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Liberal Theory of State:

Meaning and Definition of Liberal State:

Whether the theory is liberal or conservative that is not our prime concern, concern is if the state is liberal —to what extent and in which fashion the state adopts liberal methods and processes for the administration and enactment of laws. Liberalism, in a sense, means to shun conservativeness or avoid restrictions in policy making, enactment and administration of state.

How shall we explain the liberal state? It is not easy to give a precise definition of “liberal” because in different periods of history the term has been used in different senses and no one sense/meaning is final. Very often “neo”, “classical”, “modern” are prefixed before liberal and this process changes the meaning of liberal. The liberal state is, however, one that adopts liberal principles, policies and methods.

The idea is still not clear. What are liberal and illiberal principles and policies? It means that to take or adopt a liberal attitude towards the rights, privileges, functions and various other things of the citizens. It has been assumed that the restrictions or any type of conservativeness adopted by the government will curb the liberty and, simultaneously, the spontaneity of the individuals leading to the slow-down of growth of man’s personality individuality and inherent qualities.

So, a liberal state denotes a limited government or limited state. It can also be called a theory of limited state introduced by a number of thinkers. The term limited state may be confusing. It exactly means limited functions and role of the state or non-intervention of state.

The concept of liberal state can also be explained from another standpoint. It has been maintained by a recent critic that all strands of liberal era confer certain rights and privileges upon persons and these must be protected at any cost. So a liberal state is one which gives priority to the cause of the individuals. In the controversy ‘individual vs state’ liberal state always favours the interest/cause of individuals.

The liberal state is, thus, opposite to conservative, authoritarian and totalitarian state. The dictionary meaning of liberal is—respectful and accepting of behaviour or opinions, different from others. A state is liberal when it acknowledges the opinions, attitudes and behaviour of individuals and does not think these as a threat to the existence and administration of state.

There are differences among the political philosophers and political scientists as to the functions of liberal state, but there is a common strand among them all—and it is that individuals must have maximum freedom so that their free development does not receive any setback due to state policy or action.

Features of the Liberal State:

A liberal state can easily be distinguished from an authoritarian or totalitarian state and this is because of certain unique features of such a state:

1. A liberal state always adopts a liberal attitude towards the rights of citizens. Mention has been made that the most vital precondition of individual's development is granting of rights and privileges to all individuals equitably.

If any inequality or discrimination is to be followed that must be for the general interest of the body politic and to the least disadvantage of anybody. By resorting to this system the authority of the liberal state will be in a position to ensure the progress of the individuals. In precise term liberalism implies what is granted in the forms of rights and privileges to one shall also be granted to others.

2. Liberal state presupposes the existence of many groups and organisations and the characteristic feature of a liberal state is they are engaged in cooperation and conflict among themselves. These groups are termed in various ways such as “power elite” “ruling elite” etc. There are also many interest groups.

Under normal and peaceful conditions liberal state does not normally intend to impose restrictions upon their activities. In an authoritarian state the

prevalence of such a situation cannot be imagined. Plurality of ideas and organisations is a forbidden fruit in such a state.

3. The liberal state maintains a neutrality among all these groups. Since multiplicity of groups and organisations and coexistence among them are the characteristic features of a liberal state any conflict or clash of interests can also be regarded as inevitable consequence. Here the question is: What would be the exact role of the state in this situation? The liberal state maintains utmost neutrality.

This is the claim of the votaries of a liberal state. The liberal state normally does not favour any particular class or elite group in the case of conflict. Though the state maintains neutrality the state is quite aware of clash of interests between classes and groups. As a provider of check and stability in the political system the state adopts reforms so that destabilization cannot occur.

A liberal state can reasonably be called a reformist state. Through frequent reforms a liberal state brings about changes in the political system. In fact, liberalism or liberal state is closely linked with reforms and in that sense it is based on reformism. It adopts liberal attitude to reforms.

4. The important feature of a liberal state is it is accountable to the citizenry which means that all its activities, decisions and policies are to be approved by the body politic. The consent and accountability is the twin ideas associated with the liberal state.

It means that the decision of the state is not final even though it is for the general welfare of the community. It is because what is welfare and what is not, is to be decided for whom it is meant. There is no scope of imposing anything upon the individuals against their will.

5. Liberal state is never a one-idea state; it embraces multiplicity of ideas, views and existence of numerous groups and parties. This finally indicates a competition among them. Competition involved seizure of political power through constitutional means, legal procedure and democratic ways, competition in views and ideas.

It is believed that the truth will emerge only from this struggle of words and ideas. That is why in a liberal state such a competition is always encouraged. J. S. Mill strongly advocated for the competition among the different shades of views and ideas.

