

4.1 Defining State

The term '**state**' has been used to refer to a bewildering range of things: a collection of institutions, a territorial unit, a philosophical idea, an instrument of coercion or oppression, and so on. This confusion stems, in part, from the fact that the state has been understood in four quite different ways; from an **idealist perspective**, a **functionalist perspective**, an **organizational perspective** and an **international perspective**.

The idealist approach to the state is most clearly reflected in the writings of Hegel. Hegel identified three moments of social existence: **the family**, **civil society** and **the state**.

Within the family, he argued, a **particular altruism** operates that encourages people to set aside their own interests for the good of their children or elderly relatives.

Civil society was seen as a sphere of '**universal egoism**' in which individuals place their own interests before those of others.

Hegel conceived of the state as an ethical community underpinned by mutual sympathy – '**universal altruism**'. The drawback of idealism, however, is that it fosters an uncritical reverence for the state and, by defining the state in ethical terms, fails to distinguish clearly between institutions that are part of the state and those that are outside the state.

Functionalist approaches to the state focus on the purpose of state institutions. The central function of the state is invariably seen as the maintenance of social order, the state being defined as that set of institutions that uphold order and deliver social stability. Such an approach has, for example, been adopted by neo-Marxists, who have been inclined to see the state as a mechanism through which class conflict is ameliorated to ensure the long-term survival of the capitalist system. The weakness of the functionalist view of the state, however, is that it tends to associate any institution that maintains order (such as the family, mass media, trade unions and the church) with the state itself.

The organizational view defines the state as the apparatus of government in its broadest sense; that is, as that set of institutions that is recognizably 'public', in that they are responsible for the collective organization of social existence and are funded at the public's expense. The virtue of this definition is that it distinguishes clearly between the state and civil society. The state comprises the various institutions of government: the bureaucracy, the military, the police, the courts, and the social security system and so on; it can be identified with the entire 'body politic'. The organizational approach allows us to talk about 'rolling forward' or 'rolling back' the state, in the sense of expanding or contracting the responsibilities of the state, and enlarging or diminishing its institutional machinery.

The international approach to the state views it primarily as an actor on the world stage; indeed, as the basic 'unit' of international politics. This highlights the dualistic structure of the state; the fact that it has two faces, one looking outwards and the other looking inwards. Whereas the previous definitions are concerned with the state's inward-looking face, its

relations with the individuals and groups that live within its borders, and its ability to maintain domestic order, the international view deals with the state's outward-looking face, its relations with other states and, therefore, its ability to provide protection against external attack. The classic definition of the state in international law is found in the Montevideo Convention on the Rights and Duties of the State (1933). According to Article 1 of the Montevideo Convention, the state has four features: a **defined territory, permanent population, an effective government and sovereignty**.

- **Population:** Since state is a human association, the first essential element that constitutes it is the people. How much people constitute state? No exact number can be given to such a question. The fact is that the states of the world vary in terms of demographic strength. There are states with a population of greater than 1 billion like that of China and India, and with a constituency of few thousand people like **Vatican** and **San Marino**. Another question that comes up at this stage is whether the population of a state should be homogenous. Homogeneity is determined by any factor like commonness of religion, or blood, or language or culture and the like. It is good that population of a state is homogeneous, because it makes the task of national integration easy. But it is not must, because most of the states have a population marked by diversity in respect of race, religion, language, culture, etc. All problems of nation building are solved and people of a state, irrespective of their differences, become a nation. It signifies the situation of 'unity in diversity'. In short, it is to be noted that **without population there can be no state**, 'it goes without saying that an uninhabited portion of the earth, take in itself, cannot form a state.
- **Defined Territory:** There can be no state without a territory of its own. The territory of a state includes land, water, and airspace; it has maritime jurisdiction extending up to a distance of three miles, though some states contend for a distance of up to 20 miles. The territorial authority of a state also extends to ships on high seas under its flag as well as its embassies and legations/diplomat's residence in foreign lands. As seen in the case of the factor of population, so here it should be emphasized that the size of a state's territory cannot be fixed. There are as large states as China and Russia and as small states of **Fiji** and **Mauritius** in respect of their territorial make-up. It also possible that states may be in the form of islands as Indonesia, Philippines, and Japan. It is, however, certain that the boundary lines of a state must be well marked out. This can be done either by the geographical make up in the form of division by the seas, rivers, mountains, thick forests, deserts, etc., or it may be done by creating artificial divisions in the form of digging trenches or fixing pointed wire fencing.
- **Government:** Government is said to be the soul of the state. It implements the will of the community. It protects the people against conditions of insecurity. If state is regarded as the first condition of a civilized life, it is due to the existence of a government that maintain law and order and makes 'good life' possible. The government is the machinery that terminates the condition of anarchy. It is

universally recognized that as long as there are diverse interests in society, some mechanism is needed to bring about and maintain a workable arrangement to keep the people together. The government of a state should be so organized that it enforces law so as to maintain the conditions of peace and security. The form of government may be monarchical, aristocratic, oligarchic, democratic, or dictatorial and the like, what really needed is that if there is no government, there is anarchy and the state is at an end.

- **Sovereignty:** As already pointed out, sovereignty is the fourth essential attribute of the concept state. It is the highest power of the state that distinguishes it from all other associations of human beings. Sovereignty, in its simplest sense, is the principle of absolute and unlimited power. It has two aspects - Internal and External. **Internal Sovereignty** implies that inside the state there can be no other authority that may claim equality with it. The state is the final source of all laws internally. On the other hand, **External sovereignty** implies that the state should be free from foreign control of any kind. It is, however, a different matter that a state willingly accepts some international obligations in the form of membership to some international intergovernmental and other organizations such as the United Nations. Conceptually, the existence of sovereign authority appears in the form of law. It is for this reason that the law of the state is binding on all and its violation is resulted with suitable punishment. It is universally accepted that a sovereign state is legally competent to issue any command that is binding on all citizens and their associations.

In addition to the essential attributes of the state agreed in the 1933, the contemporary political theorists and the UN considered **recognition** as the fifth essential attribute of the state. This is because, for a political unit to be accepted as a state with an 'international personality' of its own, it must be recognized as such by a significant portion of the international community. It is to mean that, for a state to be legal actor in the international stage; other actors (such as other states, international intergovernmental and non-governmental organizations... etc.) must recognize it as a state. Thus, recognition implies both approaching of the necessary facts and the desire of coming in to effect of the legal and political results of recognition. Likewise, for a government of a state to be formally to act on its behalf, the government must be recognized as legitimate government of the state by other governments.

4.1. Rival Theories of State

There are various rival theories of the state, each of which offers a different account of its origins, development and impact on society. Indeed, controversy about the nature of state power has increasingly dominated modern political analysis and goes to the heart of ideological and theoretical disagreements in the discipline. These relate to questions about whether, for example, the state is autonomous and independent of society, or whether it is essentially a product of society, a reflection of the broader distribution of power or resources. Moreover, does the state serve the common or collective good, or is it biased in favor of privileged groups or a dominant class? Similarly, is the state a positive or constructive force, with responsibilities that should be enlarged, or is it a negative or destructive?

Andrew Heywood (2013) classified the rival theories of state into four: the pluralist state, the capitalist state, the leviathan state and the patriarchal state.

4.1.1. The Pluralist State

The pluralist theory of the state has a very clear liberal lineage. It stems from the belief that the state acts as an '**umpire**' or '**referee**' in society. This view has also dominated mainstream political analysis, accounting for a tendency, at least within Anglo-American thought, to discount the state and state organizations and focus instead on 'government'. Indeed, it is not uncommon in this tradition for 'the state' to be dismissed as an abstraction, with institutions such as the courts, the civil service and the military being seen as independent actors in their own right, rather than as elements of a broader state machine. Nevertheless, this approach is possible only because it is based on underlying, and often unacknowledged, assumptions about **state neutrality**. The state can be ignored only because it is seen as an **impartial arbiter** or **referee** that can be bent to the will of the government of the day.

