



UNIVERSITY OF CALICUT
SCHOOL OF DISTANCE EDUCATION

BA POLITICAL SCIENCE

(1st SEMESTER)

Course: POL1B01

**FOUNDATIONS OF POLITICAL
SCIENCE**

(2019 ADMISSION ONWARDS)

246A

FOUNDATIONS OF POLITICAL SCIENCE

STUDY MATERIAL

1st SEMESTER

Course: POL1B01

BA POLITICAL SCIENCE **(2019 ADMISSION ONWARDS)**



UNIVERSITY OF CALICUT

SCHOOL OF DISTANCE EDUCATION

Calicut University- PO, Malappuram, Kerala, India - 673 635

UNIVERSITY OF CALICUT

SCHOOL OF DISTANCE EDUCATION

STUDY MATERIAL

FIRST SEMESTER

BA POLITICAL SCIENCE

(2019 ADMISSION ONWARDS)

Course: POL1B01

FOUNDATIONS OF POLITICAL SCIENCE

Prepared by:

Dr. K.S. Pavithran
Professor of Political Science and Head K.M. Centre
for West Asian Studies and Indian Ocean Studies
University of Calicut

Course Co-ordinator

Dr. G.Sadanandan,
Associate Professor & Head
PG Dept. of Political Science
Sree Kerala Varma College, Thrissur

CONTENT

Module I	Nature of political science	6
Module II	State and society	23
Module III	Political System	37
Module IV	Sovereignty	53
Module V	Governmental structures and functions	61

Module I

NATURE OF POLITICAL SCIENCE

A) Meaning, Scope and Importance of Political Science. Introduction:

When the scientists classified man as *Homo sapiens*, says R.M. MacIver “man the knowing one, the specific adjective was a kind of ornamental flourish”. It is said darkly in the book of genesis that our first parents broke the rules and ate of the tree of knowledge. Later man has outdistanced all other animals and made himself lord of creation. This is necessarily because of his consciousness of himself which produced tools, agriculture and even civilization. Thus the great Greek political thinker, Aristotle said centuries ago that man is by nature a social and political animal. To Aristotle he who is unable to live in society or who has no need for it, because he is sufficient for himself must be either a beast or God. This Aristotelian statement leads us to the conclusion that man can live nowhere else except in society. As a social animal, Man’s numerous social activities are studied by different branches of Social Sciences. Political Science is, one of them and studies the political aspects of human actions and activities. According to Robert A. Dahl, Politics is a universal activity. Whether an individual likes it or not everyone in a society is tossed into the arena of politics. To him “a citizen encounters politics in the government of a country, town, school, church, business firm, trade union, club, political party, and a host of organizations. Politics is one of the unavoidable facts of human existence. Everyone is involved in some fashion at sometime in some kind of political system”.

Meaning of Political Science

From a liberal perspective, Politics is the activity through which people make, preserve and amend the general rules under which they live. In this sense politics is inextricably linked to the phenomena of conflict and cooperation. The crux of politics is often portrayed as a process of conflict resolution in which rival views or competing interests are reconciled with one another. Bernard Crick, presenting the liberal view of Politics says: “Politics then, can be simply defined as the activity by which differing interests within a given unit of rule are conciliated by giving them a share in power in proportion to their importance to the welfare and the survival of the whole community and to complete the formal definition, a political system is that type of government where politics proves successful in ensuring reasonable stability and order”. In other words, from the practical point of view, politics is

sometimes defined as the technique of compromise. That is why Bismarck defined politics as the 'art of the possible'.

Rajeev Bhargava points out that the word 'political' refers to decision making within and about the community. However, virtually every known community comprises of individuals and groups with different and conflicting interests and values. Thus Michael Curtis aptly remarked that 'Politics is organized dispute about power and its use involving choice among competing values, ideas, persons, interests and demands'. Fundamental decisions cannot be reached without conflict and struggle. The political is the arena of this fundamental conflict over which group and which conception of 'good' would prevail in the community. In this fundamental struggle, some groups will discover something in common with one another and deep differences with other groups. Friends and enemies are found and forged in this struggle. This is why politics frequently involves, as Carl Schmitt famously pointed out, friends and enemies. In politics no one can escape taking sides.

Generally conflicts occur in society in deciding the share of each human being out of everything human society as a whole owns, produces and possesses - both in terms of the material and the moral - relates to the realm of the political. If that is so, then should such sharing be on the basis of authoritative allocation by public decisions or through self-regulating private initiative? To decide this, we must understand the principle of distribution of resources: what should belong to each, and how this share should be organized. This, in turn, calls for an engagement with the principles of justice, rights, political and public obligations, and the arrangements that ensure decision making towards this end. This leads us to treat the political as encompassing the realms of both intellectual enquiry and practical activity. While in the first sense it means exploring the principles, values and objectives upon which a society can be organized, in the second it means analyzing the processes of political activity and the arrangement of power and authority. In short, the former explores the ideal and the latter involves the practical. Various approaches to political enquiry highlight one or the other meaning. However, it may also be the case that the ideal and the practical are not always treated separately. The dichotomy between what it is and what it should be is not maintained and a holistic political enquiry is envisaged.

In its classical form Political Science had its origin in the ancient Greek city-states. The oriental people had speculated on the state and its problems even before the Greeks. But they did not develop Political Science in a pure and systematic form. Thus, historically the term 'Politics' itself was derived from the Greek words 'Polis' or city-state, 'Polity' or government and 'Politeia' or constitution. As such Politics in the original Greek sense is a study of the city-state and its administration. To the Greeks, Politics is everything that touches the life of the state. Thus Aristotle called Politics as the 'master science'. For the Greek, 'Political' then pertains to whatever is done within or by the State.

Writers like W.W. Willoughby, Georg Jellinek and Frederick Pollock draw a line of demarcation between the theoretical and applied dimensions of Political Science. To them the topics like origin, nature and ends of the state form part of theoretical politics. Others relating to the actual administration of affairs of government belong to the sphere of the applied politics. It is generally agreed that this is a useful and convenient distinction. But in its current usage Political Science is much more comprehensive than the term Politics. It connotes the whole range of knowledge regarding the state and embraces the theory of the state. It includes both theoretical politics and practical and applied politics.

Frederick Pollock divides politics into theoretical politics and practical or applied politics. To him theoretical politics includes ;

- a) The Theory of the State
- b) The Theory of Government
- c) The Theory of Legislation and
- d) The Theory State as an Artificial Person Under Practical Politics Pollock includes;
 - a) The State (Actual forms of Government)
 - b) The Government (The working of Government, Administration etc.)
 - c) Laws and Legislation (Procedure, Courts etc.) and
 - d) The State personified (War, Diplomacy, peace and International affairs)

Theoretical politics deals with the basic problems of the State without encouraging itself with the activities of any particular Government. Practical politics on the other hand deals with the actual way in which Governments workout the various institutions comprising

political life. It will no doubt be generally agreed that this is both a useful and convenient distinction but many would prefer the term Political Science to Politics in the present context. Thus a succinct definition of Political Science is given by the French scholar Paul Janet. To him Political Science is “that part of science which treats of the foundations of the state and principles of government”.

With the Behavioural revolution in Political Science, the main focus of Political Science became Power, Influence and Authority. It shows a striking shift from the study of State and Government to that of ‘shaping and sharing of power’. Thus the modern Political Science becomes the study of the way power is accumulated, used and controlled in modern society. Consequently it includes not only legal and formal but also the extra legal and informal processes involved in the government. Thus the study of Politics is concerned with the description and analysis of the manner in which power is obtained, exercised and controlled. It also enquires into the purpose for which power is used, the manner in which decisions are made, the factors which influences the making of those decisions and the context in which those decisions take place.

Recently, David Easton, a Behavioural turned Post-Behavioural political scientist defined Politics as “the authoritative allocation of values that are binding on the society”. As against empirical and, value free approach of Behaviouralists, Easton argued for a value laden Political Science to understand social realities and work for social change. However, if politics, considered as comprehensive enquiry, is the study of decision making power, it means the exercise of power over others, their exclusion from the process of decision making, it must be seen as that which shuts people up, silences them. It is a conversation stopper in order to facilitate the making of decisions which are undisputed and therefore final, authoritative and absolute. Thus political science became the study of how the institutions of state take major decisions on behalf of a small elite or dominant class to the exclusion of the interests of the subordinate classes or subaltern people.

‘Politics’ and ‘Political Science’

As the discipline of ‘Politics’ accorded the status of social science modern writers prefer the use of the term ‘Political Science’ to ‘Politics’. This choice has not been made without reason. Nowadays, the word Politics does not bring to our mind the whole range of knowledge pertaining to the State in theory and political institutions. The term politics is also not precise. In common language, politics means activities related with

different branches of state and government and also political parties. They are economic, political, cultural, religious and so on. The term Political Science in its current usage is much more comprehensive than the term Politics. It connotes the whole range of knowledge regarding the State and embraces the Theory of States. It includes both theoretical and practical or applied politics. On the theoretical side it is concerned with questions like the nature, origin, purpose and justification of the State and is known as Political Philosophy. On the practical side, it is concerned with the structure, functions and forms of political institutions and is known as Constitutional government or Comparative Politics.

The difference between 'Politics' and 'Political Science' is that, while politics of one country may differ from that of another, Political Science is a common possession of mankind. For instance Indian political process is different from the politics of China, USA or UK. The problems these political systems face are varied in nature. However the central focus of interest of Political Science or Political scientists in all over the world is that of the political aspects of human relations in society. In this sense Political Science is the scientific designation of the subject of our study. This name has been accepted by some Political Scientists at a conference held in September 1948 under the auspices of the UNESCO. But there is no unanimity among political thinkers regarding the question whether Political Science is a science or not.

Aristotle the father of Political Science regarded it as the master science. Scholars like Jean Bodin, Thomas Hobbes and Henry Sidgwick also held the same view. But writers like F.W. Maitland and Auguste Comte maintain that there can be no such thing as a scientific study of state and government. They agree with Edmund Burke that there is no science in Politics. It is evident that there are no uniform principles or laws in Political Science which are universally valid. Political Science is primarily concerned with man and his behaviour in political context. It deals with human beings and all human beings does not behave in the same manner at all times. Consequently it is impossible to obtain correct results in Political Science as in physical sciences like Physics and Chemistry.

A social science is different from a physical or natural science. In a social science we cannot expect too much accuracy and precision as we see in physical sciences. But a systematic study is possible in Political Science. Scientific methods and establishment of connection between cause and effect are possible in Political Science. Thus knowledge that has been gathered as a result of systematic method can be called as science, Political Science is a science. Political Science really follows a scientific method while studying the political phenomena. A

political scientist may observe the electoral behaviour in a constituency systematically with a view to formulating general principles in electoral behaviour.

Political scientists like Aristotle and James Bryce observed systematically the working of the governmental systems in many states. As a result of this certain general principles were formulated. Thus when we examine the principles of Political Science, we observe that these principles have been formulated after a systematic study of political phenomena. In this sense Political Science is a science. After accepting the essential facts in both arguments, we may say that Political Science is a social science. This is mainly because of the fact that the study of Political Science is value free as well as value laden.

Scope and Importance of the Study of Political Science

There is no perfect agreement among political thinkers about the frontiers of the discipline. However broadly speaking, Political Science embraces a variety of topics dealing with both empirical facts and value preferences. There is no aspect of our common life which may not sometimes and somehow becomes political and therefore a subject matter of our study. Political Science shares many areas of common enquiry with such related disciplines as History, Economics, Sociology, Psychology etc. However it has a distinct focus of interest around which its study revolves. This involves a variety of concepts, institutions and structures.

Modern liberal political scientists argues that the study of Political Science involves the nature, bases, processes, scope and results of 'power' or 'authority' in society. The study about the sources and purposes of power takes the political scientist beyond the formal political institutions in society such as powers and functions of the legislature, executive and judiciary. The institutions which are seeking 'power' in society includes business corporations, organized religions, trade unions etc. These organizations and groups seek to influence public policy and the direction of social change. In this respect political scientists are also interested in understanding the political behaviour of these groups and institutions.

The empirical investigation of the existing political phenomena and processes also involves a study of the prevailing political concepts. More especially it considers the meaning of the State, its origin, attributes, forms, structure, working, purposes and functions. Thus, according to R.N. Gilchrist, "The scope of Political Science is determined by the enquiries that arise in connection with the state. These enquiries may broadly be classified under, the

State as it is, the State as it has been, the State as it ought to be". Political Science also enquires into the relations of state with various groups and with various international organizations. Thus the study of international relations also comes within the scope of Political Science.

A study of 'authority' and 'influence' in the past is of great help in understanding the present institutions ideas and processes. This aspect of our study includes a survey of the beginning of organized political life. It also includes a consideration of the evolution of political forms from simple to complex as well as a study of constitutional history. It also involves a study of various currents of political thought. This involves the laying down of 'desirable ends' or the exercise of value judgments. Thus the study of political thought is in the main normative or what R. G. Gettell refers to as politico-ethical.

Another important aspect of the scope of Political Science is the study of the nature of the relationship between the individual and the State. It really makes searching examination into the difficult problem of proper reconciliation between the authority of government and the rights of the citizens. In the globalised era this aspect of the study of Political Science is getting more importance, especially in the third world countries.

Political Science also pursues the political aspects of the political process. The organization of political parties, their functions, support structure, ideology are studied. The analysis of political dynamics has become significant in the present day world. It covers a wide range and includes the study of the influence of Corporates on the decision making process of governments along with interest groups, pressure groups, lobbying and public opinion.

Thus the scope and subject matter of Political Science is very extensive. A proper study of all these aspects makes people conscious of their rights and obligations. To know world affairs, the nature and conduct of government, the problems and policies of political parties and various other matters, a knowledge of Political Science is indispensable.

Political science therefore enters into various fields and touches many horizons. The quest for a just and happy life cannot be compartmentalized in the political mould alone. It must have laces for other moulds too, in order to make it an integrated and wholesome political life. The scope of political science accordingly extends to various other aspects of human life and their impacts on the states and governments. It is a dynamic study of a dynamic human being. It never reaches perfection as long as human knowledge remains imperfect and search for the ultimate continues unabated.

B. Approaches to the Study of Political Science

The development of Political Science as a discipline can be traced back to the 4th century B.C. It was the Greeks for the first time separated the subject from theology. Though there is no single opinion among the scholars, political thinkers divided the development of Political Science into different periods on the basis of the nature of their approaches to political phenomena. Generally the liberal approach to political analysis could be divided into traditional (Historical, Philosophical, Institutional and Legal) and modern (Behavioural and Post-behavioural) approaches.

Marxian approach to political analysis is entirely different from liberal approach and comprehensive in nature.