6. A liberal state cannot be imagined without political parties; and this is not all. In any liberal state there are number of ideas number of political parties and they struggle to capture power. Here lies a major difference between a liberal state and authoritarian state. A liberal state is sometimes called a pluralist state because of the plurality of ideas and organisations.

A competitive party system is a very important aspect of a liberal state. One party captures power, while the other party or parties sit in the opposition and in this way the change in power takes place which does not normally occur in dictatorial state. It has been maintained by a critic that modern parties are mass organisations with extra-parliamentary structure.

7. Separation of power is generally regarded as a feature. A liberal state means limited state and it again implies the three organs of the state will discharge this function keeping themselves within the confinement decided by law and constitution. When this is implemented no organ of the government will interfere with the functions and jurisdiction of another organ.

But the separation of powers need not be the only precondition of being liberal. For example, Britain is a liberal state but the separation of powers has failed to be an integral part of state machinery. But some forms of separation of power must exist in all liberal states. The separation of power of USA is different from that of U.K.

8. A liberal state does not endorse the domination of a particular ideology, various opinions or ideologies work and exist side by side. It is a state of multiple ideas, ideals ideologies and views and all of them enjoy ample opportunities and atmosphere for work. In a non-liberal state such a situation is unimaginable.

In authoritarian regimes the state-sponsored ideology dominates over all other ideologies. Both fascism and communism fall in this category. The

citizens are free to select any one idea or ideology and application of force is non-existent.

9. In all liberal states there are mainly two centres of power—one is economic and the other is political. But the interesting fact is that economic power-centre controls the political power. Marx emphasizes this aspect of liberal state.

From the study of history he came to know that the owners of the sources of production and the controllers of distribution in all possible means control the political power for the furtherance of the interest of the capitalist class. They control parties, pressure groups, send their own persons to represent people, the legislatures enact laws to safeguard the interests of the ruling class.

10. There is no fixed form of liberal state. For example, we find in Britain a constitutional monarchy. There is clear incongruity between monarchism and liberalism. But the mere fact is that Britain is a liberal state. On the other hand, United States is also a liberal state with constitutional republic in character.

The head of the state is President and if he exercises all his constitutional powers with a nefarious motive he can become a real dictator. France and Russia are also liberal states though the administrative machineries in these two states are different. With a different constitutional machinery, Switzerland is also a liberal state.

Development of Liberal State: Hobbes:

The concept of liberal state is an old one. The exact emergence of a liberal state cannot be ascertained which can satisfy one and all. However, scholars are of opinion that hints about the liberal state can be found in the writings of social contract theoretician Thomas Hobbes (1588-1679). In his two noted works *De due* (1642) and *Leviathan* (1651) he made certain statements and comments which lay the foundation of liberal thought or about the liberal state. Though the hints are not always explicit, the hints are undeniable. The basis of the state or civil society is the individuals who are free and equal. It implies that these free and equal individuals without

being induced or forced by external authority or power decided to build up a civil society.

The state imagined by Hobbes is liberal because it is based on the consent of all the individuals. Hobbes's individuals lived in an imaginary place called state of nature which was characterised by insecurity and in order to get rid of it they laid the foundation of state.

Hobbes also conceived of a state which would be based on rules and law. That is his state is a legitimate one. Today, when we talk of a liberal state, legitimation always occupies a major portion in our mind. Though Hobbes is normally depicted as an illiberal thinker who wanted an authoritarian government, his writings foreshadow a limited government. He said that though the sovereignty is absolute he cannot prevent a person from taking food, medicine and take action against any assault.

Sovereign has no power to inflict any injury upon any individual. It cannot prevent anybody from practising religious acts and following particular faiths. In simple language, Hobbes thought of a limited state which is a liberal state. Of course his concepts about liberal state or liberalism are different from what we in the present day think.

Locke and Liberal State:

John Locke (1632-1704) is another thinker whose writings are the potential sources of liberal state. In fact, his entire Second Treatise (1690) is full of numerous statements and comments which show that he was a great apostle of liberal state.

Some points are stated below to enlighten the readers:

1. The civil society or body politic is the product of the contract which is based on the consent of all men. The consent is a basic element of any liberal state.
2. The state/body politic/civil society would be administered on the principle of majority opinion and this principle is followed very strictly in any modern liberal state.
3. The governors of the body politic must follow the terms and conditions laid down in the body of the contract and any failure will be followed by the

removal of the governors from the authority and this would be done by people.

4. It is the primary function of the state to take necessary action for the protection of life, liberty and property. Today we call these rights basic and no responsible government can avoid the responsibility.