The origins of this view of the state can be traced back to the social-contract theories of thinkers such as Thomas Hobbes and John Locke. The principal concern of such thinkers was to examine the grounds of political obligation, the grounds on which the individual is obliged to obey and respect the state. They argued that the state had arisen out of a voluntary agreement, or **social contract**, made by individuals who recognized that only the establishment of a sovereign power could safeguard them from the insecurity, disorder and brutality of the state of nature. Without a state, individuals abuse, exploit and enslave one another; with a state, order and civilized existence are guaranteed and liberty is protected. As Locke put it, where there is no law there is no freedom.

In liberal theory, the state is thus seen as a neutral arbiter amongst the competing groups and individuals in society; it is an 'umpire' or 'referee' that is capable of protecting each citizen from the encroachments of fellow citizens. The neutrality of the state reflects the fact that the state acts in the interests of all citizens, and therefore represents the common

good or public interest. In Hobbes' view, stability and order could be secured only through the establishment of an absolute and unlimited state, with power that could be neither challenged, nor questioned. In other words, he held that citizens are confronted by a stark choice between absolutism and anarchy. Locke, on the other hand, developed a more typically liberal defense of the limited state. In his view, the purpose of the state is very specific: ***it is restricted to the defense of a set of 'natural' or God-given individual rights; namely, life, liberty and property.*** This establishes a clear distinction between the responsibilities of the state (essentially, the maintenance of domestic order and the protection of property) and the responsibilities of individual citizens (usually seen as the realm of civil society). Moreover, since the state may threaten natural rights as easily as it may uphold them, citizens must enjoy some form of protection against the state, which Locke believed could be delivered only through the mechanisms of constitutional and representative government.

These ideas were developed in the twentieth century into the pluralist theory of the state. As a theory of society, **pluralism asserts that, within liberal democracies, power is widely and evenly dispersed.** As a theory of the state, pluralism holds that the state is neutral, insofar as it is susceptible to the influence of various groups and interests, and all social classes. The state is not biased in favor of any particular interest or group, and it does not have an interest of its own that is separate from those of society. As Schwarzmantel (1994) put it, **the state is 'the servant of society and not its master'**. The state can thus be portrayed as a '*pincushion*' that passively absorbs pressures and forces exerted upon it.

Two key assumptions underlie this view:

The first is that the state is effectively subordinate to government. Non-elected state bodies (the civil service, the judiciary, the police, the military and so on) are strictly impartial and are subject to the authority of their political masters. The state apparatus is therefore thought to conform to the principles of public service and political accountability.

The second assumption is that the democratic process is meaningful and effective. In other words, party competition and interest-group activity ensure that the government of the day remains sensitive and responsive to public opinion. Ultimately, therefore, the state is only a **weather vane** that is blown in whichever direction the public-at-large dictates.

Modern pluralists, however, have often adopted a more critical view of the state, termed the **neo-pluralist** theory of the state. Theorists such as Robert Dahl and Charles Lindblom (1953) have come to accept that modern industrialized states are both more complex and less responsive to popular pressures than classical pluralism suggested. Neo-pluralists, for instance, **have acknowledged that business enjoys a 'privileged position' in relation to government that other groups clearly cannot rival.** In *Politics and Markets*, Lindblom (1980) pointed out that, as the major investor and largest employer in society, business is bound to exercise considerable sway over any government, whatever its ideological leanings or manifesto commitments. Moreover, neo-pluralists have accepted that the state can, and does, forge its own sectional interests. In this way, state elite, composed of senior civil

servants, judges, police chiefs, military leaders and so on, may be seen to pursue either the bureaucratic interests of their sector of the state, or the interests of client groups. Indeed, if the state is regarded as a political actor in its own right, it can be viewed as a powerful (perhaps the most powerful) interest group in society. This line of argument encouraged Eric Nordlinger (1981) to develop a state-centered model of liberal democracy, based on 'the autonomy of the democratic state.

4.1.2. The Capitalist State

The Marxist notion of a capitalist state offers a clear alternative to the pluralist image of the state as a neutral arbiter or umpire. Marxists have typically argued that the state cannot be understood separately from the economic structure of society. This view has usually been understood in terms of the **classic formulation that the state is nothing but an instrument of class oppression**: the state emerges out of, and in a sense reflects, the class system. Nevertheless, a rich debate has taken place within Marxist theory in recent years that has moved the Marxist theory of the state a long way from this classic formulation. In many ways, the scope to revise Marxist attitudes towards the state stems from ambiguities that can be found in Marx's own writings.

Marx did not develop a systematic or coherent theory of the state. In a general sense, he believed that the state is part of a 'superstructure' that is determined or conditioned by the economic 'base', which can be seen as the real foundation of social life. However, the precise relationship between the base and the superstructure, and in this case that between the state and the capitalist mode of production, is unclear. Two theories of the state can be identified in Marx's writings:

The first is expressed in his often-quoted dictum from The Communist Manifesto (1848): ***'The executive of the modern state is but a committee for managing the common affairs of the whole bourgeoisie'***. From this perspective, the state is clearly dependent on society and entirely dependent on its economically dominant class, which in capitalism is the bourgeoisie. Lenin thus described the state starkly as an instrument for the oppression of the exploited class.

A second, more complex and subtle, theory of the state can nevertheless be found in ***Marx's analysis of the revolutionary events in France between 1848 and 1851***, The Eighteenth Brumaire of Louis Bonaparte (1852). Marx suggested that the state could enjoy what has come to be seen as 'relative autonomy' from the class system, the Napoleonic state being capable of imposing its will upon society, acting as an ***'appalling parasitic body'***. If the state did articulate the interests of any class, it was not those of the bourgeoisie, but those of the most populous class in French society, the smallholding peasantry. Although Marx did not develop this view in detail, it is clear that, from this perspective, the autonomy of the state is only relative, in that the state appears to mediate between conflicting classes, and so maintains the class system itself in existence.

Both these theories differ markedly from the liberal and, later, pluralist models of state power. In particular, ***they emphasize that the state cannot be understood except in a context***

of unequal class power, and that the state arises out of, and reflects, capitalist society, by acting either as an instrument of oppression wielded by the dominant class, or, more subtly, as a mechanism through which class antagonisms are ameliorated. Nevertheless, Marx's attitude towards the state was not entirely negative. He argued that the state could be used constructively during the transition from capitalism to communism in the form of the 'revolutionary dictatorship of the proletariat'. The overthrow of capitalism would see the destruction of the bourgeois state and the creation of an alternative, proletarian one.

In describing the state as a proletarian 'dictatorship', Marx utilized the first theory of the state, seeing the state as an instrument through which the economically dominant class (by then, the proletariat) could repress and subdue other classes. All states, from this perspective, are class dictatorships. The 'dictatorship of the proletariat' was seen as a means of safeguarding the gains of the revolution by preventing counter-revolution mounted by the dispossessed bourgeoisie. Nevertheless, **Marx did not see the state as a necessary or enduring social formation.** He predicted that, as class antagonisms faded, the state would 'wither away', meaning that a fully communist society would also be stateless. Since the state emerged out of the class system, once the class system had been abolished, the state, quite simply, loses its reason for existence. Marx's ambivalent heritage has provided modern Marxists, or neo-Marxists, with considerable scope to further the analysis of state power. This was also encouraged by the writings of Antonio Gramsci, who emphasized the degree to which the domination of the ruling class is achieved by ideological manipulation, rather than just open coercion. In this view, bourgeois domination is maintained largely through 'hegemony': that is, intellectual leadership or cultural control, with the state playing an important role in the process.