Traditional Approaches:

1. Historical Approach

Historical approach denotes the process of arriving at the laws governing politics through an analysis of historical events, as exemplified by the theories propounded by Georg Friedrich Wilhelm Hegel and Karl Marx. It also stands for an attempt at understanding political process through a historical account of political thought of yester years. The best example for historical approach in political science is George H. Sabine's 'A History of Political Theory'. Leading examples of the questions raised by political philosophers like Plato, Aristotle, Hobbes, John Locke, Jean Jacques Rousseau, Jeremy Bentham, J.S. Mill, Hegel or Marx are what ideals are sought to be realized through the state; what is the meaning of freedom and equality; what are the grounds and limits of political obligation etc.? Karl Popper has described this approach as 'historicism'. Popper has criticized historicism - especially Marxism - because it insists on discovering what is inevitable, and then advocates 'totalitarian' methods for its realization. Further critics of historical approach point out that it is not possible to understand ideas of the past ages in terms of the contemporary ideas and concepts. Moreover, ideas of the past are hardly any guide for resolving the crises of the present day world which are beyond comprehension of the past thinkers. This criticism to historical approach encouraged the development of the Behavioural Approach. However, the recent revival of interest in the rich heritage of political thought for evolving guiding principles for our own age emphasizes the importance of historical approach in political science.

2. Philosophical Approach

In the classical or normative period the study of politics reflected a normative concern and deductive method of explanation. It argued from a general premise to more specific conclusions. It speculated on the proper form of government and on the nature of political obligation. Philosophical approach is generally identified with value preferences. The emphasis is on moral and rational premises. This approach is based on the view that values are inevitable and essential for evaluating political phenomena.

The classical political philosophers were concerned with the justification of values and reconciliation of liberty and obligation. Plato, for example dealt with the question of 'justice' in the Republic through the ideal state. The ethical basis and the moral purpose of the political community was analysed in detail by political philosophers like Plato, Aristotle, Bentham and Hegel. Thus the philosophical period is noted for its general trend of setting standards based on values like justice, freedom and happiness.

Philosophical approach aims at evolving "standards of right and wrong" for the purpose of critical evaluations of the existing institutions, laws and policies. It may denote efforts to arrive at truth through the use of reason. According to Vernon Van Dyke, the object of philosophical enquiry in this sense is to establish standards of the good, the right, and the just, and to appraise or prescribe political institutions and practices in the light of these standards. In this sense most of the classical political theory represents philosophical approach. Its themes are generally concerned with moral reasoning which cannot be subjected to scientific test.

3. Institutional Approach

Beginning with the second half of the 19th century, in the light of the emergence of other social sciences, the need for a narrower and precise definition of Political Science developed among different scholars. The 'institutional approach' was the answer and it shows a shift in the scope, methods and objectives of Political Science. In this approach emphasis is on formal governmental institutions. The characteristic feature of the institutional approach is detailed description of the nature and structure of the formal institutions like State and government.

In short, an institution is a set of offices and agencies arranged in a hierarchy, whose each office or agency has certain functions and powers. Accordingly the institutional approach proceed to study the organizations and functioning of government, its various organs, political parties and other institutions affecting politics. Classification of governments (Monarchy, tyranny, aristocracy, oligarchy, polity and democracy, dictatorship, parliamentary and presidential, unitary and federal etc;) identification of levels of government (federal, state, local) as well as branches of government (executive, legislative, judicial) etc. are the chief concerns of this approach. Institutional approach relies heavily on description rather than explanation.

Thus in institutional approach, political institutions were treated as vital factors governing and influencing human behaviour rather than vice versa. Thus the political scientists began to study the historical evolution of various political institutions like state and government. After analyzing properly the actual functions of various institutions, they compared them with other institutions. Consequently Political Science became a branch of Social Science dealing with theory, organization, government and practice of the state. The institutional approach give emphasis on law, constitution and constitutional documents. The best definition of Political Science from this point of view was given by Paul Janet, a French Scholar. According to him Political Science is "that part of Social Science which treats the foundations of the state and principles of government".

4 .Legal Approach

Legal approach stands for an attempt to understand politics in terms of law. It focuses its attention on the legal and constitutional framework in which different organs of government have to function and their powers and procedure which makes their actions legally valid. For instance, legal approach to Indian politics will proceed to analysis legal implications of various provisions of the Indian constitution as interpreted by the Supreme Court of India,

procedure of formation and legal position of Lok Sabha and Rajya Sabha and the State Legislative Assemblies, procedure of elections, powers and position of the President, Prime Minister, Governors etc.

The Legal approach may prove inadequate in understanding the complex political forces, processes, behaviours which might operate outside legal-formal framework, yet it is not entirely insignificant. Thus the study of constitutional law and international law etc. in spite of its limited use in understanding politics, continues to play a pivotal role in the social and political life of almost every country.

Modern Approaches:

1. The Behavioural Approach

With the beginning of the 20th century there was a drastic change in the study of Political Science. Social Sciences began to adopt the methods of natural sciences like observation, survey and measurement. This phase in Political Science is attended by a decisive reorientation of the discipline in terms of methods it used. The notable exponents of this 'scientific politics' were Charles Merriam, Harold D. Lasswell, George Catlin and Arthur Bentley. They looked especially to statistics and psychology as relevant tools for politics. To give an anti-Marxian orientation to political analysis in the post-war political context was their motive force. Various intellectual movements like pragmatism, logical positivism and behavioural psychology contributed much to the development of the new approach.

The behavioural approach based on the assumption that political institutions and nature of political events are largely determined by the nature and behaviour of people -both elites and masses. According to the Behaviouralists, although the central theme of Political Science is the state, exclusive attention to it tends to make political analysis static, formalistic and institutional. Such a view creates the impression that modern state is the final form of political organization. It also seems to imply that state is the only form of political organization with which Political Science is concerned. There are other relevant areas of study like behaviour of individuals and groups. The political behaviour of individuals and groups may determine the mode of operation of the state itself. Thus the essence of Behaviouralist approach is its central focus on political behaviour. The study of political behaviour, as Heinz Eulau put it, "is concerned with the acts, attitudes, preferences and expectations of man in political contexts".

The goal of behavioural Political Science is not the achievement of good life but to understand political phenomenon realistically and to predict things. That means the creation of a systematic casual theory and not value theory. According to Robert A. Dahl, behavioural approach in Political Science is “an attempt to make the empirical content of Political Science more scientific”. The ‘intellectual foundations’ for this attempt, according to David Easton is based on regularities, verifications, techniques, quantification, values, systematization, pure science and integration.

Regularities implies that there are discoverable uniformities in political behaviour which can be expressed in theory-like statements so as to provide for explanation and prediction of political phenomena. Verification requires that the validity of such theory-like statements must be testable, in principle, by reference to relevant behaviour. Techniques means that the means for acquiring and interpreting data should be examined self-consciously, refined and validated for the purpose of observing, recording and analyzing behaviour. Quantification is necessary because precision in the recording of data and statement of findings requires measurement which should be expressed in terms of actual quantities to facilitate proper analysis. Regarding values the behaviouralists drew a clear distinction between ethical evaluation and empirical explanation, which were concerned with values and facts respectively. They insisted that objective scientific inquiry has to be value-free or value-neutral. Systematization stands for establishing close interrelationship between theory and research, because research untutored by theory may prove trivial while theory unsupported by data may turn out to be futile. Pure science holds that the understanding and explanation of political behaviour is essential to utilize political knowledge in the solution of urgent practical problems of society. Integration signifies integration of political science with other social sciences in order to evolve a comprehensive view of human affairs, to strengthen its validity and the generality of its own results.

As a result of behavioural revolution, the emphasis in Political Science was being shifted to the behaviour of individuals in political situations. Consequently ‘power relations’ constituted the core concern of politics. The Behaviouralists viewed the state as the repository of power. Thus according to Harold D. Lasswell and Morton A. Kaplan “the concept of power is perhaps the most fundamental in the whole of Political Science: the Political processes is the shaping, dissolution and exercise of power”. The change of emphasis from state to power has broadened the area of political inquiry. It shifted the focus of attention from mere

structures and institutions to actions and processes. Thus, in the words of H. D. Lasswell politics became, “the study of shaping and shaping of power” and a political act as “one performed in power perspectives”.

Behavioural revolution in Political Science benefited in certain areas like study of political elites, voting studies and public opinion. The important criticism against behaviouralism is that it has preferred to work within the limits set by the established institutions and values. Thus C. Wright Mills calls it a science of the “narrow focus, the trivial detail and abstract fact”. In spite of its pretention to play with catch words like value free science, scientific objectivity, ethical neutrality etc, its function has to protect the existing framework of capitalist society. Thus ultimately the behavioural political science has succeeded as an important ideological weapon in defence of the established social and political order.

2. Post-Behavioural Approach

During the 1960’s Behaviouralism received new challenges from within. A group of political scientists revolted against the value free orientation of Behaviouralism. They argued that the behavioural movement is ineffective in understanding social reality and social change. According to the Post-Behaviouralists values should be restored to the central position if knowledge is to be used for right purposes. The greatest impact on post-behaviouralists was that of the Vietnam War, the role of United States in it and the civil rights movement.

The most ardent advocate of Post-Behaviouralism is David Easton. He lamented that the Behavioural political scientists were taking refuge in their ‘ivory tower, seeking to perfect their methodology ,as if they were not at all concerned with the outside world. Emphasizing the ‘intellectuals’ historical role in protecting the human values of civilization, Easton warned that if they failed to play this role, they would be reduced to mere technicians for tinkering with society. Reminding them of their responsibility to reshape society, Easton concluded that Political Scientists could adopt a rational interest in value construction and application without denying the validity of their Science. Easton assigned a moral function to the exercise of power. According to him contemporary Political Science should concern itself with social change and not with social preservation. Easton defined, Political Science as the “authoritative allocation of values as it is influenced by the distribution and use of power”. The allocation is authoritative in the sense that the people to

whom it is intended to apply or who are affected by it consider that they must or ought to obey it.

David Easton who had propounded the intellectual foundation stones of behaviouralism, now set forth seven major traits or features of post-behaviouralism, which he called 'Credo of Relevance'. They are

1. Substance over technique: The primacy of substance and purposive research is emphasized over mere techniques. We may recall the charge made against behaviouralism that for the sake of applying sophisticated tools of research it chose only those areas of research that were amenable to these tools. This way many areas of political enquiry suffered. Post-behaviouralism reverses the behaviouralist slogan, it is better to be wrong than vague, and declares that it is better to be vague than non-relevantly precise.

2. Change orientation: Behaviouralism was charged with being an 'ideology of social conservatism tempered by modest incremental change'. Post-behaviouralism advocates change orientation and reform over preservation.

3. Relevant research: In the name of detached research, keeping away from the 'brute realities of politics' has made behaviouralism irrelevant. In an era of social upheavals and conflicts, fear and anxiety, if the political scientist was aloof and carrying out detached research and analysis, what use was political science to society? Post-behaviouralism insists on socially and politically relevant research.

4. Value-laden research: The fact-value dichotomy and insistence on value-free research advocated by behaviouralists has taken away the value premise on which all knowledge stands. Values must be the guiding force for all knowledge and values are necessary for setting up goals. The behavioural emphasis on fact-value dichotomy, value neutrality and scientism has led political science in the wrong direction,

5. Political scientist as critical intellectual: Post-behaviouralism asks the political scientist to be a 'critical intellectual'. As such, it is his/her duty to protect human values. According to Easton, 'Post-behaviouralism returns to the humanist conception of intellectual as the guardian of those civilized, human values known to most men'. By keeping themselves aloof and detached from political and social problems in the name of objectivity and pure science, political scientists would become mere technicians and mechanics tinkering with society and could not claim the freedom of enquiry.

6. Action-oriented research: According to Easton, 'to know is to bear the responsibility for acting and to act is to engage in reshaping society'. Post-behaviouralism demands that a sense of commitment and action must permeate all research in Political science.

7. Politicization of the profession: Having recognized that intellectuals have a positive role in society to determine the proper goals for society and make it move in this direction, the politicization of the profession is inevitable and desirable.

The Post-behaviouralists clearly characterized politics by the authoritative decision-making process of any society, be it a club, a trade union, business firm or church. In other words politics being treated as an inevitable aspect of the social life in general. But as different from Lasswell's 'politics of consent', Easton's definition encompasses the 'politics of consent' as well as the 'politics of struggle'. Thus in contrast to Behaviouralists, the Post-Behaviouralists give primacy of substance over technique, social relevance over pure science and political action over academic neutrality.

The strong demands of Post-behaviouralists are 'relevance' and 'action'. According to them values have their own role and they cannot be ignored altogether. It is the responsibility of the Political Scientists to do the best to protect the human values of civilization. The Post-behaviouralists insist on the fact that research in Political Science should be related to urgent social problems and must be purpose oriented. Post-behavioural approach pleads for new orientations in Political Science which will encourage political scientists to improve political life according to human criteria. Thus as Easton points out, Post-behaviouralism is future oriented because to him "to know is to bear the responsibility for acting and to act into engage in reshaping society". The Post-behaviouralists insist that a sense of commitment and action must replace the contemplative nature of Political Science.

If the present crisis in society is the product of underlying social conflicts, the Political Scientists should actively engage in the resolution of these conflicts instead of mere observers. Post-behavioural approach pleads for new orientations in the world that will encourage Political Scientists even in their professional capacity to improve political life according to human criteria. Thus according the David Easton, this new development is a genuine revolution, not a reaction; a becoming not a preservation; a reform not a counter reformation.

MARXIAN APPROACH TO POLITICAL ANALYSIS

The Marxian approach to political analysis is fundamentally different from the liberal political analysis - both 'traditional' or 'modern'. Karl Marx approaches the question of politics from the point of view of social change which is dialectical and historical. The theory of dialectical materialism and its application in history i.e., historical materialism are the two important tools in Marxian methodology. In this respect, it should be remembered that Marxist approach means taking note of not only of the writings of Marx and Engels but also those of Lenin, Mao and others.

Marx says that society does not consist of individuals but represents the sum total of interrelations within these individuals exist. To him all societies in history have been class societies. The contending classes from free man and slave, patrician and plebian, lord and serf, guild master and journeyman to bourgeoisie and proletariat in the epoch of capitalism. All class societies are characterized by domination and conflict which are based on specific concrete features of their mode of production. Class domination has been a historical process signifying a constant attempt on the part of the dominant classes to maintain and extend their domination of the society.

The important feature of Marxian approach is that here State being the central theme of politics is conceived as an inevitable consequence of class contradictions. Thus State is an instrument of exploitation and oppression by one class by another. Marxists argue that the class character of the state cannot come to an end until the emergence of the classless society where there is no state.. Thus the Marxian perspective of politics can be understood only with reference to the nature of prevailing societal conflict and domination. Here politics becomes integrally connected with the basic economic structure finding its manifestation in the forces and relations of production. In the real world economic and political forces and factors are constantly interacting. According to Marx politics, economics, culture and ideology are all inseparably intertwined. It is hard to disentangle one from the other. The 'forces of production' at the particular stage of historical development are matched by definite 'relations of production' that characterize the society. The relations of production taken together constitute the economic foundation (base) of the society. The legal and political institutions (super structure) stand on this economic structure. In the Marxian approach to political analysis, politics is thus conceived in terms of the specific articulation of class struggles. Though other types of struggles are not ignored, class conflict characterizes the core of the Marxist view of politics.

