

(8) According to Laski, “Sovereignty is legally above every individual and community.

(9) According to Woodrow Wilson, “Sovereignty is the power that keeps working and enforces the law by working every day.”

Based on all the definitions written above, we can say that sovereign power is the highest power of the state. It can be both internal and external and it is unlimited. There can be no obstruction from this theoretical point of view.

### **Historical development-**

Conventional principles of sovereignty are found in the works of many thinkers. In the 16th century, Jean Boden (1530-96), Hugo Grosius (1583-1645) and Thomas Hobbs (1588-1679); in the seventeenth century, Jean Jacques Rousseau (1712-78); in the eighteenth century and John Austin in the nineteenth century (1790- 1859) made this theory very clear. It is often believed that the origin of this principle took place in the sixteenth century. In those days the medieval faith and institutions were going to disappear and the rise of the national and princely state was emerging. The principle of sovereignty was presented with the intention of establishing the right of the state. For the establishment of a powerful, national monarchy. In order to establish a powerful national monarchy it was essential to refute two kinds of ideas: first, that the power of the Pope is over the rule of the national government, secondly, the powers of the King within the kingdom are limited because of the rights of the feudal lords, self-governing governments and autonomous guilds. This was the reason why on the rise of the National Monarchy in France, Jean Boden in his famous work ‘The Republic’ described the state as an ‘organization of families and their combined asset’ “where a supreme power and the rule of discrimination runs. “He gave this definition of sovereignty -” It represents the highest power of citizens and subjects, not tied to the stereotypes of law. “

According to Grocius, “Sovereignty is the highest political power, which is vested in the person whose



work is not controlled by anyone else, and whose will can not be violated.”

The common and important element in the ideas of Bodin, Grocius, Hobbs, Rousseau and Austin had the idea that the state is a fundamental institution of society. State is the institution which only makes laws for society. The interests of human beings come from one to another, one can be opposed to other, but in the confines of the state, they can live together and discreetly. The natural result of this situation is that in the eyes of the state, the state's power is unique, supreme and infinite. This is the reason that Austin's sovereignty theory is called the Monistic Theory.

### Characteristics of Sovereignty

Following are characteristics of sovereignty-

1. Absoluteness
2. Universality
3. Inalienability
4. Permanence
5. Indivisibility
6. Exclusiveness

**1. Absoluteness-** Sovereignty is a complete and infinite power. It is not dependent on any other power. All persons and their groups within the state are subject to the sovereign. Even outside the state, the sovereign is considered the highest in terms of his powers. No other state can interfere in his affairs, nor can it compel him for something. International treaties and agreements do not destroy sovereignty because no state is bound to adopt them. They are only valid until the sovereign state is ready to respect them. International court can interpret International law, but it is not within its power to implement it. The traditional theory of sovereignty is not ready to keep the international law in line with the law because it does not convey the will of any sovereign.

**2. Universality -** Sovereignty is supreme among all persons, institutions and other objects within the state. In any case, if the state wants it, it can put a subject out

of its jurisdiction, but no person or organization can ask for liberation from the jurisdiction of the state. Therefore, sovereignty is a universal and public power under the territory of the state. The immunity that diplomatic missions receive from the state's jurisdiction is the subject of international courtesy, not the real exception of the principle of sovereignty. No state can refuse to provide such immunity to anybody on the basis of their sovereign power.

**3. Inalienability-** Sovereignty is unshakable, so it can not be assigned to anyone else. If the sovereign state wants to transfer its sovereignty to someone else, will have to lose its existence. In other words, in the absence of sovereign power, the state will no more have the status of being a state. If a state offers some part of its territory to a state, its sovereignty will end on that part and the sovereignty of another state will be established. If a sovereign ruler abandons power or throne, then in this situation, the government changes, the position of sovereignty does not change.

Garner has said that, “Sovereignty is the personality and soul of the state. Just as a person's personality is unpaid and he can not give it to anybody, in the same way the sovereignty of the state can not be given to anybody else. “

Rousseau says that sovereignty, having the common will, can not be handed over to anybody. Power can be transferred, but not the will”

Liver has said, “Just as a person can not separate his or her life without suicides or tree cannot be free from its quality of flourishing, sovereignty cannot be separated from the state.”

**4. Permanence-** Just as the state is permanent, the sovereignty is also permanent. As long as the state exists, sovereignty is also alive. Both can not be isolated. The sovereignty does not end with the death or postponement of the emperor or the President, but it immediately is vested into the other emperor or the

President. As the state continues to exist as the government changes, so does the sovereignty of the state.

**5. Indivisibility-** Since sovereignty is complete and ubiquitous, it can not be broken. If the sovereignty is divided, then the kingdom will also be broken. The power that other groups or organizations use in connection with its members is not cut from the state's sovereignty, but it is the responsibility of the state's sovereignty. The power of all other people and institutions is confined to the state's sovereignty. The federal system; under the command of the Commonwealth College, the sovereign states are not divided into units and units, but their jurisdiction is divided in respect of specified subjects. This distribution of right areas or any amendment in them is possible only through the use of sovereignty.