Since the 1960s, Marxist theorizing about the state has been dominated by rival **instrumentalist** and **structuralist** views of the state. In *The State in Capitalist Society* (1969, 2009), Miliband portrayed the state as *an agent or instrument of the ruling class, stressing the extent to which the state elite is disproportionately drawn from the ranks of the privileged and propertied.* The bias of the state in favor of capitalism is therefore derived from the overlap of social backgrounds between, on the one hand, civil servants and other public officials, and, on the other, bankers, business leaders and captains of industry.

Nicos Poulantzas, in *Political Power and Social Classes* (1968), dismissed this sociological approach, and **emphasized instead the degree to which the structure of economic and social power exerts a constraint on state autonomy.** This view suggests that the state cannot but act to perpetuate the social system in which it operates. In the case of the capitalist state, its role is to serve the long-term interests of capitalism, even though these actions may be resisted by sections of the capitalist class itself. Neo-Marxists have increasingly seen the state as the terrain on which the struggle amongst interests, groups and classes is conducted. Rather than being an 'instrument' wielded by a dominant group or ruling class,

the state is thus a dynamic entity that reflects the balance of power within society at any given time, and the ongoing struggle for hegemony.

4.1.3. The Leviathan State

The image of the state as a 'leviathan' (in effect, a self-serving monster intent on expansion and aggrandizement) is one associated in modern politics with the New Right. Such a view is rooted in early or classical liberalism and, in particular, a commitment to a radical form of individualism. The New Right, or at least its neoliberal wing, is distinguished by a strong antipathy towards state intervention in economic and social life, born out of the belief that the state is parasitic growth that threatens both individual liberty and economic security. In this view, the state, instead of being, as pluralists suggest, an impartial umpire or arbiter, is an overbearing 'nanny', **desperate to interfere or meddle in every aspect of human existence**. The central feature of this view is that the state pursues interests that are separate from those of society (setting it apart from Marxism), and that those interests demand an unrelenting growth in the role or responsibilities of the state itself. ***New Right thinkers therefore argue that the twentieth century tendency towards state intervention reflected not popular pressure for economic and social security, or the need to stabilize capitalism by ameliorating class tensions but, rather, the internal dynamics of the state.***

New Right theorists explain the expansionist dynamics of state power by reference to both **demand-side** and **supply-side** pressures. Demand-side pressures are those that emanate from society itself, usually through the mechanism of electoral democracy. The New Right argue that electoral competition encourages politicians to 'outbid' one another by making promises of increased spending and more generous government programs, regardless of the long-term damage that such policies inflict on the economy in the form of increased taxes, higher inflation and the 'crowding out' of investment. Supply-side pressures, on the other hand, are those that are internal to the state. These can therefore be explained in terms of the institutions and personnel of the state apparatus. In its most influential form, this argument is known as the government oversupply thesis. The oversupply thesis has usually been associated with public-choice theorists, who examine how public decisions are made on the assumption that the individuals involved act in a rationally self-interested fashion.

While Marxists argue that the state reflects broader class and other social interests, ***the New Right portrays the state as an independent or autonomous entity that pursues its own interests***. In this view, bureaucratic self-interest invariably supports 'big' government and state intervention, because this leads to an enlargement of the bureaucracy itself, which helps to ensure job security, improve pay, open up promotion prospects and enhance the status of public officials. This image of self-seeking bureaucrats is plainly at odds with the pluralist notion of a state machine imbued with an ethic of public service and firmly subject to political control.

4.1.4. The Patriarchal State

Modern thinking about the state must, finally, take account of the implications of feminist theory. However, this is not to say that there is a systematic feminist theory of the state. Feminist theory encompasses a range of traditions and perspectives, and has thus generated a range of very different attitudes towards state power. Moreover, feminists have usually not regarded the nature of state power as a central political issue, preferring instead to concentrate on the deeper structure of male power centered on institutions such as the family and the economic system. Some feminists, indeed, may question conventional definitions of the state, arguing, for instance, ***that the idea that the state exercises a monopoly of legitimate violence is compromised by the routine use of violence and intimidation in family and domestic life.*** Nevertheless, sometimes implicitly and sometimes explicitly, feminists have helped to enrich the state debate by developing novel and challenging perspectives on state power.

Liberal feminists, who believe that sexual or gender equality can be brought about through incremental reform, have tended to accept an essentially pluralist view of the state. They recognize that, if women are denied legal and political equality, and especially the right to vote, the state is biased in favor of men. However, their faith in the state's basic neutrality is reflected in the belief that any such bias can, and will, be overcome by a process of reform. In this sense, ***liberal feminists believe that all groups (including women) have potentially equal access to state power, and that this can be used impartially to promote justice and the common good.*** Liberal feminists have therefore usually viewed the state in positive terms, seeing state intervention as a means of redressing gender inequality and enhancing the role of women. This can be seen in campaigns for equal-pay legislation, the legalization of abortion, the provision of child-care facilities, the extension of welfare benefits, and so on.

Nevertheless, a more critical and negative view of the state has been developed by radical feminists, who argue that state power reflects a deeper structure of oppression in the form of patriarchy. There are a number of similarities between Marxist and radical feminist views of state power. Both groups, for example, deny that the state is an autonomous entity bent on the pursuit of its own interests. ***Instead, the state is understood, and its biases are explained, by reference to a 'deep structure' of power in society at large. Whereas Marxists place the state in an economic context, radical feminists place it in a context of gender inequality, and insist that it is essentially an institution of male power.*** In common with Marxism, distinctive instrumentalist and structuralist versions of this feminist position have been developed. ***The instrumentalist argument views the state as little more than an agent or 'tool' used by men to defend their own interests and uphold the structures of patriarchy.*** This line of argument draws on the core feminist belief that patriarchy is rooted in the division of society into distinct 'public' and 'private' spheres of life, men dominating the former while women are confined to the latter. Quite simply, in this view, the state is run by men, and for men.

Whereas instrumentalist arguments focus on the personnel of the state, and particularly the state elite, structuralist arguments tend to emphasize the degree to which state institutions are embedded in a wider patriarchal system. Modern radical feminists have paid particular attention to the emergence of the welfare state, seeing it as the expression of a new kind of patriarchal power. Welfare may uphold patriarchy by bringing about a transition from private dependence (in which women as 'home makers' are dependent on men as 'breadwinners') to a system of public dependence in which women are increasingly controlled by the institutions of the extended state. For instance, women have become increasingly dependent on the state as clients or customers of state services (such as childcare institutions, nursery education and social work) and as employees, particularly in the so-called 'caring' professions (such as nursing, social work and education).