In the Liberal view of politics class contradictions are treated as ‘problems’ to be peacefully resolved. To the Liberal political scientists political process is a continuous process of bargaining and accommodation. The Marxian approach to conflict is different from that of liberal approach. As Ralph Miliband pointed out, “it is not a matter of ‘problems’ to be ‘solved’ but a state of domination and subjugation to be ended by a total transformation of the conditions which give rise to it”. Marxists generally link the ethnic, religious and national conflicts to class conflicts. Thus the real nature of politics has to be understood from “the hidden basis of the entire social structure”. Politics is treated as a manifestation of class antagonisms and its end is conceived in the culmination of social development. In that stage the phase of class identification and resolution of conflicts would unleash glorious human values. Then, the Marxian approach, that has been empirical so far, assumes a normative character.

Because of Marx’s concern for wider social causation, exclusive attention to ‘politics’ as we understood it from our disciplinary view point has never been his primary interest. In the broader context of a macro-social theory, politics has essentially been considered non autonomous. On the most general level the Marxist view of politics, asserts that the separation between the economic, political, cultural and psychological aspects of the social whole is arbitrary and artificial. The notion of ‘economics’ as free from ‘politics’ or vice versa is an ideological distortion. The correct thing is to speak of ‘political economy’ (in which the economic and political elements are dialectically united). The fact is that both Marx and Engels explicitly rejected any rigid and mechanical notion of ‘economic determination’ of the social and political process. Thus the Marxist view of politics logically spreads over all aspects of political analysis and achieves an interdisciplinary dimension.

Module II

STATE AND SOCIETY

A. Meaning and Interrelationships.

The term 'State' is one of the central subject in the study of Political Science. It is significant that though some sort of political organizations has existed since ancient times, such as Greek city-states and the Roman empire, yet the concept of the 'state' as such is comparatively modern. It is the product of the sixteenth century, although it existed in some crude form long before Nicole Machiavelli imparted it a scientific meaning. Thus the Greeks used the term 'Polis' for the City-State. The Romans used the term 'Civiles' to designate a body politic.

Historically the term 'State' is derived from the Latin word 'status' which denoted power status of Italian Princes. Regarding the nature of the state there have been different views among philosophers and political scientists. The Liberal Democrats views the State as an organization that transcends class and stands for the whole community. The Marxists regard it as a class structure. But both these schools confer it the character of a power system.

According to J.K. Bluntschli, "The State is the politically organized people of a definite territory". Woodrow Wilson defined it as "People organized for law within a definite territory". A more elaborate definition of the State is that of J.W. Garner. To him the State is a "Community of persons more or less numerous, permanently occupying a definite portion of territory, independent or nearly so of external control and possessing an organized government to which the great body of inhabitants render habitual obedience". Max Weber, a famous German Sociologist, sought to evolve a sociological definition of the state. To him, "the state cannot be defined in terms of its ends... Ultimately, one can define the modern state sociologically only in terms of the specific means peculiar to it, as to every political association, namely the use of physical force.' From this standpoint, Weber arrives at the following definition which is widely acknowledged in modern political theory. 'A state is a human community that (successfully) claims the monopoly of the legitimate use of physical force within a given territory.'

Lenin has defined the state from a Marxian perspective as, 'an organ of class rule, an organ for the oppression of one class by another; it is the creation of order, which legalizes and perpetuates this oppression by moderating the conflict between the classes.' The Marxian perspective attributes the origin of the State to the emergence of private property and class

differences between the propertied and the oppressed. It views the state as an instrument used by the propertied class to oppress and exploit the working class. This presents a class perspective and can also be treated as a sociological analysis of the state. Finally from a pluralist perspective, Harold J. Laski defined the State as a “Territorial society divided into government and subjects (whether individuals or associations of individuals) whose relationships are determined by the exercise of this supreme coercive power”.

Elements of the State

Notwithstanding the disagreement amongst the different schools of thought, regarding the nature and existence of the state all agree in ascribing to the state four elements-population, territory, government and sovereignty.

Population

The state is a human institution and so there is no state without human beings. However, the population can constitute a state only when it is united by the condition of interdependence, consciousness of common interest, and general regard for a set of common rules of behavior and institutions. The population of a state need not belong to a single race, religion, language or culture. A homogeneous population is no longer considered an essential feature of the modern state. The modern state claims to reconcile the interests of various groups of its citizens. Plato from his experience of Greek city-states fixed the number at 5040 citizens, excluding non-citizens and slaves. Aristotle held that neither ten nor a hundred thousand could make a good state. To him the number should be large enough to be self sufficient and small enough to be well governed. In fact the size of the population is no criterion of the state. Behind the quantitative factors lie qualitative elements evaluating the problem of the population of a state. Aristotle rightly said that a good citizen makes a good state and a bad citizen a bad state. Good citizens will not allow religious or political differences to destroy the States' unity and security.

Territory

Territory is another essential element of a state. Other associations either exist within the state or they extend their sphere to several states; they do not need separate territory. But the state must possess a territory where its authority is accepted without dispute or challenge. The territory of a state includes the land, water and air-space within

its boundary. It is highly necessary that the people should settle down in a particular territory. Nomadic or wandering people does not constitute a state. Aristotle was favourably inclined towards the state of modern size. Montesquieu said that there is a necessary relation between the size of the state and the form of government best adapted to it. Friedrich Engels, in his *Origin of the Family, Private Property and the State* (1884), notes that the formation of the state is accompanied by a division of population according to territory. Modern state is essentially territorial in character. It must be emphasized that there should be some proportion between the population and territory of the state. Economic resources cannot be left out of account while evaluating the size of population and territory. If there is a disproportionate disparity between these factors, the state must suffer from all those economic and political disabilities.

Government

Government is still another essential element of the state. The purpose for which people live together cannot be realized nowadays unless they are properly organized and accept certain rules of conduct. The agency created to enforce such rules of conduct and to ensure obedience, therefore is called government. Government is often confused with the term state, but it is not the state. It is that instrument or agency of the state through which its will is formulated, expressed and implemented. If the state represents an abstract concept, government is its concrete form. In other words, authority of the state is exercised by government; functions of the state are performed by government. A citizen has to deal with government of the state; any transaction between different states, including war, takes place through the medium of their governments. The fundamental difference between the two is that, while the government is transient the state remains for a long time to come. This means that the state is more or less permanent but governments come and go.

Sovereignty

Sovereignty is regarded as the most important element of the modern state. It is what distinguishes the state from other groups and associations of human beings. According to Jellinek, sovereignty is “that characteristic of the state in virtue of which it cannot be legally bound except by its own will, or limited by any other power than itself”. Sovereignty of the state has two aspects, internal sovereignty and external sovereignty. Internal sovereignty is the states monopoly of authority inside its boundaries and is unlimited. External sovereignty is limited by international laws and regulations because it

deals with the relations of a state with other states or nations. It is by virtue of its sovereignty that a state declares - through the agency of the government - its laws and decisions and issues commands which are binding on all citizens, claims obedience thereto, and punishes the offenders. It is also by virtue of its sovereignty that a state similarly deals independently with other states. A state continues to exist so long as it is armed with sovereignty. If a state loses its sovereignty because of internal revolt or external aggression, the result is anarchy and disappearance of the state as such.

Apart from the foregoing four constituent elements of the state, others have also been suggested by various writers from time to time. W.W. Willoughby for example, emphasized the importance of the 'subjective desire of the people' for organization and maintenance of the state. Living in an age of democracy and nationalism this factor cannot be ignored. It has also been pointed out that international recognition is another criterion of perfect statehood. However recognition of a state by another is a political act which depends not upon any objective test but, primarily upon considerations of national interest.

State and other Associations

Society is a collection of associations of individuals. Associations of various kinds have existed for a long time in society. These associations are formed voluntarily by human beings for the satisfaction of their various needs. Thus R.M. MacIver and Charles H. Page defined an association as "a group organized for the pursuit of an interest or a group of interests in common". The importance of these voluntary groups or associations which often arise spontaneously to serve some specific purpose or purposes is now better recognized. This is primarily due to the efforts by the Pluralist thinkers like Harold J. Laski and MacIver. They are of the opinion that the state is an association of associations. In modern societies the state acts as a coordinating agency and as a controlling authority in respect of various associations in society. Each and every association is sovereign in its sphere of activities. The state can impose only reasonable restrictions upon the activities of these associations for promoting social welfare. Thus according to MacIver, the state is "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 condition of social order".

Even though state is an association it is different from other associations in many respects. The important differences are the following:

a) All persons living within the territorial limits of a state are members of the State.

They have to obey the laws of the state and remain loyal to it. Whether they like it or not membership of state is compulsory but that of an association is voluntary.

b) A citizen becomes a member of one state only, but he may have membership of as many associations as he desires.

c) A state relatively speaking has a stable and permanent existence whereas an association is temporary or transient.

d) The jurisdiction of the state is clearly marked by the territorial limits beyond which the writs of the state cannot run. On the other hand the membership of an association may be restricted to a small area in a state or it may go beyond territorial frontiers. In fact certain associations may have members all over the world.

e) The state is a coercive machinery. It possesses supreme power to regulate, control and punish all individuals and associations. An association does not enjoy sovereignty. It can only expel a member who violates its rules and regulations.

f) As regards the scope, an association is formed to achieve particular ends or purposes. These ends may be social, economic political or cultural. Thus its scope is limited. But the scope and activities of the state is very wide. The concept of 'welfare state' widens the range of activities of the state.

State and Society

The term 'state' is sometimes used synonymously with 'society'. However, such usage arises from confusion - intentional or unintentional. A distinction between state and society is desirable, not only for scientific precision but also for saving individual from absolutist, authoritarian and totalitarian rule. According to MacIver and Page "Society is the web of social relations". Society is an association of human beings which fulfils all

their needs of life - from cradle to grave. The state fulfils their particular need of political organization - it subjects them to binding laws and decisions to provide for order and security, and common services. When a society is governed by a common set of rules, regulations and a supreme decision-making authority, only then does it qualify for being a state. Society binds men into multifarious relationships - all such relationships do not fall in the domain of a state. Social relationships are usually determined by necessary custom, courtesy, morality, mutual understanding, agreement or even contract; political relations are mainly determined by command and obedience. Social relations cover a large variety of subjects, to meet all the needs of human life - physical, emotional, intellectual, spiritual, and so on. However, to the early Greek thinkers the state was indistinguishable from society. Whatever justification the Greeks may have had for the identifications of the state with society, we today have no such justification. Modern political science view state as part of society and is not a form of society.

The state is people organized politically through some form of government. The state exercises authority through laws enacted and enforced by government. The state is the only instrument which can legitimately use force. Society on the other hand can use only moral persuasion or influence and social ostracism or expulsion. It cannot imprison a man for the violation of its requirements. According to Ernest Barker, the area of society is voluntary co-operation, its energy that of good will, its method that of elasticity; while the area of the state is rather than of mechanical action, its energy force, its method rigidity. In the words R.M MacIver, 'the state is a structure not coeval and coextensive with society but built within it as a determinative order for the attainment of specific ends'. The importance of the state to society is clearly brought out by Ernest Barker when he says, "Society is held together by the state; and if it were not hold together it could not exist".

Barker in his book, 'Principles of Social and Political Theory' brings out the difference between the state and society under three headings. They are:

1. Purpose and functions:

From the point of view of purpose, the state is a legal association which acts for the single purpose of making and enforcing a permanent system of law and order. But society, comprising as it does, a plurality of associations, acts for a variety of

purposes other than the legal purpose - these are intellectual, moral, religious, economic etc.

2. Organization and structure:

From this point of view, the state is a single organization - legal, where as society comprises within itself many organizations - economic, religious, cultural etc.

3. Method:

As regards method, the state employs the method of coercion and compulsions; society employs the method of voluntary action. However even though in theory we say that society depends mostly on persuasion, at times it can be harsh as a tyrant. Witness, for example, the tyranny exercised by customs and conventions in some societies in the name of religion and belief.

We may conclude that the state is formed out of society. So society is a primary association. It is society which chooses the pattern of political grouping. States may be created, altered or dissolved, but society goes on forever. Thus man owes much more to society than what he owes to the state. But when state and society are identified and man's obligations towards society are attributed to the state, it leads to socially disastrous consequences - complete subordination of man to the authority of government, unrestrained by any control mechanism.

B. Nature and functions of the state: Liberal and Marxian Views.

The nature and functions of the State can be studied in terms of the Idealist, Liberal, Communitarian and Marxian and other approaches. We may begin with two most important perspectives in this regard - Liberal and Marxian.

Liberal View

Liberal-individualist perspective on the state is based on mechanistic view of the state. It arose in a particular historical setting when several factors contributed to its development. According to this view, the social order came to be understood as a part of the 'natural order'. Any interference with the social system was thought to be detrimental to its smooth functioning. This idea of 'non-interference' highly suited the interests and aptitudes of the new middle class - the merchants and the industrialists who flourished in

the climate of a 'free market' society. The liberal theory represented the social and economic philosophy of this class.

According to the classical Liberal political thinkers, the state comes into existence as a contract for the sole purpose of preserving and protecting the individual's natural rights. These are life, liberty and property. The main exponent of this theory was John Locke (1632-1704). To the classical Liberal thinkers the basis of the state is consent. The function of the state is negative in character. The classical liberalists dubbed the state as a necessary evil because the state limits the freedom of the individual.

By the middle of the 19th century, classical liberalism had lost its appeal. A new group of thinkers like J.S. Mill, T.H. Green and R.M. MacIver, propounded the theory of 'Positive Liberalism'. The positive liberalists argue that the nature of modern state is to act as an instrument of reconciliation of interests and resolution of conflicts. This is because of the fact that there are varying or conflicting interests within society. The state uses its supreme regulatory power to harmonize these interests. It is an agent of social solidarity, and serves the interests of all in society. The modern Liberal thinkers defined the state as an instrument of reconciliation of the conflicting interests of various groups within a society. Thus the old 'atomistic' view of the state, upheld by the mechanistic theory has given way to the new pluralistic view of the nature and functions of the state. However with the onslaught neo-liberalism the market began to control the state apparatus. Instead of a provider the state is becoming a facilitator in a neo-liberal society.

Marxian view

The Marxian view on the state is based on class perspective of the historical progress. It is different from the mechanistic view as well as from the organic view. It treats the state neither as a 'natural institution' nor as an 'ethical institution' as the organic theory has held. It, of course, treats the state as an artificial device. But unlike the mechanistic theory, it treats the state neither as a manifestation of the will of the people, nor as an instrument of reconciliation of conflicting interests. Instead of being a means of conflict-resolution, the state, according to the class theory, is a device for the suppression of class conflict. It maintains order in society not because it is able to secure the willing obedience of its subjects, but because it uses its coercive power to secure compliance from the dependent class. In Engel's words: "this power(state) arising out of society but placing itself above it and increasingly alienating itself from it, was the state". The state also uses its

'ideological power' to create an illusion of 'consent' of the governed as also to offer moral justification for its existence.