The protection of these basic rights imposes restrictions upon the governors of state. Locke came to the conclusion that people of the state of nature because of the non-existence of proper authority and clear law, could not enjoy the right to life, liberty and property and this encouraged them to form a state.

5. A very important element of liberal state is constitutionalism. It has been claimed by protagonists of liberalism that Locke is the father of constitutionalism. He fervently argued that the authority of the civil society must discharge its responsibility strictly in accordance with the constitution of law. It is the most powerful limitation on state.

6. Locke whole heartedly supported the revolution, bill of right and settlement of 1688. The purpose of all these was to impose constitutional limitations upon the authority of the Crown in England. He strongly objected the concept of Leviathan devised by Hobbes. It is to be noted here that Locke's idea about revolution is different from what we think about it today. People will revolt if authority fails to act in accordance with, the terms of contract.

7. Locke's state is a fiduciary trust and the core idea of trust is its powers are very limited by the terms contained in the trust. The persons in charge of the trust have no power to violate the rules.

In the same way we can say that a liberal state is to some extent a trust which performs certain duties. The state cannot do anything beyond what it has been asked to do. This point has been elaborated by J. C. McClelland in his History of Western Political Thought.

8. A significant element of liberal state is the concept of society vs the state. Locke conceived of a society which was pre-political but not pre-social. Locke's society had no political colours or political function but it

possessed all the social features. Some thinkers have concluded that Locke gave priority to society than the state.

Society was prior to state. Naturally society was more important than the state. In such a situation the state cannot be allowed to override the society. Today all the defenders of liberal state think in these terms. We therefore conclude that Locke's is limited state which we today call liberal state and in this assertion there is no ambiguity.

Liberal State and Utilitarian Thinkers:

The three great utilitarian thinkers—Jeremy Bentham (1748-1832), James Mill (1773-1836) and J.S. Mill (1806-1873) conceived of a state whose chief function would be to protect the democratic rights of the citizens and ensure, through the adoption of measures, the free functioning of democracy. It is the function of the state to protect the citizens from all sorts of oppression.

From the functions of different states we gather the impression that the citizens are subject to different forms of coercion, and oppressive measures and it is the duty of the state to provide maximum protection to all of them. David Held in his noted work *Models of Democracy* has drawn our attention to this aspect of democracy. A liberal state cannot perform all types of functions; its main duty is to protect the democratic rights.

The utilitarian thinkers stridently argued that the individual is the ultimate determiner of the policy and decisions of the government. This he will do on the basis of utility which he expects to receive from the policy adopted by the state. The utilitarian philosophers have said that every piece of law or decision must be judged by its capacity to provide satisfaction. That is, to what extent the law is capable of fulfilling the demand of the citizens. The implication is very simple.

The state authority is deprived of the power to do anything or adopt any policy. The utility is a criterion which imposes restrictions upon the functions of the state. The utilitarian philosophers had no faith on social contract, natural rights and natural law. It is because all these do not deal with the utility or necessity of the individuals.

Bentham, James Mill and John Stuart Mill combinedly have provided in clearest terms the basis of liberal democratic state which will create congenial atmosphere for the implementation of democratic rights and liberties and the individuals will have ample scope to pursue their own interests effectively.

There shall not exist any arbitrary intervention of state, free market economy will operate without any state interference, the role of the state will be just like an umpire or a referee. The state will act in accordance with laws and the basic rules. Naturally the functions of the state are not unlimited.

The utilitarian philosophers did not contemplate of separation of powers in the line of Montesquieu (1689-1755) but they felt that concentration of powers in the hands of a single person or branch is harmful for the realisation of democratic principle.

In order to establish people's right and the expansion of the scope of participation all of them forcefully advocated for periodic elections, granting liberty to press and other media, importance of public opinion etc. Not only the rights and interests of the individuals are to be protected but also the interests of the community in general are to be sustained.

Both Bentham and J. S. Mill believed that the representative form of government could be the real solution to all problems from which democracy/liberal state suffered. We thus see that liberal state was always active in the minds of the utilitarian philosophers.

Minimum State vs. Limited State:

Nozick and several others strongly favour the concept of minimal state which means that the powers of the state should be cut drastically in order to enable the individuals to enjoy maximum liberty. But this concept has not been widely supported by all political scientists on the grounds that the word "minimum" is full of ambiguity and the implementation of this idea will deprive the citizens of certain services which are essential.