4.2. The Role of the State

Contrasting interpretations of state power have clear implications for the desirable role or responsibilities of the state. With the exception of anarchists, who dismiss the state as fundamentally evil and unnecessary, all political thinkers have regarded the state as, in some sense, worthwhile. Even revolutionary socialists, inspired by the Leninist slogan 'smash the state', have accepted the need for a temporary proletarian state to preside over the transition from capitalism to communism, in the form of the 'dictatorship of the proletariat'. Nevertheless, there is profound disagreement about the exact role the state should play, and therefore about the proper balance between the state and civil society. Among the different state forms that have developed are the following:

- ❖ Minimal states
- ❖ Developmental states
- ❖ Social-democratic states
- ❖ Collectivized states
- ❖ Totalitarian states
- ❖ Religious states

4.2.1. Minimal States

The minimal state is the ideal of classical liberals, whose aim is to ensure that individuals enjoy the widest possible realm of freedom. This view is rooted in social-contract theory, but it nevertheless advances an essentially 'negative' view of the state. From this perspective, the value of the state is that it has the capacity to constrain human behavior and thus to prevent individuals encroaching on the rights and liberties of others. The state is merely a protective body, its core function being to provide a framework of peace and social order within which citizens can conduct their lives as they think best. In Locke's famous simile, the state acts as a night watchman, whose services are called upon only when orderly existence is threatened? This nevertheless leaves the 'minimal' or 'night watchman' state with three core functions. First and foremost, the state exists to maintain domestic order. Second, it ensures that contracts or voluntary agreements made between private citizens are enforced, and third it provides protection against external attack. The institutional apparatus of a minimal state is thus limited to a police force, a court system and a military of some kind. Economic, social, cultural, moral and other responsibilities belong to the individual, and are therefore firmly part of civil society.

The cause of the minimal state has been taken up in modern political debate by the New Right. Drawing on early liberal ideas, and particularly on free-market or classical economic theories, the New Right has proclaimed the need to 'roll back the frontiers of the state'. In the writings of Robert Nozick (1974), this amounts to a restatement of Lockean liberalism based on a defense of individual rights, especially property rights. In the case of free-market economists such as Friedrich von Haye and Milton Friedman, state intervention is seen as a 'dead hand' that reduces competition, efficiency and productivity. From the New Right perspective, the state's economic role should be confined to two functions: the maintenance of a stable means of exchange or 'sound money' (low or zero inflation), and the promotion of competition through controls on monopoly power, price fixing and so on.

4.2.2. Developmental States

The best historical examples of minimal states were those in countries such as the UK and the USA during the period of early industrialization in the nineteenth century. As a general rule, however, the later a country industrializes, the more extensive will be its state's economic role. In Japan and Germany, for instance, the state assumed a more active 'developmental' role from the outset. A developmental state is one that intervenes in economic life with the specific purpose of promoting industrial growth and economic development. This does not amount to an attempt to replace the market with a 'socialist' system of planning and control but, rather, to an attempt to construct a partnership between the state and major economic interests, often underpinned by conservative and nationalist priorities.

The classic example of a developmental state is Japan. During the Meiji Period (1868–1912), the Japanese state forged a close relationship with the Zaibatsu, the great

family-run business empires that dominated the Japanese economy up until World War II. Since 1945, the developmental role of the Japanese state has been assumed by the Japanese Ministry of International Trade and Industry (MITI), which, together with the Bank of Japan, helps to shape private investment decisions and steer the Japanese economy towards international competitiveness. A similar model of developmental intervention has existed in France, where governments of both left and right have tended to recognize the need for economic planning, and the state bureaucracy has seen itself as the custodian of the national interest. In countries such as Austria and, to some extent, Germany, economic development has been achieved through the construction of a 'partnership state', in which an emphasis is placed on the maintenance of a close relationship between the state and major economic interests, notably big business and organized labor.

More recently, economic globalization has fostered the emergence of 'competition states', examples of which are found amongst the tiger economies of East Asia. Competition states are distinguished by their recognition of the need to strengthen education and training as the principal guaranteeing economic success in a context of intensifying transnational competition.

4.2.3. Social Democratic (Welfare) States

Whereas developmental states practice interventionism in order to stimulate economic progress, social-democratic states intervene with a view to bringing about broader social restructuring, usually in accordance with principles such as fairness, equality and social justice. In countries such as Austria and Sweden, state intervention has been guided by both developmental and social democratic priorities. Nevertheless, developmentalism and social democracy do not always go hand-in-hand. As Marquand (1988) pointed out, although the UK state was significantly extended in the period immediately after World War II along social-democratic lines, it failed to evolve into a developmental state. The key to understanding the social-democratic state is that there is a shift from a 'negative' view of the state, which sees it as little more than a necessary evil, to a positive view of the state, in which it is seen as a means of enlarging liberty and promoting justice. The social-democratic state is thus the ideal of both modern liberals and democratic socialists.

Rather than merely laying down the conditions of orderly existence, the social-democratic state is an active participant; in particular, helping to rectify the imbalances and injustices of a market economy. It therefore tends to focus less upon the generation of wealth and more upon what is seen as the equitable or just distribution of wealth. In practice, this boils down to an attempt to eradicate poverty and reduce social inequality. The twin features of a social democratic state are therefore Keynesianism and social welfare. The aim of Keynesian economic policies is to 'manage' or 'regulate' capitalism with a view to promoting growth and maintaining full employment. Although this may entail an element of planning, the classic Keynesian strategy involves 'demand management' through adjustments in fiscal policy; that is, in the levels of public spending and taxation. The adoption of welfare policies

has led to the emergence of so called 'welfare states', whose responsibilities have extended to the promotion of social well-being amongst their citizens. In this sense, the social-democratic state is an 'enabling state', dedicated to the principle of individual empowerment.

4.2.4. Collectivized States

While developmental and social-democratic states intervene in economic life with a view to guiding or supporting a largely private economy, collectivized states bring the entirety of economic life under state control. The best examples of such states were in orthodox communist countries such as the USSR and throughout Eastern Europe. These sought to abolish private enterprise altogether, and set up centrally planned economies administered by a network of economic ministries and planning committees. So-called 'command economies' were therefore established that were organized through a system of 'directive' planning that was ultimately controlled by the highest organs of the communist party. The justification for state collectivization stems from a fundamental socialist preference for common ownership over private property. However, the use of the state to attain this goal suggests a more positive attitude to state power than that outlined in the classical writings of Marx and Engels (1820–95).

Marx and Engels by no means ruled out nationalization; Engels, in particular, recognized that, during the 'dictatorship of the proletariat', state control would be extended to include factories, the banks, transportation and so on. Nevertheless, they envisaged that the proletarian state would be strictly temporary, and that it would 'wither away' as class antagonisms abated. In contrast, the collectivized state in the USSR became permanent, and increasingly powerful and bureaucratic. Under Stalin, socialism was effectively equated with statism, the advance of socialism being reflected in the widening responsibilities and powers of the state apparatus. Indeed, after Khrushchev announced in 1962 that the dictatorship of the proletariat had ended, the state was formally identified with the interests of 'the whole Soviet peoples.

4.2.5. Totalitarian States

The most extreme and extensive form of interventionism is found in totalitarian states. The essence of totalitarianism is the construction of an all-embracing state, the influence of which penetrates every aspect of human existence. The state brings not only the economy, but also education, culture, religion, family life and so on under direct state control. The best examples of totalitarian states are Hitler's Germany and Stalin's USSR, although modern regimes such as Saddam Hussein's Iraq arguably have similar characteristics. The central pillars of such regimes are a comprehensive process of surveillance and terroristic policing, and a pervasive system of ideological manipulation and control. In this sense, totalitarian states effectively extinguish civil society and abolish the private sphere of life altogether. This is a goal that only fascists, who wish to dissolve individual identity within the social whole, are prepared openly to endorse. It is sometimes argued that Mussolini's notion of a totalitarian state was derived from Hegel's belief in the state as an 'ethical community' reflecting the altruism and mutual sympathy of its members. From this perspective, the advance of human civilization can clearly be linked to the aggrandizement of the state and the widening of its responsibilities.