The pioneers of the class theory of the state - Karl Marx, F.Engels and V.I. Lenin - have made it amply clear that the state is but an instrument of class rule and exploitation. In Marxian view, the state is the product of historical evolution. It has not existed at all times in history. There has been societies that had nothing to do with the state. According to the Marxian theory, the state was part of the superstructure. Its evolution was shaped by the prevailing mode of production. The state was necessary only where a dominant class controlling the means of production, appropriated the products of society. Thus the state has the sources of its origin in the evolution of the fact of class contradictions. The state is therefore by no means a natural institution, while the society is a natural institution. The state will continue until class contradictions are finally resolved.

Marxism viewed the state as an embodiment of political power. The rise of the state was necessitated by the irreconcilable antagonisms which society found itself powerless to overcome. The dominant class uses the machinery of the state to serve its own interests which involves the exploitation of the dependent class. The state therefore, is instrument of oppression and exploitation, an embodiment of injustice. It is not an instrument of harmonizing the various interests or groups. As Lenin said: "In an antagonistic class society the state is a political instrument a machine for maintaining the rule of one class over another". Thus it does not stand for the benefit of all society. It is an instrument devised for the benefit of the dominant class. Thus the state would continue as long as classes are there in society. But if classes and class antagonisms eliminated from society the state will wither away.

C. Theories of origin of the state with special reference to Evolutionary Theory

Historical and sociological researches have now provided us with enough factual information regarding the evolution of the state. We are now aware that the state is not the handiwork of God as the Divine Origin Theory claimed. It is neither the result of superior physical force (Force Theory), nor the creation of a compact (Social Contract Theory), or a mere expansion of family (Genetic Theory). It is the product of a gradual process of social development.

Evolutionary Theory.

The Historical or Evolutionary theory explains that the state is the product of natural growth. It is the result of a slow and steady evolution extending over a long period of time. According to R.G. Gettell, "like other social institutions, the state arose from many sources and under various conditions and it emerged almost imperceptibly. No clear cut division can be made between earlier forms of social organizations that are not states and later forms that are states; the one shading off gradually into the other".

The Evolutionary theory regarding the origin of the state gives us a pluralistic interpretation of political phenomena. It throws light on factors which have influenced the formation of state in the course of its growth. These factors are - kinship, religion, economic factors, conflicts and war and political consciousness.

Kinship: The fundamental elements of the state are organization and authority i.e., command and obedience. These elements can be traced back to primitive bonds of kinship or blood relationship. As Henry Maine says, "Kinship created a common consciousness, common interest and common purpose.

R.M. MacIver holds that the first of all societies in beast, bird and man is the family. The mating impulse leads the adolescent outside the old family to form a new one. The kin is a larger family and its members are bound together by blood relationship, real or fictitious. They trace their descent from common ancestors. A still wider group of clans formed a 'gen' or 'clan' over which a chief Kinsman presided. A still wider group of clans formed a tribe, which is ruled by a chief who united military, judicial and religious authority. With respect to these facts there is some controversy whether the family came first or the tribe. However these societies are ruled by customs and conventions.

Whenever the simple societies are grown in size, occasions arise for the vesting of particular functions in particular subgroups. This contribute to the formation of some kind of political organization in its rudimentary stages. Thus kinship was the first bond of social union in primitive societies. Other independent bonds appeared later.

Religion: Next to kinship religion played an important role in the creation of social consciousness in the primitive societies. The customs and habits of primitive people were governed by religion. Thus Gettell said that kinship and religion were two aspects of the same thing. When the bond of kinship tended to weaken with the expansion of families into

clans and of clans into tribes, religion could reinforce the sense of unity and respect for authority. Religious beliefs taught reverence and obedience to the less intelligent primitive peoples.

The influence of magicians especially among agricultural people assumed enormous proportions. The magician eventually made himself priest king and later gave way to the priest. The influence of priestly class in government and politics has been powerful throughout history.

Economic factor: The activities by which man secured food and shelter subsequently came to possess private property, contributed greatly to the origin of the state. The primitive people had three successive economic stages that brought about corresponding changes in social organization. These were the huntsmen stage, the herdsmen stage and the husbandmen stage.

The huntsman had no property, because they moved in groups and lived together without any class-distinction. In the herdsmen or pastoral stage, there was some accumulation of property, a certain division of labour and eventually a differentiation of social classes based on wealth. The dominance of male also grew during the stage. Though in the herdsman stage, the State emerged in elementary form by having the features of population, organization and sovereignty. But the state acquired territorial character only in the husbandmen stage.

At the husbandmen stage, with the invention of agriculture people were forced to settle down in a particular territory. Land became the chief form of wealth, social and economic distinctions based on wealth increased. Laws became necessary to protect private property and to settle disputes regarding property. In the opinion of Rousseau, Proudhon, Marx and Engels, it is the institution of private property which creates class society and lead to the emergence of the state.

Conflicts and War: The development of the more purely political form of association as distinguished from earlier family, religious and economic groups, was largely the result of war and conquest. They helped in the amalgamation of families into clans, of clans into tribes and tribes into states. With the weakening of the ties of Kinship, the application of force became necessary for the maintenance of law and order. The members of a group had also to work under a recognized leader.

The coercive force exercised by the leader eventually developed into political sovereignty. Increase in population or a scarcity of natural resources or both led to more frequent contracts with persons outside the group. This often resulted in conflicts and wars and the dominance of one group over the other which paved the way for the emergence of the state. The State, thus represents the triumph of the political idea of power over that of justice. This change was made possible by the accumulation of mobilizable wealth.

Political Consciousness. As a result of the above said facts people became conscious of the fact that in order to satisfy certain needs there should be certain forms of political organization. Some of those needs were the need for security of person and property, the need for defence from external attack etc. All these led to emergence of political power and the conscious adaptation of political institutions to certain definite ends. Thus the need for social protection and the ambition of power stimulate the formation of the state.

From the foregoing analysis it is evident that the different factors like kinship, religion, economic necessities, war and political power etc worked together to the formation of the state. In the course of thousands of years, man has moved from the primitive tribal state to the United Nations Organization. The need for peaceful co-existence is now much better appreciated and valued. However national interest and racial and religious fundamentalism are keeping us apart.

Marxian Theory of the Origin of the State

The Marxian approach to the origin of the state is an integral part of materialistic interpretation of history. It traces the origin of the state and identify its characteristics by referring to the historical processes of social development in many cultures. Thus in Marxian thought the state is the product of historical evolution.

Marxian view about the origin and nature of the state were greatly influenced by the American Anthropologist Lewis H. Morgan, who in his book ‘Ancient Society’ (1871) had opined that in primitive societies there were no state and the people led a communal life. Both Marx and Engels accepted this thesis and drew the conclusion that the state was not a natural institution. The state arose when the society became “entangled in an insoluble contradiction with itself”. While the primitive communal societies had some kind of public power, which certain men held at certain times for specific purpose, then this power was firmly rooted in people as a whole. There has no private property in land and other productive resources. There was no rulers and ruled.

In his famous treatise, “The origin of the Family, Private Property and the State” Engels not only explained the origin of the state but also its nature; the reason for its temporary continuance and its ultimate ‘withering away’. According to Engels, “When the state finally did appear in certain societies like the Romans, the Celts and the Germans, it was not a force imposed from without. Nor was it, as in Hegel, the realization of Reason or the Idea. It was actually the product of a certain stage of social development. Its emergence coincided with private property in the means of production, the rise of classes and class conflict. Private property and inequalities in wealth gave rise to social stratification and class cleavages. In this way, the rise of the state undermined the solidarity of the society as a whole.

The rise of the state was necessitated by the existence of insoluble self-contradictions within the society. It resulted from irreconcilable antagonisms which society found itself powerless to overcome. To prevent these antagonisms of classes with conflicting economic interests, a power has felt necessary. Apparently standing above society, this power sought to moderate conflict and keep it within the bounds of order. In Engels words, “this power arising out of society, but placing itself above it and increasingly alienating itself from it, was the State”. Thus for Marx and Engels, State, as a coercive instrument came into being when class conflict had undermined the unity of the Society. The State and all its institutions served the function of holding in check the property less masses. This was equally true of the slaves of the ancient civilizations, the serfs under feudalism and the wage-earners under capitalism. In short, in all societies, instruments of political power were created in order to safeguard the economic interests of the propertied class.

Although Engels referred to national rivalry as a contributing factor leading to the maintenance and the growth of the coercive instruments of the state like armies, prisons etc., he treated this as less important factor than class-conflict within the society. Another aspect of Engels’ theory of the origin of the state is that, the state was part of the super structure. Its evolution was shaped by the prevailing mode of production and consequently in relations of production. The changes in modes of production, in turn resulted in changes in the social structure and thus the state was a transitory phenomena.

Marx ruled out the emancipation of labour within the framework of a national state. He discovered the emancipation of the working class only in the destruction of the state. In his view, the working class would gain freedom only by destroying the state as a coercive agency. After the proletarian revolution, there came into being the revolutionary dictatorship of the proletariat. The proletarian state would function during the period with

its own means of oppression. The standing army would be replaced by armed people. However the bureaucracy and the bourgeois version of an independent judiciary would be abolished. It must eventually replace it with a classless society and a communist form of social and economic relations. In 'The poverty of Philosophy' Marx wrote: "The working class, in the course of development, will substitute for the old bourgeois society an association which will preclude classes avoid their antagonism, and there will be no more political power proper, since political power is precisely the official expression of class antagonism in bourgeois society". In other words, after the class struggle and the establishment of the dictatorship of the proletariat, the state will 'wither away'. In the place of the old bourgeois society, with its classes and class antagonisms, we shall have associations in which the free development of each is the condition for the free development of all.

In "State and Revolution" Lenin gave a detailed exposition of the theory of the State of Marx and Engels. He agreed with them on the question of the origin and nature of the state. He also accepted and upheld the goal of a stateless, communist society. But it was only in respect of his delineation of the transitional stage, that is, the dictatorship of the proletariat, that he slightly deviated from the conceptions of Marx and Engels. While Marx and Engels had hoped that the withering away of the state was a short-term process, Lenin saw it a protracted process. In sharp contrast to the revolutionary theory of development which was prevalent in European social democracy and favourably disposed to the state, Lenin held fast to the view that the total destruction of the bourgeois state apparatus was unavoidable. At the same time, he defended with equal vehemence, the necessity of a proletarian transitional state (dictatorship of the proletariat) after the revolution. In Engels' words "the first act by virtue of which the state really constitutes itself the representative of the whole society - the taking possession of the means of production in the name of society- this is, at the same time, its last independent act as a state. State interference in social relations becomes, in one domain after another, superfluous and then withers away of itself; the government of persons is replaced by the administration of things, and by the conduct of the processes of production. The state is not abolished. It withers away". (Anti-Duhring)

To sum up the state emerged when society became torn with classes and their antagonisms. Thus it was a product of a specific social and economic reality. The state would continue as long as the cleavages and class conflicts continued. But if classes and hence class antagonisms could be eliminated from society, then the state would wither away.

Module III

POLITICAL SYSTEM

System Analysis

System analysis emerged after the Second World War with Behaviouralist movement in political science. It was some leading American social scientists like David Easton, Gabriel Almond and Morton A. Kaplan who introduced systems analysis in social sciences. They got inspiration from the natural sciences. Systems analysis is different from systems theory. Systems theory consists of various concepts such as political system, inputs, outputs feedback, environment etc. When the systems theory is applied to a specific situation it becomes systems analysis. In other words systems analysis is systems theory in action.

The term 'system' has been defined differently by different thinkers. Ludwig Von Bertalanffy defines a system as "a set of elements standing in interaction." Arther D. Hall and Robert E. Fagen defines it as " a set of objects together with relations between the objects and between their attitude". In the opinion of Morton A. Kaplan, a brief and non-technical description of the object of systems analysis would include "the study of a set of inter-related variables as distinguished from the environment of the set and of the ways in which this set is maintained under the impact of environmental disturbances". Thus a system is a whole consisting of parts or elements which have some characteristic relationship with one another and which interact with one another. A system is a set of interactions taking place within itself. It means that if the properties of one component change all the other components and the system itself will be affected. Again there is the existence of boundaries in a system. The system starts somewhere and stops somewhere. It operates within an environment. It is also comprehensive in the sense that it includes all the interactions; inputs as well as outputs. The system also has a tendency towards equilibrium.

System analysis identifies the field of politics as an independent system i.e independent of the remainder of the society. The remainder of the society is viewed as constituting the environment for the political system. A system consists of all those elements or variables which remain inter dependent on each other. This means that a change made at some points brings about changes in other parts. A system remains in a state of equilibrium which means that it has a tendency to maintain itself through various

processes whenever it meets with some disturbance. System analysis is an approach which considers politics as a set of interactions which take place within an environment, but the system is analytically distinct from the environment. It is a particular method of describing and analyzing political behavior and while doing so it has evolved a number of concepts like systems, subsystem, boundary, environment, input output conversion, process, feedback etc.

The basic concepts of the General Systems Theory fall under three categories. They are concepts of a descriptive nature, concepts intended to highlight the factors which regulate and maintain systems and concepts concerning dynamics of the system. Concepts of a descriptive nature include those concepts which differentiate between open systems or closed systems or between organismic systems and nonorganismic systems. The understanding of the working of the internal organization of the system, concepts of boundary, inputs and outputs etc. come under this category.

The second category of concepts deal with factors responsible for regulating and maintaining the various systems. It includes notions of stability and equilibrium. These concepts are connected with the progress of regulation and maintenance of systems. It also includes feedback repair and reproduction. Finally there are concepts which focus on change. They fall under the third category. Change is both non-disruptive and disruptive. Non disruptive change occurs due to responses to altered environmental conditions. This may lead us to study purposes, goals and technology of the systems. The understanding of disruptive change involves fine distinctions between notions of disruption, dissolution and breakdown along with the study of such concepts as systemic crisis, stress and strain, overload or decay.

In the analysis of political phenomena, political scientists can use the concepts that have been developed in the general systems theory. The stability of a political system depends on equilibrium. The equilibrium itself may be stable or unstable. The understanding of the stability of a system necessarily involves the study of other variables which tend to strengthen or weaken stability. The systems analysis can also be used to understand systemic changes or systemic breakdowns. The survival capacity of a system depends on its adoptability. Again systems analysis is useful for normative purposes. Remedial steps can be taken in time for saving a system from collapse.

The purpose of systems analysis in political science is to make description more scientific and to use it for theory building. In a society there are different kinds of interactions. A particular set of such interactions constitute the political system. What distinguishes the political system from the non-political system is binding nature of political decisions. The most important political theorist who formulated theories about political system is David Easton. According to Easton politics deals with the authoritative allocations of values of society. By this Easton means that the political decisions are of overriding validity and are accepted as binding on all subjects of the political system. The family, political parties, students organizations etc., are also making authoritative allocation of values for their members. But Easton calls them political sub-systems. He is concerned with the authoritative allocation of values for the society as a whole. This is the function of a political system.