It is claimed that the state has social responsibility and if the state wishes to carry out the functions should not be confined to the minimum level. Gray says: "Advocacy of the minimum state is, in any case, not to be found in

most liberal writers. Most liberals, and all the classical liberals, acknowledge that the liberal state may have a range of service functions, going beyond rights. Protection and the upholding of justice and for this reason are not advocates of the minimum state but rather of limited government". Many advocates of liberal state, today, do not seriously argue for the minimal state.

This has been replaced by the limited government. We knew that though the utilitarian philosophers enthusiastically supported the scheme of giving maximum liberty. J. S Mill, their chief spokesperson, in the latter years of his life, favoured the intervention of state for the sake of greater benefit and welfare of the individuals.

The role of the state took a new turn in the eighties of the nineteenth century. In spite of this J. S. Mill is regarded as the chief advocate of liberal state because he was in favour of limiting the powers of state.

Liberal State Modernised: Effect of Industrial Revolution:

The role or the functions of the liberal state changed radically. The changes were perceptible during the eighties and nineties of the nineteenth century.

Several causes may be attributed to these changes:

1. Due to the industrial revolution that took place in the second half of the eighteenth century unprecedented growth took place in various sectors some of which were—setting up of new industries, amount of commodities produced, development in the transport sector, foreign trade etc. Producers harvested profit which was unimaginable in previous periods.
2. Workers left their village homes and crowded the towns and cities in search of jobs and all on a sudden the supply market of the workers increased considerably.
3. The demand for the workers at the initial stages of industrial development was upward moving and there was no problem of unemployment. But later on the demand for labour declined causing the fall in wage rate.
4. The large gap between demand and supply was fully exploited by the capitalists. They paid less wages to the workers and the latter were forced

to accept the terms and conditions set by the capitalists. The scope of employment decreased tremendously. The capitalists had already established their stronghold in various sectors of government.

The above is the gist of picture that took place towards the end and at the beginning of the eighteenth and nineteenth centuries. What was the impact of the industrial revolution upon the life and living standard of workers and common people? There was widespread poverty. Only a very few persons gobbled the major part of benefits and profits of industrialisation.

The greater part of the population was virtually deprived of benefits and was subject to abject poverty, diseases etc. All the industrialised countries of Europe were the victims of industrial revolution. But the greatest victim perhaps was London. The industrial revolution in Europe appeared as a curse and this brought about a gloom in the minds of many people and particularly the idealist philosophers. T.H. Green was at the top position.

The Role of the State was Reconsidered:

Green and many philosophers started to think over the matter seriously. They wanted to save the “underfed denizen of a London Yard” and to take measures against moral degradation. That is, steps would be taken to arrest the poverty, miseries, and diseases, and, at the same time, to check the downward movement of morality. Without moral development society cannot develop. Green believed that all these could be done through the bold leadership of the state.

Sabine writes, “Accordingly for Green politics was essentially an agency for creating social conditions that make moral development possible”. What Green asserted is that the state has a positive role to play in the development of society and the term development includes both moral and physical conditions.

The state can never be a helpless onlooker of all incidents that were happening in its presence. If the state fails to do it, it will lose its credibility as a state. T. H. Green modernised the role of the state and also the concept of liberalism. At least Sabine thinks so.

Towards the end of the nineteenth century, it is clear from the above analysis, the liberal state was confronted with crisis of existence and crisis

of credibility. Different external and internal forces in Europe were about to challenge the very foundation of several liberal states of Europe. Particularly Marxism challenged the policies of liberal state.

The European states were involved among themselves in continuous or intermittent wars or armed struggle which posed threat to the liberal state. Under such circumstances the ardent defenders of liberal state were desirous to effect a compromise between liberal and “anti-liberal” forces. Anti-liberal in the sense that there arose a strong urge to give more power to the state so that it can fight poverty, inequalities and diseases.

But most of the liberal philosophers where reluctant to make the state leviathan. This dilemma between liberalism and the arguments against it demanded a compromise between the two. It was impossible for many to think of abandoning the liberal philosophy and, on the other hand, the same persons thought that the state should do something. This finally resulted in a reformulation of liberal state.

Sabine has observed that the state should perform several functions simultaneously:

- (1) It will have to do those functions which could help to maintain free society.
- (2) It must see that rights and liberties are properly protected.
- (3) It must encourage the moral development.
- (4) Basic requirements of the citizens are met.
- (5) The state should launch welfare schemes.
- (6) Coercion should be reduced to the minimum.

The functions suggested by Sabine are not innovative in nature. These emphasise that in order to prove its worthiness the state must do all these functions. These at the same time will protect the freedom of the individual which is the core concept of liberalism.