4.2.6. Religious States

On the face of it, a religious state is a contradiction in terms. The modern state emerged largely through the triumph of civil authority over religious authority, religion increasingly being confined to the private sphere, through a separation between church and state. The advance of state sovereignty thus usually went hand in hand with the forward march of secularization. In the USA, the secular nature of the state was enshrined in the First Amendment of the constitution, which guarantees that freedom of worship shall not be abridged, while in France the separation of church and state has been maintained through a strict emphasis on the principle of *laïcité*. In countries such as Norway, Denmark and the UK, 'established' or state religions have developed, although the privileges these religions enjoy stop well short of theocratic rule, and their political influence has generally been restricted by a high level of social secularization.

Nevertheless, the period since the 1980s has witnessed the rise of the religious state, driven by the tendency within religious fundamentalism to reject the public/private divide and to view religion as the basis of politics. Far from regarding political realm as inherently corrupt, fundamentalist movements have typically looked to seize control of the state and to use it as an instrument of moral and spiritual regeneration. This was evident, for instance, in the process of 'Islamization' introduced in Pakistan under General Zia-ul-Haq after 1978, the establishment of an 'Islamic state' in Iran as a result of the 1979 revolution, and, despite its formal commitment to secularism, the close links between the Sri Lankan state and Sinhala Buddhism, particularly during the years of violent struggle against Tamil separatism. Although, strictly speaking, religious states are founded on the basis of religious principles, and, in the Iranian model, contain explicitly theocratic features, in other cases religiously-orientated governments operate in a context of constitutional secularism.

4.3. Understanding Government

4.3.1. What is Government?

In its broadest sense, to govern means to rule or control others. Government can therefore be taken to include any mechanism through which ordered rule is maintained, its central features being the ability to make collective decisions and the capacity to enforce them. A form of government can thus be identified in almost all social institutions like families, school, businesses, trade unions and so on. However, government in our context, is to refer to the formal and institutional processes that operate at the national level to maintain public order and facilitate collective action. It is a body or organ that administers a country and main organization dealing with affairs of the whole country. Thus, government is one of the most essential components and also an administrative wing of the state.

In other words, government can also refer to political organization comprising individuals and institutions authorized to formulate public policies and conduct affairs of state. Governments are empowered to establish and regulate the interrelationships of the people within their territorial confines, the relations of the people with community as a whole, and the dealings of the community with other political entities. Thus, government applies both to the governments of national states, for instance the federal government of Ethiopia and to the governments of subdivisions of national states such as the regional states, provinces, and municipal governments, etc. of Ethiopia. Any form of government, to be stable and effective, must possess two essential attributes: authority and legitimacy.

Authority: In politics, the word authority implies the ability to compel obedience. It can simply be defined as 'legitimate power.' While power is the ability to influence the behavior of others, authority is the right to do so. Authority is therefore, based on an acknowledged duty to obey rather than on any form of coercion or manipulation. Thus, authority is the legitimacy, justification and right to exercise that power. Authority can be expressed as naked force and terror as was the case in many undemocratic governments or through a series of more or less transparent public hearings as in the case of most democratic states.

Legitimacy: The term legitimacy (from the Latin word *legitimare*, meaning 'to declare lawful') broadly means rightfulness. Thus, legitimacy is the attribute of government that prompts the governed to comply willingly with its authority. It confers on an order or commands an authoritative or binding character, thus transforming power in to authority. Thus, legitimacy is the popular acceptance of a governing regime or law as an authority.

Legitimacy is considered as a basic condition to rule; without at least a minimal amount of legitimacy, a government will deadlock or collapse. Thus, as long as legitimacy stays at a certain level, stability is maintained, if it falls below this level it is endangered. For instance, most of the times regimes are seen as requiring the consent of a large proportion of the population to retain power, but this is not necessarily be the case, since many unpopular regimes have been known to survive provided they are seen as legitimate within a small but

influential elite. Therefore, legitimacy is gained through the acquisition of power in accordance with recognized or accepted standards or principles. That is to say that a legitimate government will 'do the right thing' and therefore deserves to be respected and obeyed. The concept legitimacy differs from legality in the sense that the term legality does not necessarily guarantee that a government is respected or that its citizens acknowledge a duty of obedience.

4.3.2. Purposes and Functions of Government

One of the central questions of political philosophy is the purpose of government. Many great political philosophers have conceived themselves with this question. One common formulation is that the main purpose of the state is to protect rights and to preserve justice. There are several ways to conceive the differences between the different political views. For example, one might ask in what areas should the government have jurisdiction, to what extent it may intervene in those areas, or even what constitutes intervention in the first place. A lot of institutions can be said to exist only because the government provides the framework for their existence; for instance, Marxists argue that the institution of private property only exists due to government. Mostly, the constitutions of various countries codify views to the purposes, powers, and forms of their governments, but they tend to do so in rather vague terms, which particular laws, courts, and actions of politicians subsequently flesh out. In general, various countries have translated vague talk about the purposes of their governments into particular state laws, bureaucracies, enforcement actions, etc.

Evidently, depending on the character of the society of which they are an expression, different governments may serve various purposes and functions. In the contemporary world, however, the purposes and functions of governments have greatly expanded with the emergence of government as the most active force vehicle in the political, social, and economic developments. Accordingly, the major purposes and functions of government include, among other things, the following:

- **Self-Preservation:** Nearly all governments at least claim to have as their purposes the establishment of an order that permits predictability, which in turn promotes a sense of security among the governed. This may be true whether a government is authoritarian or democratic. Sovereign states also take as a primary purpose the defense of the country's territory against external attack. Thus, as their first and primary purpose and function, governments are responsible to prevail order, predictability, internal security, and external defense.
- **Distribution and Regulation of Resources:** All governments invariably play the role of distributing resources in their societies. In addition, governments are the only institutions that determine whether resources are going to be controlled by the public or private sector. Some governments may decide that the resources should be controlled by the public, which commonly known as socialist states and others may decide to be controlled by the private sector, which are capitalist states. In addition, other states may

place in between, that is the resources could be controlled by both the public and private sector.

- **Management of Conflicts:** Governments usually develop and consolidate institutions and procedures for the management of conflicts. These may include the legislative, executive, and judicial institutions with established procedures for the supervision and resolution of conflicts that may arise in the society.
- **Fulfillment of Social or Group Aspirations:** In addition to the aforementioned purposes and functions, governments also strive to fulfill the goals and interests of the society as a whole and of various groups within the society. These aspirations may include the promotion of human rights, common good, and international peace.
- **Protection of Rights of Citizens:** Some governments, especially those of constitutional and democratic governments, are established for the protection of every citizen's human, democratic, political, social, economic and cultural rights. Constitutional and democratic governments are created to serve and protect every citizen's rights, not to dominate them.
- **Protection of Property:** States or governments provide means such as police and the court systems that protect private and public property. As such, protection of private and public property is, therefore, one among the major purposes and functions of any government.
- **Implementations of Moral Conditions:** Some governments' attempts to improve the moral conditions of their citizens that is why, in all countries, laws and institutions are designed to shape citizens character in accordance with some standard of morality.
- **Provision of Goods and Services:** Some governments, especially those of the poor countries, participate heavily in the provision of goods and services for the public. Some of the necessary common goods and services provided by governments may include, provision of healthcare, education, development of public works, provision of food, shelter, clothing for the public, Developing social services, etc.

4.4. Understanding Citizenship

4.4.1. Defining Citizenship

As you can remember, in chapter one of this course, we have seen the definitions of citizen and citizenship. In simplest terms, citizen refers to the person who is a legal member of a particular State and one who owes allegiance to that State. To describe it in a different mood, citizen is a person who is legally recognized as member of a particular, officially sovereign political community, entitled to whatever prerogatives and encumbered with responsibilities.