Outside the political system there exist other systems such as social, psychological, economic etc. All these outside systems constitute the environment of the political system. The political system is in constant interaction with its environment and yet it is different from other systems. The environment may be divided into two parts - the intra-societal and the extra-societal. The intra-societal environment consists of those systems in the same society other than the political system. The systems other than the political system are not engaged in the authoritative allocation of values. The intra societal system includes economy, culture, social structure or personalities. They shape and influence the conditions under which a political system itself must operate. The extra societal environment includes all those systems which lie outside a given society. It includes international political systems and the international economic systems. Really they have their impact on a given political system. Thus the intra societal and the extra societal constitute the environment of a political system.

The system manages stability and change as a result of the balance between inputs and outputs. The inputs are the factors which affect the working of a political system. They are in the form of demands and supports. Demands affect the policies of the system while supports enable a political system to carry out its goals. For the smooth running of the political system there should be proper balance between demands and supports. The outputs of a political system are the authoritarian decisions and actions of the leaders of the system that bear on the allocation of values for the system. Feedback is the conversion of outputs into inputs. Feedback really completes the cycle of political system and makes it a dynamic and regenerative operation.

Every political system possesses regulatory mechanisms of its own which prevent the excess demands from entering the system. First of all there are informal political structures which serve as gate keepers in the political system. The political parties and pressure groups screen the demands flowing from environment and decide which of them should be acted upon. Secondly every society has certain cultural mechanisms and socio-cultural norms, and demands which are not in harmony with them remain unacceptable. Thirdly a political system can develop a number of communication channels through which demands may get scattered widely and thus get diluted. These mechanism really regulate at a given time does not exceed the handling capacity of the political system.

It is David Easton in his article “An Approach to the Analysis of Political Systems” (1957) first developed a systematic framework for the study of politics on the basis of the systems analysis approach. His systems analysis can be use for studying all kinds of political systems, democratic and otherwise. Thus according to Oran R. Young “Easton’s systems analysis is undoubtedly the most inclusive systematic approach so far constructed specifically for political analysis by a political scientist.

Political System : Characteristics and functions

The concept of System came to Political Science from biology through anthropology and sociology. Talcott Parsons and Robert K. Merton exercised great influences on the use of the concept of system in political analysis. They influenced political scientists like Gabriel Almond, David Easton, Karl Deutsch and Abraham Kaplan and others.

The concept of political system has assumed great importance today because it refers to the study of government in the empirical dimensions and also from a strictly interdisciplinary standpoint. This new term, Political System, reflects a new way of looking at political phenomena. In the past, the focus of study of political science was on formal institutions like state and government. Extra political factors or conditions which affect political events and institutions were completely ignored. Later, political scientists became aware of the fact that in all societies the formal governmental institutions are shaped and limited by informal groups, their attitude and behavior. Since these informal factors influence the political processes the study of it is also necessary. In this context the study of political system offers more comprehensive framework for political analysis.

According to the system analysts, society is characterized by the existence of different systems. According to Robert A. Dahl, “Any collection of elements that interact in some way with one another can be considered a system: a galaxy, a football team, a legislature, a political party”. Political system is only one such system and can be identified by “any persistent pattern of human relationships that involves to a significant extent control, influence, power or authority.” A model of political system was first developed by David Easton, an American political scientist. Easton defined politics as the “authoritative allocation of values” which broadly constitute the political process. It is in this sense, that Political system has been described as an open system. In other words, “allocation of values” is made because there are corresponding ‘demands’ from the society or environment. Easton says “a political system is a system which is part of the total social system and yet which for purpose of analysis and research is temporarily set apart.” Further to Easton “a political system is that system of interaction in any society through which binding and authoritative allocations of value are made and implemented” Again he says that all those kinds of activities involved in the formulation and execution of social policy and the policy making process constitute the political system.

Max Weber defines the Political System as “a human community that claims the monopoly of the legitimate use of physical force within a given society.” In the opinion of Max Weber legitimate force is the thread that runs through the actions of the political system. When we say that political system is concerned with the use of legitimate force it doesn’t mean that the political system is concerned only with force violence or compulsion. It is also concerned with goals such as national expansion or security, social welfare and such other developmental programmes. But all these relate to law making and law enforcement. For example demand for public recreation facilities which is an input is supported by taxation and any violation of this regulation is a legal offense. The input functions and output functions are the functions performed by a political system. Political socialization, interest articulation, interest aggregation and political communication are input functions, whereas rulemaking, rule application and rule adjudication re output functions.

Almond defined a Political system as “that system of interactions to be found in all independent societies, which performs the functions of integration and adaptation (both internally vis-à-vis other societies) by means of the employment or threat of

employment of more or less legitimate physical compulsion". Thus Political system is not the only system that makes rules and enforces them. But it is the only system that uses compelling force or coercive force. Almond further explains that the Political system includes not only governmental structures such as legislatures, courts and administrative agencies, but all structures in their political aspects. Among these are traditional structures such as kinship ties, caste groupings and anomic phenomena such as demonstrations, riots, assassinations as well as formal organizations like political parties, interest groups and communication media.

According to Gabriel Almond, a political system has the three main properties. They are:

- a) **Comprehensiveness:** It implies that a political system includes all the interactions - inputs as well as outputs - that affect the use of the threat or the use of physical coercion.
- b) **Interdependence:** It implies that a change in one subset of interactions produces changes in all other subsets as the working of political parties and pressure groups and the functioning of the legislative and executive departments.
- c) **Existence of Boundaries:** It implies that there are certain points where the political system ends and other systems begin. It must also be noted that the boundaries between society and polity differ from one political system to another.

Almond also elucidates five essential characteristics of a political system they are:

- 1) **Universality of Political Systems:** It implies that all political systems whether primitive or modern or whether developing or developed have political structures. This means that they have a legitimate pattern of interaction by means of which internal and external order is maintained.
- 2) **Universality of political structures:** All Political systems are characterized by some political structures. These structures perform same functions, though with varying degrees of frequency. It is a different thing that in an advanced system political structures perform

specialized functions as compared to those where traditional structures in the form of kinship or lineage groups still operate.

3) **Universality of political functions:** Every political system is characterized by certain political functions. In every political society these structures perform political functions. These may be in the form of proper structures like legislature, executive and judiciary or these may be in the form of infrastructures as political parties, interest groups, mass media agencies etc.

4) **Multifunctionality of political structures:** The political structure is multifunctional. What is peculiar to modern political system is a relatively high degree of structural differentiation. This may be seen in different parts of political structure such as the legislative, the executive bureaucracy, the courts, the election system, the political parties and organized interest group.

5) **Culturally mixed character of political systems:** All political systems have a mixture of formal and informal structures. Even the modern political systems have many traits of a traditional system. For instance, the proceedings of the British Parliament start after short prayer. Similarly, even the most primitive political systems have some traits of a modern system like codification of law and administration of justice through courts.

Robert A. Dahl gives us an eightfold classification of the characteristics of a political system such as:

(i) **Uneven control of Political Resources**

In all political systems, control over political resources is distributed unevenly. Political resources are the means by which one person can influence the behavior of other persons. This uneven distribution is the result of many factors. Specialization of functions really creates differences in access to different political resources. For example in America a secretary of state has more access to information about the foreign policy than an ordinary citizen. Again because of inherited difference all people do not start life with the same access to resources. Differences in motivation also lead to differences in skills and in resources. Because of these reasons it is impossible to create a society in which political resources can be distributed with perfect equality among individuals.

(ii) The Quest for political influence

Some members of the political system seek to gain influence over the policies, rules and decisions enforced by the government. People seek political influence because control over the government helps them to achieve their goals.

(iii) Uneven distribution of political influence

Political influence is distributed unevenly among the members of a political system. Some people may have more political resources with which they can influence the government. People with more influence over the government can use their influence to gain more political resources.

(iv) The Pursuit and Resolution of Conflicting Aims

Members of a political system have conflicting aims, which are dealt with by the government of the political system. Conflict and consensus are the important aspects of political systems. People who live together never agree about everything, but if they are to continue to live together they cannot wholly disagree in their aims.

(v) The Acquisition of legitimacy

Leaders in a political system try to ensure that the governmental decisions should be widely accepted not only from fear of violence or punishment but also from a belief that it is morally right and proper to do so. The government is said to be legitimate if the people believe that the structure, procedures, acts and policies of government possess the quality of rightness of propriety to make binding rules. When the influence of the leaders is clothed with legitimacy it becomes authority. Really leaders in a political system try to convert their influence to authority.

(vi) Development of an ideology

Leaders in a political system usually formulate a set of doctrines to explain and to justify their leadership in the system. A set of such doctrines is called a political ideology. By formulating doctrines they can endow their leadership with legitimacy and thus they can convert their political influence into authority. Some of the leaders formulate doctrines to justify the political system itself.

(vii) The impact of other political systems

A political system is influenced by other political systems. A system does not exist in isolation. The actions of one system are affected by the part or probable actions of other systems. A city cannot ignore the existence of a national government. A national government should adjust its activities with other national governments.

(viii) The Inevitability of change

All political systems undergo change. In fact all political philosophers have pointed out the mutability of political system. There is no permanent political system. It changes according to the need of time. Thus in the history of political system no political system has even been immutable.

Structural Functional Analysis

Structural functional analysis was originated in the sphere social anthropology, in the writings of Radcliffe-Brown and B. Malinowski. Then it was developed in the field of sociology by Talcott Parsons, Robert Merton and Marion Levy. Gabriel Almond and his associates developed it into a tool of political analysis.

In this framework of analysis the focus of attention are the ‘structures’ and ‘functions’. Structures are patterned behavior and need not necessarily be formalized and located in concrete institutions. Functions are the relevant consequences of activity. In structural-functional analysis one identifies the important structures in a political system and then seeks to discover the functions of those identified structures.

Social theorists subscribing to this approach lay emphasis on this point that, indeed, no society “can survive or develop unless it has a political system performing such a function, that is, we might hold that a political system is a functional requisite of a society.” “The survival and maintenance of a social system require that society must be having a well functioning economic system, a legal system, a system of values and so on. In this scheme, the political system “would appear as that sub-system performing the distinctive function of making legitimate policy decisions, or to use shorter expression, the function of goal attainment’ for the society of which it is a part.

With a view to understand the implications and nature of the structural functional analysis, we should look at its basic assumptions and postulates.

1) It takes the society as a single, interconnected system each element of which performs a specific function. The basic feature of such a system is the interaction of its components for the maintenance of its equilibrium. As Carl Hempel says: “ The kind of phenomenon that a functional analysis is involved to explain is typically some recurrent activity or some behavior pattern in an individual or a group. And the principle objective of the analysis is to exhibit the contribution which the behavior pattern makes to the preservation or development of the individual or the group in which it occurs. Thus, functional analysis seeks to understand a behavior pattern on a socio-cultural institution in terms of the role it plays in keeping the given system in proper working order and thus maintaining it as a going concern”

2) If society is a system as a whole, it has its parts that are interrelated. A social system has a dominant tendency towards stability that is maintained by virtue of built-in mechanism. If there are deviations or tensions, they are resolved. Thus, change in a social system is not sudden or revolutionary but gradual and adjustive.

3) Underlying the whole social structure there are broad aims and principles that are observed by the members of the society. Thus comes the factor of value consensus with its ongoing usefulness even if this was unrecognized by those who were involved in them.

As its very name suggests, the structural functional analysis revolves round two key concepts - structures and functions. Let us, therefore, study the subtle implications of this approach after studying the key concepts separately.

Concept of structures

While functions deal with the consequences involving objectives as well as processes of the patterns of actions, structures refer to those arrangements within the system which perform the functions. Single function may be fulfilled by a complex combination of structures. Just as any given structural arrangement may perform functions which might have different kinds of consequences for the structure. For instance, a political party is a structure within the political system that performs many functions, including those of communicating the wishes of the electorate to the government, reforming the electorate on important political issues and allowing for wider participation by more people in the political system. The party helps to maintain the system because it performs these tasks but

other structures such as pressure groups or formal institutions of the government may also carry out these functions, and in other political systems may carry out these functions in the absence of political parties

Concept of functions

The basic questions are involved in the concept of functions; what basic functions are discharged in any given system, by what instruments those functions are performed and under what conditions the performance of these functions is done. Defining this term Young says “functions deal ultimately with objective consequences, but they may be perceived as objectives, processes or results from various points of view and for various purposes.” A better and more precise definition is thus given by Robert Merton “Functions are those observed consequences which make for the adaptation or readjustment of a given system, and dys-functions those observed consequences which lessen the adaptation or adjustment of the system”

As a model adapted from the natural sciences, functionalism accepts the ‘organismic’ analogy that a social or political unit will have certain adaptive qualities in contrast to a cybernetic or mechanistic analogy. Living organisms inherently possess organismic properties including the capacity to reproduce themselves, the capacity to perceive and learn, and the capacity to adapt and adjust to new circumstances or changes in the environment. David E. Apter dwells on this interpretation and then affirms that the functional analysis of politics “begins by assuming that these properties which inhere in human beings have their counterparts in communities. Societies produce themselves. They perceive and learn. They can within limits, adapt to problems. Societies also adjust to change by means of collective problem solving. They have a built-in tendency of politics and this is certainly the most ambitious claim that has been made for functionalism by political scientists.”

It is therefore, clear that structural functionalism implies an applied form of empirical functionalism to the study of political phenomenon. While in eclectic functionalism, the concept of functions remain merely one of several equally significant categories and in empirical functionalism functions become the focus for the analysis of a limited range of phenomena structural functionalism aims at providing a scientific theory of the political system. It is structural functionalism that sets out in search of the particular structures that perform requisite functions. It is on account of this that the major descriptive

take of structural functionalism is said “to indicate what structures contribute to satisfaction of what functionally requisites.” As such, structural functionalism becomes a ‘requisite analysis’ in an analytic framework that “specifies a set of functions as necessary and sufficient for the persistence of a system”.

Almond and his associates argues that all political systems regardless of their type, must perform a specific set of tasks if they are to remain in existence as systems in working order or equilibrium, i.e, as ‘ongoing systems’. These are the functional requirements of the system. They pointed out that in various political systems, these functions may be performed by different kinds of political structures and , sometimes even by structures which are not overtly recognized as being, primarily political.

Accordingly, Almond and his associates discerned four input functions and three output functions. Input functions are:

(i) Political socialization and recruitment: Political socialization is the process whereby an individual acquires attitudes and orientations towards political phenomena. It also implies the process whereby society transmits political norms and beliefs from one generation to the next. Recruitment stands for the process whereby political groups obtain members for various important roles in the political process. This may be either by way of addition to the existing members or as replacement for other members.

(ii) Interest articulation: It implies the process whereby, opinions, attitudes, beliefs, preferences etc. are converted into coherent demands on the political system, interest groups are more suited to perform this function.

(iii) Interest aggregation: It is the process whereby various divergent interests are collated and translated into concrete demands of a very large section of society, policy proposals and programmes of action etc. Political parties are most suited to perform this function.