According to Kalhon, "Sovereignty is a complete thing. To divide it, is to destroy it. It is the highest power of the state. Just as we cannot imagine the semi-circle or the semi-triangle, in the same way, the semi-sovereignty cannot be imagined. "Gaillet also said," If the sovereignty is not complete then any state cannot exist if the sovereign is divided, it means there exists more than one state."

**6. Exclusiveness-** This means that there cannot be two sovereigns in the state because if the two sovereigns in one state are considered supreme, then the unity of the states is destroyed. The second dominant state can not exist within the highest level of the country.

### Various forms of sovereignty

#### Sovereignty is of the following types:

**(1) Nominal and actual (true) sovereignty-** In ancient times, kings or emperors were absolutent. They had real powers in their hands and the parliament was a puppet. At that time they used real sovereignty. That is why they were called actual sovereigns at that time, like before the fifteenth century in England, in the

eighteenth and nineteenth centuries in Russia and in France before 1789 AD, the emperors were paramount. This situation changed after the glorious revolution in England (1688 AD). Now there are only nominal powers of emperor. In practice, he has the right to warn his envoys, receive information, advise and encourage. In addition to these simple powers, the powers of the British Emperor are used only by ministers. Therefore, it will have to be assumed that the British Emperor or Empress has the sovereignty of mere name. About this changed position of English sovereignty, Laval has written that "according to the initial principle of the constitution, the emperor's counselors were confused. His work was to give thanks and the work of the emperor was to make decision but now the situation has changed. Now the emperor counsels and the ministers decide. "

**(2) Legal sovereignty-** In any country, the power that makes the supreme law is called legal sovereignty. It has full power to make, amend and cancel the constitution in that country. In England there is a sovereign parliament; In England, Parliament has full authority with the same method of amending both the simple and constitutional laws. According to Daisy, "British Parliament is so constitutionally powerful that it can call an infant an adult; can announce anyone to be a traitor after death, can declare illegitimate children legitimate, and if it thinks fit, then it can make a person a judge in his case. "Although the British Parliament has all these powers, but in practice, it cannot do so.

**(3) Political sovereignty-** The pivotal status is the highest; Daisy has said, "In addition to the legal sovereignty which the lawyer has recognized, there is another sovereignty in front of which the legal sovereignty of the deceased and the highest civilization has to bow. This sovereignty is called the political sovereignty. According to Professor Gilchrist, "Political sovereignty means the collective effect of living behind the law in the state. In the modern Representative

Government, we can call it broadly the wish of the people. "Therefore, Political sovereignty we mean voters and all other influences in the state that make public opinion. In the democracy, legislation is influenced and controlled by voting, newsletters, meetings, protests, delegation, strikes, clubs, societies, pressure groups, etc.,. Therefore, the power of voters and public opinion is called the political sovereignty.

**(4) Popular Sovereignty-** It is often assumed that the power of the people is the biggest. This principle was adopted in ancient times by many authors to reject the autocracy of kings. Therefore, this principle was adopted in the United States Constitution. According to Dr. Garner, "The only intention of the secular Sovereignty is that in the states where the adult has the right to vote, voters have the power to express their desire and execute it."

**(5) De Jure and De Facto sovereignty-** Many times the difference between legal (legal) and real sovereignty. De Jure sovereign is the one who can issue supreme order of the state in statutory terms. According to the law, he has the right to rule and he can make the people obey his orders.

Many times when an invasion or a revolution occurs in a country, the sovereign is unable to make the people obey his orders. If a new invader or revolutionary leader is a general, or a dictator or an emperor, he becomes sovereign. For example, prior to 1949, martial Chongqai in China was ruled by Shake's Komintang Party. The same was there in the legality of the sovereign, but in the year 1949 there was communist revolution. After that, there was the rule of Communist Party. The communist party became virtually the sovereign. Later, India, France, Great Britain, Indonesia, Soviet Union etc. recognized the communist government of China. Therefore, in their view, the communist government of China is legally and virtually (in fact) sovereign. Now the United States and

many other countries have also recognized it, so now the communist government of China is De Jure a sovereign, and is the highest political party, and has become a state-sponsored lawmaker. After the Second World War, before the revolution in Egypt, Emperor Farooq ruled Egypt. That is why the same government, according to all the countries, there was virtually a sovereign and a lawful ruler, but there was a revolution under the leadership of General Najib. Later, General Najib was removed by the Criminal Council and Nasir established his power. Almost all foreign governments gave their recognition to the government of Nasser. Therefore, this government became virtually and legally sovereign.