The means by which we determine whether a person is legal member of a particular State or otherwise is called 'citizenship'. At the formal level, citizenship simply denotes to the network of relationships between the State and the citizen. As such, citizenship refers to the

rules regulating the legal/formal relations between the State and the individual with respect to the acquisition and loss of a given country's nationality. However, from political and social perspectives and at a substantive level, citizenship is beyond a legal status. Though many agree that citizenship is a political and legal artefact that creates a condition of civic equality among those who possess it with regard to the prerogatives and responsibilities it bestows and requires, the term citizenship has been defined differently by scholars and practitioners. For this reason, citizenship is a polysemy term which has had different meanings depending on the historical legacies, political organization of the state, ideologies and socio-cultural context of societies. Several countries refer to the term citizenship in their national language as expressing merely the judicial relationship between the citizen and the State while others denote it with the social roles of citizens in their society. Generally, the concept of citizenship varies from society to society, depending on the place, the historical moment and political organization. Although differences may exist, there are common elements such as rights, duties, belonging, identity and participation one can find in definitions of the term.

i) Citizenship as a Status of Rights: The mere fact of being a citizen makes the person a creditor of a series of rights. In this sense, current political discourse often tends to identify citizenship with rights. Marshall 1998, distinguishes three types of rights that historically have been established in succession: the *civil*, or the rights necessary for the development of individual liberty; *political*, i.e. the right to participate in the exercise of political power, as an elected member or as a voter and *social* rights, which are those that guarantee the right to public safety, health, the right to education, etc., that is the right to a decent life (these rights are discussed in detail in Chapter four of this module). It is precisely these rights that give us the status of citizens, to enjoy these means to be a full member of a democratic society. Each right is often pursued in specific institutional forums: legal/civil rights are mainly exercised in the courts; political rights are used in voting booths, legislatures and street protests; social rights are often activated or disputed in government buildings.

Oldfield (1990), Mouffe (1992) and Lister (1997) conceptualize citizenship as both a status and an active practice. Citizenship as a status accords a range of rights and obligations. That is why; Jones and Gaventa (2002) assert that rights and obligations lie at the heart of the language of citizenship. Hence, legally and sociologically speaking, a citizen is a person who has the privilege to enjoy the citizenship rights that are essential for agency. Hohfeld (1978), for instance, discovered four components of rights known as 'the Hohfeldian incidents' namely, liberty (privilege), claim, power and immunity.

a) Liberty Right: is a freedom given for the right-holder to do something and there are no obligations on other parties to do or not to do anything to aid the bearer to enjoy such rights. The beholder got benefits from liberty rights without obliging others. Furthermore, no one including the State has any legitimate authority to interfere with the citizen's freedom except to prevent harm to others. For instance, every citizen has the right to movement. His/her right to movement goes to the level where another's claim right limits his/her freedom (see

also through articles 25 to 34 of the FDRE constitution). But what does it mean by claim rights?

b) Claim Rights: are the inverse of liberty rights since it entails responsibility upon another person or body. The duty bearer has to accomplish something that is indispensable for right holders to enjoy the claim rights. That is, there must be somebody who is there to do or refrain from doing something to/for the claim holder, i.e., claim rights are rights enjoyed by individuals when others discharge their obligations. Hence, in contrast to liberty rights, claim rights impose a corresponding duty on others to help respect and protect the bearers. For instance, social rights such as unemployment and public service benefits are *claims* that directly depend on taxes paid by others. To mention, a contract between employer and employee confers on the employee a right to be paid his/her wages. The employee has a claim that the employer has a duty to the employee to pay those wages. Article 41(3 and 4) of the FDRE constitution underlines the responsibility of the government to avail publicly funded social services such as health and education since all Ethiopian citizens have the rights to enjoy such basic privileges, claim rights.

Liberty and claim rights termed as primary rules, rules requiring that people perform or refrain from doing particular action. There are two other rights termed as secondary rules, according to Hohfeldian incidents. These secondary rules specify how agents/beholders can introduce, change and alter the primary rules (liberty and claim rights).

c) Powers Rights: are rights regarding the modification of first-order rights. They are cooperative controls that are imposed on others. The holder of a power, be it a government or a citizen, can change or cancel other people and his/her own entitlements. For example, Article 40(1) of the FDRE constitution asserts that Ethiopian citizens have the rights to the ownership of private property and to modify, sale, donate or transfer their property to a third party. As it is stated in Article 33(3) the FDRE constitution, every Ethiopian citizen has the right to renounce his/her Ethiopian citizenship/nationality which shows the power rights of the citizens. Similarly, a government has also the power to modify legal rights through imposing to or removing duties from citizens.

d) Immunity Rights: allow bearers escape from controls and thus they are the opposite of power rights. Immunity rights entail the absence of a power in other party to alter the right-holder's normative situation in some way. For instance, civil servants have a right not to be dismissed from their job after a new government comes to power. Witness in the court has a right not to be ordered to incriminate himself/herself. Additionally, as it is affirmed in Article 18(3) of the FDRE constitution, "no one shall be required to perform forced or compulsory labour". Immunities also comprise compensation for rights violations that occurred in the past and at least partially make up for past injustices or uneven burdens.

ii) Membership and Identity: Citizenship is associated with membership of a political community, which implies integration into that community with a specific identity that is

common to all members who belongs to it. The criteria for membership have been linked to shared territory, common culture, ethnic characteristics, history, etc. However, nowadays, we often use citizenship to signify not just membership in some group but certain standards of proper conduct. Some people – those who contribute to the well-being of their community are understood to be the ‘true’ citizens. Those who free-ride are mere members who do not seem to understand, embrace, or embody what citizenship really means. When communities, public or private, bestow citizenship awards to some of their members, it is this usage they invoke. It obviously implies that only ‘good’ citizens are genuine citizens in the full meaning of the term.

iii) Participation: Participation occupies a key position in citizenship. Nonetheless, individuals differ in what approaches they find important – some people focus on their private affairs while others actively participate in the life of the society, including politics. There are two approaches in this regard; minimalists and maximalists. A minimalist approach to citizenship characterized by a kind of basic passive compliance with the rules of a particular community/State, while the maximalist approach imply active, broad participation of citizens engagement in the State.

However, as Ferguson (1999) asserts, people cannot realize their rights (be it social, economic and political rights), if they fail to exercise their democratic rights to participation in decision-making that affect, directly or indirectly, their affairs. Since citizens are embodies with social relations, “to act as a citizen requires a sense of agency: the belief that one can act; acting as citizen, especially collectively” (Lister, 1998: 38). Therefore, framing citizenship as agency place undue obligation on people to consciously exercise their citizenship rights. For example, the involvement of service users in the decision-making process of public services helps them to consider themselves as active agents making and creating the services they receive rather than being passive beneficiaries. That is why there is a dichotomy between passive and active citizenship.

iv) Inclusion and Exclusion: All individuals living in a particular state do not necessary mean that all are citizens. For instance, there are non-citizens visiting, working and living in Ethiopia branded as foreigners/aliens. Foreigners have the likelihood of staying in the territorial administration of Ethiopia as far as they have authorized visas. The aliens, therefore, have rights just like the Ethiopian citizens such as the right to life, movement, and protection of the law. Additionally, there are also responsibilities shared by both the non-citizens and citizens domiciled in Ethiopia particularly in respecting the laws of the country. However, citizens are fundamentally different from aliens in enjoying privileges and shouldering responsibilities. There are some political and economic rights that are reserved to and duties to be discharged by citizens only. For instance, an Ethiopian citizen has the right to get access to land, vote and to be elected and get Ethiopian passport. Likewise, defending the constitution as well as Ethiopia territory from foreign aggressors are solely the duty of Ethiopian citizens. Generally, citizenship as legal relationship between a person

and a State is different from the specific legal relation exist between foreigners and the host State.