(iv) Political Communication: it is the process whereby components of a political system, such as, individuals, groups and institutions, transmit and receive information regarding the functioning of the political system. Mass media is most suited to perform this function

Almond enumerated the output functions as:

- (i) Rule making (mainly the functions of legislature)
- (ii) Rule application (mainly the functions of executive)
- (iii) Rule adjudication

It can be also seen that the input functions link the political system to the non-governmental sub-systems in a society such as family, schools parties and pressure groups etc. the output functions are wholly governmental. In fact the formulation here looks like a reiteration of the traditional separation of powers - legislature, executive, judiciary - theory.

So it should be emphasized that structural functional analysis is a distinguishable approach primarily because of the selective aspects of social reality that it seeks to describe, explain and predict. It describes social reality largely in terms of structures, processes, mechanism and functions, and these four concepts are of particular importance in the laws and theories that are developed.

Structural functional analysis has opened up a new mode of political analysis without being unduly restrained by institutional concerns. It has been particularly found useful for comparative politics. On the other hand structural functional analysis has been criticized on the ground that it is ideologically inclined towards conservatism. It is primarily concerned with systems survival. Further, it is alleged that the structural-functional analysis projects western-type liberal-democratic-system as a standard for institution building in developing societies rather than encouraging them to build their institutions according to their own requirements.

Input-Output Analysis

System analysis has its own derivatives in structural-functional and input-output analysis. Input-output analysis is associated with the name of David Easton of the Chicago University. In Easton's view there can be a theoretical study of politics to explain the conditions of survival (persistence) of political systems. The problem of explaining the general question of "how political systems generally persist" raises the issue of devising a theoretical system for

the interpretation of the “life processes” of the system. It is in this context that Easton develops his input-output analysis.

Easton views the Political system as basically an input-output mechanism - “just a means whereby certain kinds of inputs are converted into outputs.” Inputs can be seen as the ‘demands’ made upon the system and the supports of the system itself. Easton characterized demands as the raw materials out of which finished products called decisions are manufactured. Supports constitute those structures and processes that enable the system to cope with the various demands made upon it. Easton views supports as the energy in the form of actions or orientations enabling the political system to convert the demands into authoritative decisions and policies.

As demands are processed ‘outputs’ flow out of the system into environment. Demands can come as a result of the ‘feedback’ process in response to earlier system outputs. Also, from within the political system itself influences can be brought to bear on the system. Easton calls these ‘withinputs’. In Easton’s terminology the political system receives ‘inputs’ from the ‘environment’ in the form of ‘demands’ and ‘supports’. It produces ‘outputs’ in the form of ‘policies’ and ‘decisions’. The ‘outputs’ flow back into the environment through a ‘feedback’ mechanism, giving rise to fresh ‘demand’ etc.

Feedback is essentially a communication process which produces action in response to information about the state of the political system or its environment, to structures within the system in such a way that the future action of those structures is modified in consequence. The results of such modification may, in turn, produce further modifications, and so on. The feedback channel helps the political system in approaching its goals.”.

In this context Almond classified demands into:

- (i) Demands for allocation of goods and services such as demands for wages, and hour laws, educational opportunities, road and transportation.
- (ii) Demands for the regulation of behaviours such as provisions for public safety, controls over markets and rules pertaining to marriage, health and sanitation.
- (iii) Demands for participation in the political system as the right to vote, hold office, petition government bodies and officials and to organize political associations, and

(iv) Demands for communication and information such as demands for the affirmation of norms and communication of policy intent from political elites.

Examples of support classifications are:

- (i) Material supports such as the payment of taxes, labour on public work or military service.
- (ii) Obedience to law and regulations
- (iii) Participatory support such as voting, political discussions and other forms of political activity.
- (iv) Attention paid to governmental communication and the manifestation of respect to public authority, symbols and ceremonials.

A proper balance should be maintained between the demands and supports for the smooth running of the political system.

Outputs are the authoritative decisions and actions of the system's leaders so that they bear on the allocation of values for the system. The outputs are the results of the conversion process acting upon a great variety of demands and supports. In simple words, outputs are the transactions initiated by the departments of the political system that usually correspond too closely to the supports list above, though they may or may not respond to demands depending on the kind of the political system obtaining there. In this regard four processes may be pointed out:

- (i) Extractions which may take the form of tribute, booty, taxes or personal services.
- (ii) Regulations of behavior which may take a variety of forms and affect the whole gamunt of human behavior and relations.
- (iii) Allocation or distribution of goods and services, opportunities, honours and the like and
- (iv) Symbolic outputs, including affirmation of values, displays of political symbols, statement of policy intents etc.

In short outputs are primarily means of generating specific support for the political system.

Easton's concern for system persistence logically raises the problem of coping with 'stress'. Two main types of stress identified are: (a) demand stress and (b) support stress. Demand stress arises when the system is subjected to 'demand-input overload'. The concept of overload has to be related to the volume of demands, the content or nature of the demands, or the sudden inflow of demands at some particular point of time straining the system. Support stress refers to loss or at least an erosion of the support given to the system by its members. Variability of support is bound to affect the destinies of the political authorities often called governments and the political community. Such form of stress may be due to conflicts and divisions among system members, system failure to produce outputs in response to demands, or structural (institutional) failures to cope with demands. According to Easton, for any system there is 'critical range' beyond which stresses upon it affect its functioning in such a way that the system tends to disintegrate.

The system model and its derivative input-output analysis marks an improvement on earlier approaches to political analysis to a great extent. It has great explanatory value when applied to the analysis of functioning political systems. But at the same time critics point out that, like structural-functional analysis input-output analysis also tries to maintain status quo. It seeks solutions to the problems concerning persistence, adaptation and regulation of a political system. All these general characteristics of input-output analysis are well summed up by Oran Young in these words. "Above all the political system is seen as a conversion process performing work, producing outputs, and altering its environment, with a continuous exchange between a political system and its environment based on the steady operation of the dynamic processes. At the same time, the approach provides numerous concepts for dealing both with political dynamics in the form of systemic adaptation processes and even with purposive redirection in the form of goal-changing feedback. With this perspective it is possible to deal with changes in the system itself, although the approach focuses mainly on changes whose principle results are only to modify or streamline the system. It is, therefore important to observe that the input-output approach does not dwell extensively on a third level of change and dynamics focusing on broader-scale and more far reaching alterations. Revolutionary change is hardly mentioned and even the possibilities of evolution to new systemic forms are not covered in detail. Though the adaptive consequences of phenomena like growth could certainly be treated under this approach, their broader aspects of qualitative change do not find much place therein

Module IV

SOVEREIGNTY

Meaning and Kinds: Monistic and Pluralistic Interpretations

The term 'Sovereignty' is derived from the Latin word 'superanus' which means supreme or paramount. The exercise of supreme power by the state is commonly called sovereignty which distinguishes the state from other associations. Hence the concept of sovereignty is one of the most fundamental concepts in the study of Political Science. According to J.W.Garner, sovereignty is that "characteristic of the state in virtue of which it cannot be legally bound except by its own will or limited by any other power than itself". In fact, sovereignty arms the state with supreme legal authority in both internal and external spheres. Internal sovereignty means the power of the state to make and enforce law throughout its territory. It is the final power to command and enforce obedience. In this sense sovereignty is not subject to any legal limitations. This supreme authority is absolute over all individuals or associations of individuals within the state. External sovereignty is viewed as the freedom of the state from subjection or control by another state. In other words it means that the will of a state is free and independent of the will of any other external power. If the state agrees to certain limitations on its freedom of action in pursuance of an international treaty or law, this does not destroy its sovereignty as these are only self-imposed limitations.

Jean Bodin defines sovereignty as the 'absolute and perpetual power of commanding in a state', as the 'supreme power over citizens and subjects unrestrained by laws'. Thus Bodin places sovereign above the law, because he himself is the source of law. Bodin treated the sovereign above law but not above duty and moral responsibility. He imposed two important limitations on the powers of the sovereign. They are: a) There are some fundamental laws (such as , the Salic law of France, which excluded females from dynastic succession) and the sovereign could not lawfully abrogate such laws; and b) private property being granted by the law of nature, was inviolable. Therefore, the sovereign could not tax his subjects without their consent. However, John Austin, the English Jurist is regarded as the greatest exponent of the Monistic theory of sovereignty.

Kinds of Sovereignty

De-jure and De-facto Sovereignty.

Sovereignty being a question of fact, a distinction is sometimes made between de-jure and de-facto sovereignty. The de-jure sovereign is the legal sovereign and the de-facto sovereign is the actual sovereign. A de-facto sovereign which is actually obeyed by the people whether it has a legal status or not. De-facto sovereignty may rest purely on physical force or religious influence, while de-jure sovereignty has the legal right to command obedience. The distinction between the two comes out sharply in times of revolution. For example soon after the overthrow of the Chiang Kai-Shek's regime in China, Communist China became de-facto sovereign. But now, the international community have recognized it. Then it may be regarded as both de-facto and de-jure.

Titular and Real Sovereign

By titular sovereign we mean a sovereign in name only. This term is used to designate a king or monarch who have ceased to exercise real authority and has become a symbol of the state. The Queen in England is an example. The real sovereign in Britain is the cabinet headed by the Prime Minister, which exercises the real power on behalf of the Queen.

Legal Sovereign

The legal sovereign is the supreme law-making body in the state. Only its commands are laws. It can override prescriptions of divine law, the principles of morality. It is 'the determinate person' referred to in Austin's definition of sovereignty. The best example of such sovereign is found in England in the King-in-Parliament. Courts recognize only those laws which emanate from such a sovereign authority.

Political Sovereign

In a democratic country while the legal sovereign is the supreme law making and law-enforcing body, there is behind it the will of the people which is the ultimate and final source of all authority. It is the authority from whose verdict there can be no appeal. In the words of A.V. Dicey, "Beyond the sovereign which lawyer recognizes there is no sovereign to whom the legal sovereign must bow - that body is politically sovereign, the will of which is ultimately obeyed by the citizens of the state". Gilchrist defines it as "the sum total of the

influences in a state which lie behind the law". In a country in which direct democracy prevails, legal and political sovereignty are almost coincident. But in a representative or indirect democracy the legal sovereign and political sovereign are different.

Popular Sovereignty

The concept of 'popular sovereignty' took shape in the 16th and 17th centuries. The idea was upheld in ancient Rome by Ciero, who was inspired by the stoic principle of a natural law and human equality. According to the doctrine of popular sovereignty, ultimate authority rests with the people. The doctrine became the corner-stone of the teachings of the French philosopher Rousseau. Rousseau propounded it in his famous concept of the 'General Will'. His theory exercised a great influence on the French and American revolutions. The doctrine received further impetus from the growth of democracy in the 18th and 19th centuries, when it came to be accepted as the logical foundation of modern democratic government. The theory of popular sovereignty is mainly based on two fundamental principles - (a) the government does not exist for its own good. It exists for the good of the people. (b) if people's wishes are deliberately violated, they can resort to revolution. Both these principles of the theory of popular sovereignty have contributed much to the development of political theory.

Monistic Theory of Sovereignty

Although the theory of sovereignty emerged only recently the idea of it goes back to Aristotle, who spoke of the supreme power of the state. After Aristotle political philosophers like Jean Bodin, Hugo Grotius, Thomas Hobbes, John Locke and Jean Jacques Rousseau wrote about sovereignty. Bodin defined sovereignty as "the supreme power of the state over citizens and subjects unrestrained by law". But the classical exposition of sovereignty is given by John Austin(1790-1859), the famous English Jurist.

Austin stated his theory of sovereignty in his 'Province of Jurisprudence', published in 1832. According to G.H. Sabine, Austin's primary object was to build up "an exact juristic terminology and to present a clear outline of the organization of a government's legal powers". Austin develops his theory of sovereignty on the basis of his concept of law as "a command given by a superior to an inferior". Therefore he defines sovereignty in the following words: "If a determinate human superior, receives habitual obedience from the bulk of a given society, that determinate human superior is sovereign in that society, and that society (including the superior) is a society political and independent".

Austin's definition of sovereignty gives us the idea that in every free and political society, there is some person or body of persons who in the ultimate analysis can compel obedience. Thus in every independent political community there exists a sovereign power or in other words, sovereignty is an essential attribute of an independent political society. Secondly, the sovereign is a determinate person or body of persons. It cannot be an indefinite body or a vague concept. Thirdly, the power of the sovereign is legally unlimited. Fourthly, the obedience rendered to the sovereign is habitual and not casual. Fifthly, the power of the sovereign is indivisible. And finally, whatever the sovereign commands is law. Thus the most important characteristics of the Austinian theory of sovereignty are absoluteness, all-comprehensiveness, universality, permanence, inalienability, exclusiveness and indivisibility.

The sovereign state is said to be absolute and unlimited. There is no power on earth which can bind it. It is absolutely independent of any compulsion or interference on the part of other states. Treaties, international understandings and conventions etc do not destroy sovereignty, in as well as there is no compelling power behind them. The sovereign power is universal and all comprehensive. It is supreme over all persons, associations and things within the state. No person or body of persons can claim exemption as a matter of right. Inalienability means that a sovereign state cannot give away any of its essential elements without destroying itself. A state may cede part of its territory to another state. By so doing it surrenders its sovereignty as such. Further, sovereignty is as permanent as the state itself. So long as the state lasts sovereignty lasts. The two are inseparable. Finally sovereignty is indivisible. Thus Gettell writes "If sovereignty is not absolute, no state exists; if sovereignty is divided, more than one state exists".

Austin's theory of sovereignty has been criticized by several writers. According to Sir Henry Maine, sovereignty does not reside in a determinate human superior. On the basis of historical evidence Maine argued that in many empires of the East there was nothing corresponding to "the determinate superior of Austin". He refers to customs in India which controlled the people and rules alike. Custom is the outcome of ages and not the command of a determinate superior and thus sovereignty has never been absolute.

Secondly, Maine contended that Austin's theory is inconsistent with the idea of 'popular sovereignty'. In fact, it is an antithesis of Rousseau's doctrine that General Will is sovereign. Austin's theory ignore the power of public opinion-exerted through legislature, political parties, press etc.

Thirdly, Monistic theory of sovereignty is criticized on the ground that it ignores the distinction between legal and political sovereign and fails to discover the sovereign in modern states. This is mainly because in modern states governmental powers are divided among legislature, executive and judiciary.

Fourthly, according to critics absolute sovereignty is an illusion. The sovereign may be legally unlimited but there are always political and historical limits to what he can do. The modern concept of internationalism has also made the Austinian theory incompatible. In the international sphere there is no 'determinate human superior', for all states are equal as well as sovereign. Thus Austin's concept of sovereignty becomes a glorious myth.

Finally the Pluralists criticized the Monistic notion that the various associations are dependent for their existence upon the will of the state. It is argued on the contrary that associations grow naturally. They have a will of their own. The Pluralists want sovereignty to be limited in the interest of other associations. Thus according to Harold J. Laski "because society is federal, authority must also be federal".