Mode of Function:

There is a very significant aspect of liberal state which can be stated in the following way. There are, in general terms, two ways to do the works stated briefly above. One is democratic or constitutional means such as legal ways, reforms approved by those for whom the reforms are made, and to do everything according to the wishes of the people.

There is another way and this is called coercive method. In the case of any slightest reluctance the state authority will proceed to apply coercive measures. Coercion forces the citizens to do work reluctantly. Coercion is the sine qua non of the government/state. In this respect a liberal state can reasonably be distinguished from an authoritarian state.

The liberal state always makes honest attempts to limit the application of coercive measures. Only in unavoidable circumstances a liberal state will try to resort to coercive measures. Unavoidable circumstances generally include when the state is aggressed upon by an external power or when the political stability is threatened by terrorist forces.

In all political systems there are many classes (and the term class is used here in Marxian sense) and liberal state is not an exception. But the authority of a liberal state has taken the existence of classes and the relations among them as the normal manifestation.

Conflict and cooperation among the classes are the normal features of any class society. A liberal state does not view the class relation in an antagonistic line. Naturally a liberal state does not think of class struggle or revolution as a means of abolishing the class structure.

A liberal state always encourages people's participation in the affairs of the state. Only through participation people can think of translating their political dreams into a viable reality. In such a state, participation is never limited.

For participation the existence of parties, groups and organisations is essential and a liberal state has been found to take care of it. In a true liberal state there are multiple parties, groups and organisations and the government guarantee their free movement.

The institutions, organisations and parties of a liberal state are not isolated islands. All are interdependent and closely connected with each other. "The political and economic, instead of being distinct areas, are interlaced institutions which are certainly not independent of one another and which ought ideally both to contribute to the ethical purposes of liberal society".

It is thus obvious to us that a liberal state is not a non-functioning state or an over enthusiastic state in all affairs of the individual. It occupies a middle position in between these two extremes. Such a state always maintains a balance between not doing and doing every theory.

While performing its duties the liberal state must see that the spontaneity of the individuals gets encouragement, morality is enhanced, rights and liberties are protected, and freedom of the society remains untouched. On the other hand, welfare is fully realised, progress is not adversely affected. It is the duty of the state to finance compulsory education, health care programmes. The liberal state must enact law for the better management and greater common good of society.

Economic Policy of the Liberal State:

In the background of economic crises such as the Great Depression in American economy during the thirties of the last century and the financial crises from which the West European capitalist countries frequently suffered, growing unemployment which was a very common feature of all capitalist countries of both hemispheres it was strongly felt that the state could never be a simple onlooker, it has certain roles to play to combat these crises.

The laissez faire doctrine of the classical liberals was not abandoned, but it received a thorough overhaul at the hands of a number of liberal philosophers who wanted to see the role of the state in economic affairs in a new garb. The state must adopt monetary policy which would be able to reduce the volume of unemployment, extent of poverty and ensure stability in the field of production.

Not only this, the state must see that the produced commodities are properly distributed among the persons who really require them. It was urged that the state cannot have monopoly power over the economy, but absolute free and competitive economy is neither desirable. It is the duty of

the state to keep a vigil over both the money market and production market.

The individual entrepreneurs will have full freedom in economic affairs but that freedom shall be based on certain rules and regulations framed by government. Modern liberals or advocates of modern liberal state did not believe that laissez faire was the only solution to all evils from which economy suffered.

A compromise approach has been worked out by the neo- liberals. The state will have a positive role in the economic affairs but the market economy will have freedom of operation so that economy does not suffer.

Fall of Communism and Liberal State:

The collapse of Soviet Union and other East European states led a score of writers to rethink about communism and liberalism or liberal state. Before the fall of communism there were two main ideologies—communism and liberalism or communist/totalitarian state and liberal state/ liberal democratic state.

The competition was never confined only to economic or political spheres but also to other spheres and after the fall of Soviet Union (1991) the competition disappeared making Western democracy the only dominant political ideology in the world. All the former communist states shifted their allegiance to liberalism and the state structure was remodelled in the line of liberal state.

The monopolistic role of the state in the field of economy at the same time underwent considerable changes. Free market economy was recognised, it was encouraged so that it could flourish. Francis Fukuyam, former deputy director of the American State Department, has enlightened this point in his recent work.

The End of History and Last Man (1992). Some of his points have been criticised by many. But on one point there is complete agreement and this point is the absence of ideological competition has injected new elixir into the body of liberal state. Today it is generally believed that though liberal state is not a panacea to all evils—social, economic and political—it is still

an accepted mode of state formation and administration. Even China has been impelled to follow certain basic tenets of liberal state. There is a conflict between liberal and non-liberal policies and principles but tendency, towards liberalism is clear and prominent.