Citizenship status, however, is not only restricted to persons. Organizations and [endemic] animals could also be considered as citizens. The term "corporate citizenship" (CC) has been used increasingly by corporations, consultants and scholars to echo, underscore, extend, or reorient certain aspects of corporate social responsibility. This is important, for it offers innovative conceptual aspect for understanding business-society relation, and in particular for identifying specific roles and responsibilities for corporate, governmental, and other actors in society. Just like citizens, corporations and private organizations do have the right to make profits and maximize their benefits. As well, they have the duty to pay tax and protect the environment similar to individual persons of citizens. In the modern time, corporations' duty is not restricted to protecting the environment and paying tax. Beyond the formal responsibilities, they have also corporate social responsibility (CSR). CSR requires corporations to engage in social and development affairs such as helping individuals with disabilities, HIV/AIDS carriers, constructing schools and health centers. Moreover, in the era of globalization, it has become increasingly customary to use 'citizen' in a different way to indicate membership of a person beyond a particular political community, the State. Terms like 'global citizen' or 'cosmopolitan citizen' are commonly used to refer to every human living in the earth planet.

4.4.2. Theorizing Citizenship

Citizenship is not an eternal essence rather a cultural artifact mold by people through time and that is why the notion of citizenship and the meaning attached to it changes with the change in political thoughts, ideologies, policies and government. While some States relies on markets to allocate citizenship rights with very restricted government/State intervention, other States acknowledge government intervention in the market. Besides, all citizenship rights haven't got institutional recognition at the same period. Some of the citizenship rights such as women's rights are recently endorsed into law. For instance, the way citizenship has been framed and defined in the post-1991 Ethiopia is different from the time before, and the list and scope of constitutional rights too. Citizenship obligations vary too, ranging from States where military service is required (like Eritrea and North Korea) to those states (including Ethiopia) where every citizen, under normal circumstances, is not obliged to take military trainings or serve. As a result, various citizenship theories emerge out of such historical trajectories.

Therefore, to realize the notion of citizenship, what it is and what it could become, understanding its theoretical explanations come out to be the crucial one. Though there are different approaches to citizenship, most contemporary works that address the issue of citizenship speak of the following four approaches: liberal, communitarian, republican and multicultural citizenship.

4.4.2.1. Citizenship in Liberal Thought

Liberal theory of citizenship begins with the individual person (the self). The self exists as the true symbol of liberal theory. Accordingly, it gives a strong emphasis to the individual liberty of the citizen, and rights that adhere to each and every person. The self is represented as a calculating holder of preferences and rights in a liberal society. Hence, in liberalism the primary political unit as well as the initial focus of all fundamental political inquiry is the individual person.

Liberals insist that individuals should be free to decide on their own conception of the good life, and applaud the liberation of individuals from any ascribed or inherited status. Advocators of this though argue that individual citizens act rationally, corresponding to the constitutions and laws of the State, to advance their own interests. As well, individuals conceive of themselves and of one another as having the moral power to have a conception of the good. John Locke (1960), one among the influential early expositors of liberal theory, viewed individuals as endowed with reasoning skills, through which they can discern and act upon the dictates of divinely given natural law. If individuals act irrationally, it means that they debase their natural faculties and misapprehend what natural law requires. Locke argued that natural law and the reason to apprehend compel individuals to consider their own and others interests, to enter into civil and political society, act in the community and thus to value social cooperation and self-restraint. Thus, the individual is morally prior to the community: the community matters only because it contributes to the well-being of the individuals who compose it. If those individuals no longer find it worthwhile to maintain existing cultural practices, then the community has no independent interest in preserving those practices, and no right to prevent individuals from modifying or rejecting them.

Likewise, liberals deem internal factors as the primary reasons that determine personal identity. They provide little consideration to the environmental factors in the process of shaping the self. Beyond this, liberalists claims that the individual person shapes all other social aggregations, including the state. Therefore, citizenship and other political institutions in a given State are means that are accepted only conditionally – i.e., as long as they, in the individual's calculations, foster the maximization of the citizen's preferences/benefits. John Stuart Mill, for instance, regarded individuality and self-interest as the source of social, not just personal, progress and well-being. He has insisted that untrammelled freedom of individual thought, inquiry, worship, and expression is the surest path to truth and social improvement. Under this thought, the role of the State is to protect and create convenient environment to help citizens enjoy and exercise of their rights; the State has an instrumental function. According to Mill, individual liberty and State action tend to be opposed to each other. Increasing the power of the State means reducing individual liberty describing the myopia, corruptibility, and other defects of state officials exercising coercive powers, the better outcomes when individuals pursue their own ends, and the natural sociability of private actors in a liberal.

The pursuit of one's own interests that do not affect others is entirely the province of the individual, within which one must be free to do as one pleases without the law's interference. It follows that individuals have the right to choose their level of participation in the community in order to fulfill and maximize their own self-interest. If they choose not to do so, their citizenship is not jeopardized. Where others' interests are affected, however, the State may be justified in regulating the activity. There are three fundamental principles which a liberal government must provide and protect: (1) equality, whereby the government has to treat individuals who are similarly situated in the same way and afford them the same rights; (2) due process, such that the government is required to treat individuals over whom it exercises power fairly; and (3) mutual consent by which membership in the political community rests on the consensual relationship between the individual and the state. By protecting these three values, the government ensures that it provides protection for individuals' rights and liberties, so they can effectively participate in the political sphere.

In line with this, Berlin (1969) and Held (2001) consider a dual characterization of liberalism ranging from a protective, defensive, conservative liberalism focused on negative liberty, subjective rights and individualism, ideals that emphasize individuals' right to be left alone and to pursue their own projects free of the State compulsion, all the way to a liberalism oriented to development, which is affirmative, progressive and focused 'positive liberty' notions. Common to positive liberty accounts is the claim that the State should act affirmatively to create or secure those substantive entitlements (e.g. income, health care, and education) that individuals need in order to lead the dignified, independent lives essential to their freedom. However, freedom under government, as John Lock (1960 cited in Schuck, 2002: 133) has already described it, embraces living in conformity with a predictable, non-arbitrary law to which one has directly or indirectly consented.

Generally, the bedrock principles of liberal theory of citizenship are: individuals are free to form their own opinions, pursue their own projects, and transact their own business untrammelled by the State's political agenda and coercive power, except in so far as individual actions implicate the interests of other members of society. Liberal citizens are thus left to their own devices without much guidance from the state. They must decide for themselves how to use their constitutionally secured freedoms, decide what kind of citizen to be – including the possibility that they will decide to forswear any political activity at all, preferring to retreat into an entirely private world of family, friends, market transactions, and self-absorption and gratification, into a world largely indifferent to any public goods not generated within these parochial domains. Citizenship cannot be defined based on shared identity or a common culture; the individual chooses his own affections, and any identification with other individuals is rather a *product of their legal status* as citizens. Equal rights bind citizens together in a legal community of free individuals. This does not imply the complete rejection of culture and identity as such, but identity and culture are not *a priori* foundations for citizenship.

Critics of Liberal Theory of Citizenship

First, how can individuals be/are prevented from destroying each other and from destroying the basis of their mutually beneficial interaction? The most common problems related with advocating individualism are free-riders problem and the tragedy of the commons.