We may therefore conclude that Austinian theory of sovereignty is unrealistic and is not valid for political theory. As Henry Maine said, "a despot with a disturbed brain is the sole conceivable example of such sovereignty". It is evident that Austin has ignored the social forces and influences which lie at the back of legal sovereignty. However, it may be admitted that Austin's theory remains a clear and logical exposition of the legal nature of sovereignty.

Pluralistic Theory Sovereignty

The Pluralistic theory of sovereignty is of recent origin. It is the result of the social and political developments of the 19th century, especially that of democracy and industrialization. Pluralism is a reaction against the 'absolute' or 'monistic' theory of state as given by Bodin, Hobbes, Hegel, Bentham and John Austin. The chief exponents of the Pluralistic concept of sovereignty are Leon Duguit (1859-1928), Hugo Krabbe (1857-1936), A.D. Lindsay (1879-1952), Ernest Barker (1874-1960), Harold J. Laski (1893-1950) and R.M. MacIver (1882-1970). According to the Pluralists human life is multifaceted and the state alone cannot satisfy all the needs of man. The authority of the state is not absolute or sovereign. Thus J.N. Figgs called the traditional theory of sovereignty as a "venerable superstition".

According to 'A Dictionary of the Social Sciences' (ed. Julius Gould and William L. Kolb) Political pluralism refers to those doctrines which assert that certain groups in society (eg. Family, church, union, local government) embody important social values prior to and independent of their authorization or approval by the state. Pluralistic theory of sovereignty is broadly based on this concept of Political pluralism.

As a pluralist Harold J. Laski, pleaded for a system which would recognize the complete autonomy of groups and deny the state any claim to absolute sovereignty. To him the group is real in the same sense as the state is and the theory of "unlimited and irresponsible state is incompatible with the interests of humanity". Laski does not use the term 'sovereignty'. In its place he uses the term 'authority'. And authority in modern democratic state is federal in nature and divisible. He was of the opinion that the concept of the sovereignty of the state would also pass away just as the divine right of the kings had. To him the only state to which one owe allegiance is the state in which he discover moral adequacy.

The modern state, according to Laski, is pluralistic, responsible and constitutional. It is directive rather than dominating. Its power is diffused in territorial and functional groups. Actually the state is an association of associations, with the special function of co-ordination. In this later work "Crisis in the Theory of State", Laski modifies his earlier views on Pluralism. Here he say that the Pluralist theory does not adequately take not of the state as an expression of class relations in society. Sovereignty, he now opines, had to be accepted as necessary unless there is socialization of means of production and classless society comes into existence. Hence he assigns to the state, the status of a co-ordinating authority.

R.M. MacIver in his 'Modern State' criticizes the Legal theory of sovereignty because it speaks in terms of power and not of service. To him the conception of Monistic theory of sovereignty is dangerously false. He argued that the State has 'definite limits, definite powers and responsibilities'. Associations are as native to the soil of society as the state itself. The State is not their creator. The function of the State is merely to give "a form of unity to the whole system of social relationship".

As a critique of Pluralistic theory of sovereignty R.N. Gilchrist opined that the logical consequence of Pluralism is chaos. To him "Pluralism is a doctrine of disruption and revolution, for it implies that international groups may have powers superior to those of

national states". Thus according to Ernest Barker, whatever rights the groups may claim or gain "the state will still remain a necessary adjusting force".

In short, the pluralist theory sought to redefine the nature of the state as one of the several associations of human beings operating in society to secure the multifarious interests of individuals. In view of this, it encouraged a new role for the state as an arbiter over conflicting claims of different associations. It also repudiated the exclusive and the absolute claim of the state to an individuals' allegiance. It insisted that the state should compete with other human associations to establish its claim to superior authority.

Sovereignty in the context of Globalisation

The Westphalian model of state system has come under the threats of globalisation. Though the states, still surviving, exercise their power and authority in certain respects, but the core of the Westphalian model, that is, the concept of sovereignty, has been deeply undermined in a fast globalising world. The concept of sovereignty pertains to a specific reference, to a territory where government exercise absolute authority. But the forces of globalisation have rendered the territorial limits useless. In other words, there has been a deterritorialization of the world.

The state in globalizing world has to work along with the forces which are not under its control even such as surveillance by global governance agencies, nationalism, global ecological problems, satellite communications, electronic money transfer, multinational companies, migration, information flows, technology transfer, and most importantly, nuclear weapons and weapons of mass destruction. Scholars point out that the concept of absolute sovereignty was developed under conditions of relatively low level of interdependence among the states. However the complex level of interdependence with large flow of capital, labour, technology and information across the border has now emerged within the changing pattern of sovereignty and its meaning and conditionality are continuously changing in a fast globalising world.

The supra state global governance system has also limited the state sovereignty. In several fields, ranging from macroeconomic policy, conflict management, to human rights and environmental movements more than the state it is now the supra state agencies such as UNO, the IMF, the WTO, the World Bank, and various regional arrangements have significant role to play.

Global social movements have now come to undermine the sovereignty of states. These movements on various social, political, economic issues or even ecological issues exploit the benefits of globalisation, that is, fast travel and communication, the internet, development in telecommunication, awareness about global laws help to conduct trans-border social movements which pervade the sovereign authority of the states. These social movements to some extent succeed in bringing about changes in policies of the state.

The operation of the MNCs and their interface with the domestic policies of their host countries have really undermined the sovereignty of the states. Some of the industrial MNCs have annual sales of tens of billions of dollars each. No wonder, MNCs like IBM, GE, Microsoft, Wall Mart and others have become more powerful than many sovereign states.

Nuclear weapons have changed the whole perception of security of the state. The states are no longer invincible. They have become vulnerable preys to the latest technological discoveries of long range cruise missiles, intercontinental ballistic missiles (ICBMs), short range ballistic missiles (SRBMs), multiple independently targetable reentry vehicles (MIRVs) and a host of other improved newer weapons of mass destruction, which have completely made the concept of territoriality phase.

It might seem that under such circumstances, globalisation has really brought an end to the state sovereignty. But this argument is hardly tenable. Experiences show states do continue to be the most powerful actors and, in times of influence, such as the present global economic crisis states have again reaffirmed their authority as ultimately it is the government who are providing bailout packages for the financial institutions in their respective countries. It becomes clear that under the pressure of globalisation today states have to perform role different from the earlier times, but in no way have states become less important.

Module V

GOVERNMENTAL STRUCTURES AND FUNCTIONS

The government is the agency through which the will of the state is formulated, expressed and realized. The organization of the government may be viewed either territorially or functionally. Territorially we have governments at various levels - central, regional and local. Functionally, the governments have been traditionally divided into three branches - the legislative (rule making), the executive (rule application), and the judicial (rule adjudication) organs (structures) of government. In 'modern political science' these are known as the output agencies of the political system. In short, the legislature formulates the will of the state, the executive implements it and the judiciary interprets and applies it. The theory of separation of powers coupled with that of the theory of checks and balances, belongs to this aspect of the government functions.

Theory of Separation of Powers

The theory of separation of powers often traced back to Aristotle, who mentions three functions of government, viz., deliberative, magisterial and judicial. In the sixteenth century, Jean Bodin, pointed out the danger of allowing the monarch to administer justice. He suggested that judicial functions should be entrusted to independent magistrates. A better exposition of this theory was given by John Locke, the great liberal writer of the seventeenth century. He argued that it was advisable in the interests of liberty for powers of government to be separated from each other. He refers to the separation of powers into legislative, executive and federative.

However, the best exposition of the theory of separation of powers is contained in Baron de Montesquieu's "The Spirit of Laws" published in 1748. According to Montesquieu, it is not the machinery which makes a government free, but the spirit of the government. The spirit govern the customs and the traditions and should govern the written law. The law is the principle, the 'spirit' of any particular form of government, the spirit of the civilization desired. Thus all citizens must recognize the reasonableness of the restraints of law, if they do not, there will be the restrains of arbitrariness. Hence, he came to the conclusion that, to obtain liberty, the power must not be concentrated. The statement of his theory is as follows;

“In all forms of government there are three organs. They are the legislative, the executive and the judiciary. When the legislative and executive powers are united in the same person, or in the same body of magistrates, there can be no liberty, because apprehension may arise, lest the same monarch or senate should enact tyrannical laws and execute them in a tyrannical manner. Again there is no liberty if the judicial power be not separate from the legislative and the executive. Were it joined with the legislative, the life and liberty of the subjects would be exposed to arbitrary control, for the judge would then be legislator. Were it joined to the executive power, the judge might behave with violence and oppression. There would be an end of everything, were the same men or the same body, whether of the nobles or of the people to exercise those three powers, that of enacting laws, that of executing the public resolutions and of trying the cases of individuals”.

According to R.G. Gettell, the theory of separation of powers implies that the three functions of government, “should be performed by different bodies of persons; each department should be limited to its own sphere of action and within that sphere should be independent and supreme”. Only through that way, the purpose of preserving the liberty of individuals shall be fulfilled. Montesquieu’s theory was so appealing to the common sense that it exercised profound influence on the American constitution as well as on revolutionary France.

The American constitution makers vested the executive power in the President, legislative power in the Congress and the judicial power in the Federal Court. But at the same time they invented the system of checks and balances, whereby they could make one organ of government as a check upon the other two organs of government. Thus a condition of balance of power is created among the three organs of government. In other words the system of checks and balance supplements the system of separation powers in U.S.A.

While, referring to the constitutional system of U.S.A. we can see that the executive authority is with the President, but it is checked by the Congress and the Federal Court. President’s appointments and treaties must be ratified by the senate. His decrees can be declared null and void by the judiciary on the ground of being unconstitutional. The legislative authority is with the Congress, but the bills passed by the Congress must receive the assent of the President and any law can be declared null and void by the Judiciary on the ground of being unconstitutional. Finally, the judicial power is given to the judges of the Federal Court. But the strength and

jurisdiction of the courts may be revised by the Congress. The President appoints judges and Senate confirms them. A judge may be removed by the Congress by the process of impeachment on the charge of incapacity or proved misbehaviour. In this way the theory of separation of powers with the doctrine of checks and balances works in the United States of America.

It is now generally recognized that the kind of separation thought of by Montesquieu and checks and balances suggested by him are not indispensable for the protection of the freedom of the individuals though there are some elements of truth in it which may be noted. It is important that Montesquieu drew attention to the dangers of concentration of powers and to the necessity of providing adequate checks or safeguards to secure individuals liberty. Secondly, even if his conception of separated powers is impracticable, one can nevertheless agree that it is vital for the prevalence of the rule of law that judiciary remain independent and impartial. Thirdly, the partial application of the theory is essential to improve the administrative efficiency of government.

In short, the principle of vesting the exercise of the three powers of government - the legislative, the executive and the judicial - in three distinct organs, which Willoughby has called an organic separation of powers as distinct from a personal separation is fundamental to the efficient working of government. This makes for specialization and efficiency. It is obvious for instance that the legislature as a body is unfit to undertake the work of judges because it is subject to the influence of party politics. Secondly because its organization as well as its temper is out of accord with the judicial spirit, and because its members are not chosen for their capacity of training.

Montesquieu's exposition of separation of powers should be regarded as one of the great contributions to the stock of liberal political theory. It seeks to save the liberty of the individuals against arbitrary actions of the state. It ensures the system of constitutional democracy, that, as Carl. J. Friedrich says, "for only within such a system could the citizens hope to enjoy a measure of independence and freedom through a guarantee of civil liberties".

The Legislature.

Legislature is the organ of government that is involved in the rule making function. It formulates the will of the state and the laws that it makes constitute the concrete expression of the sovereignty of the state.

Organization of Legislature: Unicameral and Bicameral

In almost all countries, legislatures are available for making laws. For this purpose, most of the countries have two houses of legislature, while a few countries have only one house. The former is called Bicameralism and the latter Unicameralism. In Bicameralism the first chamber is called 'lower house' and the second chamber is called the 'upper house'. There are two chambers of legislature in India, U.S.A, U.K and France, while China, Bangladesh and Portugal have only one chamber.

Functions of Legislature

Functions of the Legislature vary from country to country, depending on the form of government and the provisions of the constitution. However, there are certain important functions which the legislature performs in every democratic state.

The first and most important function of the legislature is law making. Although the initiative in this matter has in many cases passed to the political executive, the role of the legislature is by no means insignificant. It still decides the content of the legislation as well as throws light upon its purposes.

Secondly, as the French derivation of the term 'parliament' reveals, that the legislature discusses various matters of public concern and formulates domestic, foreign and fiscal policies.

Thirdly, the legislature holds the strings of the purse. The doctrine of 'no taxation without representation' initially established the supremacy of the legislature over other branches of the government. The legislature passes the annual budget.

Fourthly, the legislature exercise control over the political executive. In a parliamentary form of government, this control is direct in the sense that the cabinet is responsible and accountable to the legislature. Apart from the vote of no-confidence, there are questions, supplementaries, adjournment motions, notes of censure and cut motions in the budget, through which the legislature exercise its control over the executive.

Fifthly, in many countries of the world, upper chambers of legislatures are vested with some judicial power. The British House of Lords is the highest court of appeal. In India, either house can frame charges against the President and the other house sits as a court of trial for impeachment.

Sixthly, legislatures have to perform the constitution amending functions. For example in India, no amendments in the constitution can be effective unless it is passed by both the Houses of the Parliament.

Seventhly, the legislatures also performs some electoral functions for instance, the elected members of both the houses of the Indian Parliament and state legislative assemblies constitute the electoral college for the election of the President of India.

Eighthly, in some countries the legislature possesses the power of removing the judges in extra-ordinary circumstances. In India, for example Parliament is empowered to remove the judges of the Supreme Court and the High Courts on the grounds of proved misbehaviour and incapacity. Judges in the USA can also be ousted through a process of impeachment.

Finally, the legislature also functions as an organ of public opinion. It constitutes a public forum for making popular demands as well as for ventilating grievances. Thus we may conclude in the words of Garner, that “in most countries the legislature is not merely the law-making organ, but at the same time, it exercises a variety of other functions; electoral, judicial, directorial and executive”.

The Executive.

The executive is that organ of the government which execute or implement the laws passed by the legislature. According to Garner, the head of the state, Council of ministers and all other officials who implement the laws are included in the executive. Thus, the executive includes political and permanent members of the rule application structure. Generally the term executive is used in a narrow sense and includes head of the state and his council of ministers, who are required to implement the laws and make policies for running the administration of the state.

Kinds of Executive

1. Political and Permanent Executive

The executive and administrative functions in modern society have become highly complex. Their efficient handling requires a close co-operation of the amateur and the expert, that is the popularly elected leaders and trained administrators and specialists. The two elements are often distinguished by referring to the former as the political executive and the latter as the permanent executive. The tenure of the political executive depends on popular election. Civil servants on the other hand, having entered service at an early age, continue in service until retirement. Political parties and politicians at the helm of affairs may keep on changing, the civil service people are there by maintaining political neutrality in the discharge of their official duties.