In countries where there are military revolutions, in reality, or literally, all power is seized by the sovereign, and its government becomes virtually sovereign. Like Lenin established his government in 1917 after the revolution. In Pakistan, in 1958, Marshal Ayyub Khan received power on the basis of military revolution. He remained the real ruler for nearly ten years. Later in 1968, the Jia Khan took power from him. After the defeat of Pakistan in the Indo-Pak war of 1971, the Jiah Khan collapsed and he was forced to surrender power to Zulfikar Ali Bhutto. Jiyouil Haque took over the power on July 5, 1977, removing him. Similarly, Khomeini assumed power in February 1979 after removing the last emperor of Iran, Raza Shah Pahlavi. By removing Nur Mohammad Taraqqi from Afghanistan, Kamal Barabak assumed power in December 1979. After some time of the military revolution, when foreign governments experience that the revolutionary leader has established a real control over his country, his government is recognized. This has happened in relation to the new governments of Pakistan, Afghanistan and Iran. At that time, the real government becomes the legal government.

## Important Points

### Concept of state

‘What is the state’ is a complex question of political science. Every person is a member of the state and the word ‘state’ is used many times a day, but very few people understand what the state is. Different politicians have defined and interpreted the state in different forms. According to Karl Marx, the state is a class structure; Some people believe that the state belongs to the whole society, and is for the entire society. Some consider it a system of power, some consider it to be a system of public welfare.

The English word ‘State’ is derived from status of Latin language which literally relates to social level, but it gradually changed its meaning, and later it was assumed to be related to the level of all the societies.

**Components of State** - 1. Population  
2. Territory 3. Government 4. Rajasatta or sovereignty

### Difference between state and government

1. State is intangible and government is tangible,  
2. Government is an agent of state 3. Government is a part of state 4. State has sovereignty, while the government does not have. 5. Government is changeable while state is stable 6. State membership is Mandatory, not government, 7. Territory is mandatory for state, not for government, 8. Government can be opposed, but state cannot be opposed.

### Difference between state and society

1. State is a political system, society is a social system.
2. Society does not have sovereignty, while the state has.
3. Society is made before the state. The state was developed later
4. The state is related to the political aspect of the man, society is related to the ethical aspect of man.

5. Territory for society is not necessary, it is mandatory for the state.

### Characteristics of the development of the state

1. The development of the state has been from simplicity to complexity.
2. Initially the population of the States was low and the area was small.
3. In addition to the development of the state, political consciousness has also been developed in the citizens.
4. At the initial levels of state development, the state and the religions were united with each other.
5. At the initial levels of state development, there were generally autocratic governance arrangements in which individual freedom was not available.

**Sovereignty-** Sovereignty is also called Rajasatta in Hindi. In English, it is called Sovereignty, which is derived from the Latin word ‘suprenus’, meaning supreme power. Rajasatta is the special character of the state and is the most important of the four elements that make up the state.

Two aspects of sovereignty: sovereignty is of two types, one internal and the other external. Internal sovereignty means that all persons and organizations living within the state are in full control of the (state).

The external sovereignty means that the state is not subject to any external country or institution. Each state has full right to make business treaties and military agreements.

### Characteristics or Attributes of Sovereignty

1. Absoluteness
2. Universality
3. Inalienability
4. Permanence
5. Indivisibility
6. Exclusiveness



### Various forms of sovereignty

(1) Nominal and actual (true) sovereignty, (2) Legal sovereignty, (3) Political sovereignty 4) Popular sovereignty (5) De Facto and De Jure sovereignty

### Important Question

#### Objective Questions :

1. The main difference between the state and other communities is

- (A) of form
- (B) of Sovereignty
- (C) of cooperation
- (D) the origin of

2. According to Rousseau, where does sovereignty reside?

- (A) In the emperor
- (B) in Parliament
- (C) In common will
- (D) in adult citizens

3. Which of the following is the characteristic of sovereignty?

- (A) Non Transferable (B) Citizenship
- (C) Dictatorship (D) Rights

4. Which of the following is not a characteristic of sovereignty?

- (A) Franchise (B) Absoluteness
- (C) Exclusiveness (D) Non Transferable

### Very Short answer type Questions (word limit 20 words)

1. Which of the definitions of the state is considered best?

2. Mention any two differences between the state and the government?

3. The government is an essential element of the state or the community?

4. Write the components of the state?

5. How many characteristics of sovereignty are there?

6. How many types of sovereignty are there?

### Short answer type Questions

1. Explain the utility of the state.

2. Explain the different definitions of sovereignty.

3. Explain the different characteristics of sovereignty.

4. Explain the different forms of sovereignty.

### Essay type answer based questions

1. Define the state and describe its various elements.

2. Explain elements helpful in the origin and development of the state.

3. What do you think by sovereignty? Analyze the various forms and characteristics of sovereignty.

### Answer : Objective Question :

1. (B) 2. (C) 3. (A) 4. (A)