2. Single and Plural Executive

Single executive consists of a person who does not share power with others. The president of U.S.A. is an example of the single executive. When the directing authority is exercised not by one single individual but by a group of persons having co-equal authority, it is known as plural executive. Modern example of the plural executive is the Swiss Federal Council, which consists of seven councilors. As far as the executive powers are concerned the councilors are almost at par. The Chairman of the Federal Council is selected only for a term of one year.

3. Nominal and Real Executive

The distinction of nominal real executive is really between the head of the state and the head of the government. Before the emergence of Parliamentary system such a distinction did not exist, but it is important now. The nominal or titular executive is a mere constitution figure had with little or no real powers. The power though actually be carried on in its name is really exercised by a different body of persons, usually a cabinet. The best examples are the Queen and the Prime Minister in Britain and the President and the Prime Minister in India. When the same person plays both the roles of the head of the state and head of the government, he combines unto himself the ceremonial as well as political responsibilities. There is a single identifiable head of the executive. The President of United States is a good example of the real executive. Under absolute monarchy and dictatorship the question of distinguishing the real from the nominal executive does not arise. Here all authority is concentrated in a single person or a group of persons.

4. Parliamentary and Presidential Executive

Parliamentary Executive

When the political executive is responsible to and removable by the legislature, it is termed as parliamentary executive. Since the cabinet which holds the reins of government is collectively responsible to the popularly elected house of the legislature, it is also termed as responsible form of executive. Such a type of executive developed first of all in the United Kingdom. Since then it has been adopted by France, Canada, India etc.

Following the salient features of the cabinet system in Great Britain, it may be said that cabinet consists of the majority party or majority coalition in the legislature. The cabinet follow united policy under a common responsibility to be signified by collective resignation in the event of a parliamentary censure. The cabinet also acknowledge common subordination to the Prime Minister. As the leader of the majority party in the legislature and as the head of the ministry, the prime minister enjoys a position known as ‘primus interpairs’ i.e first among equals. In brief, homogeneity, solidarity and common loyalty to a chief, are the essential features of a cabinet system of government.

In a parliamentary or a cabinet system of government the head of the state and head of the government are separate and distinct. In other words, a distinction is made between the nominal executive and the real executive. In England, the King or Queen occupies the former position and the cabinet the latter. In India, it is the President (Article 53(1)) and the cabinet (Article 74(1)) respectively.

The cabinet system also implies that ministers who are the head of administrative departments are the same time members of the legislature. Thus the Indian constitution provides in Article 75(6), that a minister who for any period of six executive months is not a member of either house of parliament shall at the expiration of the period cease to be a minister.

Finally, all cabinets are at least in theory responsible to and removable by the legislature. Hence ministerial responsibility to the legislature is an essential feature of the cabinet system. Generally, this responsibility is owed to the house of the people. For example, House of Commons in Britain and the Lok Sabha in India.

Presidential Executive

According to Garner, presidential form of government is “that system in which the executive (including both head of the state and his ministers) is constitutionally independent of the legislature in respect to the duration of his or their tenure and irresponsible to it for his or their political policies”. The constitution of the United States is usually quoted as the leading example of a constitution embodying the non-parliamentary executive system. In this system, the real executive is also the titular executive. Thus, there is no such distinction as the nominal and the real executive as is found in parliamentary system. In the presidential system, the heads of executive departments and administrative agencies are appointed by the president and are removable by him. Such heads of departments are not members of the legislature and are not in any way responsible to it. They are merely servants of the President, and thus politically responsible to him only. Under the presidential system the executive is not subject to removal by parliamentary action. But the legislature may impeach the executive for actual misconduct in exceptional cases.

Functions of the Executive

The most fundamental functions of the executive are those which relate to essential activities of government. Broadly speaking, these functions of the executive may be enumerated as under the following;

The purpose of the state cannot be achieved, unless there is internal peace and order. The department which is responsible for the maintenance of internal peace and order is called the Home Department. So internal administration is the most important function of the executive. The executive implement policies, direct the execution of laws and co-ordinates the business of government.

The executive makes treaties and agreements with other sovereign and independent states. No state can remain in isolation. Defence is another essential function of the executive. It is the duty of the executive to protect the country from external aggression. Hence every modern state has the department of Foreign affairs and Defence.

Money is the pivot round which the entire administration of a country revolves. Though the legislature which passes the budget, more often than not it is prepared by the executive and its finance department.

In the parliamentary form of government, the executive provides legislative leadership, summoning, proroguing and dissolving the lower house whenever deemed necessary. Most of the bills, which are placed on the statute book are initiated and piloted through the legislature by ministers. The assent of the chief executive or the nominal head of the state is necessary for a bill to become law. Moreover through the power of issuing ordinances, or through executive orders during the recess of the legislature the executive has acquired a direct say in the domain of legislation. Delegated legislation has also become a general feature of the modern state.

The executive in some countries also enjoys some judicial functions. Practically the chief executive is entrusted in the functions of granting pardon and amnesty. The appointment of judges by the executive also paved the way for influencing the judiciary and executive. Moreover some departmental heads are also vested with quasi-judicial authority. That is, 'administrative adjudication'.

Finally, there are some miscellaneous functions of the executive which include, the regulation and control of productive forces in the country; national planning; emergency powers during war and internal disturbances; award of honours etc. In short, there is now a growing ascendancy of the executive over the legislature throughout the world, irrespective of the constitutional and party structure.

Bureaucracy in Modern States

In its broadest sense, the term executive includes not only the head of the state, but also the entire body of administrative officials, high and low. The real work of administration is done by the permanent members of the government, despite there is a political executive. That is the minister to head each department, those who actually run the department and implement the policies of the government are known as members of the permanent executive or the civil service.

The member of the civil or administrative service have a permanent status and tenure. They are selected for their administrative capacity alone. They have not interest in party politics and do not go out of office when a ministry changes. Thus, according to Laski, "every state is enormously dependent, upon the quality of its public officials". The basic features of the civil services are the following:-

- i. Non-partisan, i.e., whichever political party is in power and whatever programme

and policies it may have, the permanent services serve them faithfully. They are expected to be politically neutral in the performances of their official functions.

- ii. The civil services are trained. They are or become experts in their jobs. They are selected on the basis of open competitive examination or interviews and then trained for the job entrusted to them.
- iii. Anonymity, that is they have to work for their departmental or political head, unseen and unknown to the outer world. It is the political head who has to face parliament, the press and the public.
- iv. Hierarchy that is, the administrative structure is hierarchical. In this hierarchical structure, each official occupies a definite place with specific duties, powers and privileges.
- v. Responsiveness to public opinion. In the modern welfare state, the civil services come in direct touch with the public and every step. The civil services are expected to be courteous and polite to the public.

The Judiciary

Judiciary is the third organ of the governmental machinery. It is the guardian of the rights of the people. Judiciary protects human rights from all possibilities of individual and public encroachments. If there is no adequate provision for the administration of justice, the liberty of the people is jeopardized. According to James Bryce, there is no better test of the excellence of a government, than the efficiency of its judicial system. Thus, the modern state is, inconceivable without a separate judicial organ functioning independently and impartially.

Methods of Composition.

- i. **Election by the people:** Election by the people was prevalent in the erstwhile U.S.S.R. The judges of the people's courts were elected by the people. The system was tried in France after the revolution but soon given up. Some of the cantons of Switzerland also have this system.
- ii. **Election by legislature:** The judges of the Supreme Court of the erstwhile

U.S.S.R and its Union and Autonomous Republic were elected by their legislature. But this system was severely criticized because it violates the theory of separation of powers. Further it is also pointed out that party influences and considerations might influence in this method of selection, which impair the integrity and impartiality of the judiciary.

iii. Appointment by the executive: In nearly all the leading nations of the world, the judges of the highest tribunal are appointed by the chief executive, though judges of the lower courts are appointed through open competitive examination. The system has attained marked popularity as the chief executive can rise above narrow party considerations and make selection strictly on merit.

Functions of Judiciary

The functions of the Judiciary may be briefly pointed out as follows:-

Administration of justice is the chief function of the judiciary. Courts are agencies for the decision of disputes between individuals and between them and the state. Its functions also includes the trial of persons accused of crime. The function of courts in all such cases is simply to determine facts according to the recognized procedure. With the facts determined the next step is to apply the existing law of such facts and render decisions.

Secondly, the judiciary acts as the defender of rights. The modern democratic state assures rights to the people, generally by enshrining them in the constitution. If not properly safeguarded rights remain on paper. Hence independent and impartial tribunals in the country are assigned this job.

Thirdly, in countries having written constitutions, judiciary often vested with the power of interpreting the constitution. Judiciary is expected to uphold the supreme law of the land, and thus act as the guardian of the constitution. The highest judicial tribunal can declare the laws of legislature and the orders of the executive ultra-vires in cases the same are repugnant to the constitution.

Fourthly, the judiciary acts as the protector of the federation. In a federation there is a definite scheme of distribution of powers between the centre and the provinces. Even then there remains a possibility of conflicts of jurisdiction. An impartial machinery is therefore, required to resolve such disputes and the machinery is the judiciary.

Fifthly, the judiciary enjoys certain advisory functions. For example, the President of India may refer to the Supreme Court, any question of law or fact which in his opinion is of a great public importance. The advice rendered by the supreme court is not, however binding on the President.

Sixthly, Judges also make law. When laws are ambiguous or appear to be inconsistent with each other, the courts decide what the law is and which of them shall prevail. In this they are guided by equity and common sense. Thus they set precedents, which are followed in similar cases.

Lastly, the judiciary also enjoys some miscellaneous functions. They are; (a) the power of issuing injunctions or restraining orders, asking a party or parties concerned not to take further action in their affairs till the matters involved are investigated and adjudicated. The violation of such injunctions amounts to contempt of court.

(b) When ownership, use or right in property are in dispute, the courts may takeover the administration of such property pending a final settlement.

(c) The higher judiciary gives final verdict on the validity of elections, and

(d) The Chief Justice of the U.S. Supreme Court presides when the President is impeached by the Senate.

The Rule of Law

The 'rule of law' is one of the cardinal features of the British constitution. It is the out come of centuries of struggle of the Britishers for political freedom and individual liberty. The conception of the 'rule of law' was fully analysed and set forth by Prof. A.V. Dicey, in his "Introduction to the Study of Law of the Constitution". Dicey gave to the rule of law, three distinct but kindered interpretations. These are:

i. Rule of law means that "no man is punishable or can be lawfully made to suffer in body or goods except for a distinct breach of law established in the ordinary legal manner before the ordinary courts of the land". It implies that no one in England can be punished arbitrarily. All the accused are to be tried in the ordinary court of law, in accordance with the ordinary legal procedure. The accused have the right to defend himself through a counsel of his choice.

- ii. The Rule of law means equality before law. Dicey observes that “not only with us is no man above the law, but that here every man, whatever be his rank or condition, is subject to the ordinary law of the realm and amenable to the jurisdiction of the ordinary tribunals”. It implies that in England, every citizen, rich or poor, high or low, is subject to uniform law and the same courts of law. If any public official commits any wrong or exceeds the power vested in him by law, he can be sued in any ordinary court and will be tried in an ordinary manner.
- iii. Rule of law mean that “the general principles of the constitution are ...the result of judicial decisions determining the rights of private persons in particular cases brought before the courts”. It implies that in the United Kingdom, the rights of citizens do not flow from the constitution but are based on various judicial decisions.

A critical analysis of the working of rule of law reveals that it no longer prevails as Dicey understood and expounded it. In 1915, he himself realized that the rule of law was exposed to a new peril and the respect for the rule of law has declined. This has been due to the growth delegated legislation, administrative adjudication and immunities enjoyed by various categories of people in the United Kingdom

Administrative Law or Droit Administrative

The concept of rule of law does not prevail on the continent of Europe. In fact, the continental Jurisprudence is based on Roman Law, under which officials who represented the state are given to preferential treatment. They are not subject to ordinary laws nor can they be tried before ordinary courts. On this principle the system of administrative law is said to have grown in France. In the post-revolutionary period, certain laws were enacted in France, according to which judiciary was prevented from interfering in the work of administration. A new type of courts to deal with official wrongs done to private individuals, came into existence. Later other countries of Europe followed the system.

According to C.F. Strong, administrative law is “the body of rules which regulates the relations of the administrative authority, towards private citizens and determines the position of the state officials, the rights and liabilities of private citizens in their dealing with these officials as representatives of the state and the procedure by which these rights

and liabilities are enforced”. Thus the characteristic features of ‘Droit-Administratif’ are the following.

- i. It relieves the public officials of the jurisdiction of ordinary courts for their official acts;
- ii. A special tribunal is set up to try officials when the latter are sued by private individuals for their wrongful acts;
- iii. It deals with rules relating to the validity of administrative decrees;
- iv. It awards compensation to private individuals for injuries sustained by them at the hands of arbitrary state authorities;
- v. It distinguish official acts from personal acts;
- vi. It also prescribes the procedure for the enforcement of these rights and liabilities.

In fact, a French private citizen has been able to get more real redress from administrative courts than an Englishman gets from ordinary courts. Thus, according to Garner, “There is no other country in which the rights of the private individuals are so well protected against administrative abuses and the people are so sure of receiving reparation for injuries sustained as in France”.

Judicial Review

Judicial review may be defined as “the power of the court to hold unconstitutional any law or official action that it deems to be in conflict with the basic law or the constitution”. Judicial review is therefore, the power of the courts to look into the constitutional validity of a legislative or administrative measure and then give a judgement in regard to its being ‘intra-vires’ or ‘ultra-vires’ of the constitution.

The power of judicial review was originated in the United States in the leading case of Marbury v/s Madison in 1803. In that case Chief Justice Marshall, made a biting indictment of Jefferson’s administration for dishonouring the commission made in favour of Marbury for the district of Columbia. The court held that it emphatically the province and duty of judicial department of say what law is If then, the courts are to regard the

constitution and the constitution is superior to any ordinary Act of the legislature, the constitution and not such ordinary act must govern the case to which they both apply.

The power of judicial review is clearly engrafted into the Constituion of India vide Article 13, that says:

- i. All laws in force in the territory of India, immediately before the commencement of this constitution in so far as they are inconsistent with the provisions of this part, shall, to the extent of such inconsistency be void.
- ii. The state shall not make any law which takes away or abridges the rights conferred in this part and any law made in contravention of this clause shall not to the extent of contravention, be void (clause 3 and 4).

Thus, in India the power of Judicial Review, specially given to the Supreme Court and High Courts, is of a limited nature in comparison with the power of American Federal Judiciary. The scope of Judicial review in our country is confined to the examination of the impugned matter on two courts:

- i. Where the law under challenge fall within the competence of the authority that has framed it; and
- ii. Whether it is consistent with part III of the Constitution dealing with fundamental rights.

Thus, in fact the judiciary in India cannot make use of that powerful tool of the 'due process of law' in the United States. Eventhough, some critics pointed out that Judicial Review virtually leads to a hostile confrontation between the executive and judicial departments. In fact the power of judicial review looks like an essential instrument in the hands of the judges to work as the protectors of a democratic system. It is by virtue of this provision that the judiciary can protect the people from the onslaughts of the executive or legislative despotism.