The free riders problem occurs when those who benefit from resource or service do not pay for it, which results in an under provision of the resource/service. Particularly it occurs when property rights are not clearly defined and imposed. Whereas, tragedy of the commons is a dilemma arises when individuals act independently and rationally consulting their own self-interest ultimately deplete shared limited environmental resources. Since no one owns the commons, e.g. atmosphere and grazing lands, each individual has an incentive to utilize common resources as much as possible they can. Consequently, environmental pressures and humanitarian emergencies pose great challenges to liberal States, demanding a larger State role in allocating scarce resources, rights, and statuses among competing interests often bearing compelling moral claims. Action to protect the environment involves international agreements to collectively reduce emissions or regulate other activities. These sorts of agreements involve countries giving up short-term advantages for a long-term common benefit and are designed to prevent any one of them free-riding on the actions of others – for example, by continuing to pollute while other countries cut their emissions, thereby reaping the environmental advantages without paying any of the costs.

Second, liberalists affirmatively valorize the privatization of personality, commitment, and activity. Hence, the problem has to do with is the ways in which individuals and their ideas are framed. The preferences and insights of autonomous individuals might originate from impure process, the information they were provided might be biased or meaningless, or their preferences might have arisen from a fit of anger.

Third, as we have seen in the above, individuals have absolute freedom either to actively engage in politics or ignore at all. Deducing from this, the citizens do not only have the right to participate in the political affairs of their country but also the right not to engage in it and then retreat into their private pursuits if they wish. Needless to say, liberal thought facilitate the pursuit of wealth and the indulgence of material pleasures and thus, as a matter of fact and preference, liberal societies tend to be less egalitarian. This not only leaves less time available for public regarding activities but also diminishes the social prestige. All in all, if many citizens are not willing to devote time or give attention to politics, power will become an instrument of the few rather than of the many, and polity's very survival in a democratic form will be endangered.

Fourth, liberalists justify that inequalities arise out of differences in individual talents, values, and choices – differences, moreover, that the State cannot seek to efface without endangering citizens' liberties. Perhaps the most daunting challenge to liberalism, then, is to reduce inequalities to socially acceptable and politically sustainable from the views of the disadvantaged groups, while at the same time vindicating the liberal commitment to the protection of individual liberties. For several reasons, however, liberalism may actually increase economic and other kinds of inequalities rather than reduce them. The persistence of inequalities among liberal citizens and between them and aliens are bound to engender much social and political unrest and tensions, unless and until the benefits of market-driven economic growth 'trickle down' to the socially disadvantaged. Structurally, as well as ideologically, liberal states make redistributive policies difficult to enact, implement, and legitimate. In a liberal social system, the private sector controls most of the incentive systems that drive and shape individual and group behavior; these systems are largely immune from State control. More fundamentally, liberalism contrives to keep the State weak and permeable to private interests, institutionalizing its endemic fear of state power through political structures and practices that widely disperse and carefully confine the state's influence.

Finally, liberalism posits a State that maintains substantial normative neutrality. In this conception, the liberal State should neither choose among competing visions of the good society nor place its thumb on the scales in other ways, such as redistributive policies, that favor particular visions. It should instead play a far more modest, supplementing role, facilitating individuals' pursuit of their own projects or visions. The issues of how liberal State's role remains modest become a matter of great controversy and of course history has proved impossibility of the State to maintain neutral. Hence scholars in the field devise alternative thoughts to citizenship like republican, communitarian and multicultural approaches to citizenship.

4.4.2.2. Citizenship in Communitarian Thought

The debate on citizenship as the expression of community revived with the emergence of communitarianism since the 1980s. Charles Taylor, Michael Sandel, Michael Walzer and Alisdair MacIntyre are some among the proponents of communitarianism. Mainly, Taylor's *Sources of the Self* (1989) Walzer's *Spheres of Justice* (1983), Sandel's *Liberalism and the Limits of Justice* (1982) and MacIntyre's *After Virtue* (1981) established the foundations of communitarianism.

Communitarianism is as an approach emphasizes on the importance of society in articulating the good. The communitarian (also known as the nationalist) model argue that the identity of citizens cannot be understood outside the territory in which they live, their culture and traditions, arguing that the basis of its rules and procedures and legal policy is the shared common good. The political subject, above all, belongs to a community, a community to which he/she owes allegiance and commitment. Thus, rather than viewing

group practices as the product of individual choices, communitarians view individuals as the product of social practices.

Moreover, communitarians often deny that the interests of communities can be reduced to the interests of their individual members. Privileging individual autonomy is seen as destructive of communities. A healthy community maintains a balance between individual choice and protection of the communal way of life and seeks to limit the extent to which the former can erode the latter. As a result, the good of the community is much above individual rights and citizenship comes from the community identity, enabling people to participate. The State must provide a policy for the common good, according to the way of life of the community. Communitarians examine the ways shared conceptions of the good are formed, transmitted, justified and enforced.

“Whether citizenship as membership of a political community rests on the individual or a prior cultural or moral community is what divides the protagonists, the liberal and communitarian theories of citizenship” (Delanty, 2002: 159). For liberalists, citizenship rests on the individual and it is the individual that determines its aspects, but for Communitarians citizenship is rooted and lies with the people who surround the individual. Communitarianism claims that an individual’s sense of identity is produced only through relations with others in the community that nourish him/her. An individual person cannot escape from the control of his/her culture and thus the self/individuality is culturally constructed, socially-embedded. Describing in another mood, whatever individuality the citizen has is derived from and circumscribed by the community. According to this thought, individual interests, identity, freedom and equality can only be meaningfully practiced and realized through the prioritization of the common good, and once the members of the polity share common virtues and goals.

All in all, the two defining features of communitarian perspective are: first, no individual is entirely self-created; instead the citizen and his/her identity is deeply constructed by the society where he/she is a member. Newcomers such as children and immigrants to a society must assimilate themselves in order to participate in community activities. Only when an individual successfully assimilates can the society achieve its common goals and become effective. Second, as a consequence of assimilation, a meaningful bond is said to occur between the individual person and his/her community. Insofar as an individual understands that what is good for the community is good for him as well, he will also understand that if he does not participate in the community, the common good will be diminished.

Communitarian citizenship thought has been criticized for various reasons. Communitarianism is hostile towards individual rights and autonomy – even that it is authoritarian since it melts the self into the society. A community push people to sacrifice large parts of their individual differences in order to follow shared values. Other critics argue

that communities are dominated by power elites or that one group within a community will force others to abide by its values.

Communitarian theorists tend to emphasize the communal construction of social individuals and social formations, and of values and practices. A problem is that these constructive processes themselves need to be analyzed in terms of power - power which can account for when individuals manage to reconstruct their circumstances, when they move from context to context, when they get trapped, when they rest content.

4.4.2.3. Citizenship in Republican Thought

Republican citizenship theory put emphasis on both individual and group rights. Means republican thought attempts to incorporate the liberal notion of the self-interested individual within the communitarian framework of egalitarian and community belonging. Like communitarian thought, it emphasizes on what bind citizens together in to a particular community. Citizenship should be understood as a common civic identity, shaped by a common public culture. It requires citizens to bring together the facets of their individual lives as best they can and helps them to find unity in the midst of diversity. However, republicans don't pressurize individuals to surrender their particular identities like the communitarian thought. Instead, it is underpinned by a concern with individual obligation to participate in communal affairs. It encourages people to look for the common ground on which they stand, despite their differences, as citizens. At this juncture, an effective balance between toleration and obligation is required. Toleration involves citizens participating politically as advocates of particular interests, with their concern focused on 'fairness between different sections of the community and the pursuit of common ends.

Just like liberal citizenship though, republican school advocate self-government. Yet, republican thought do not agree with the case that all forms of restraints deprive people's freedom. Liberalism, as we have already discussed, advocates absolute freedom of individuals and gives insignificant consideration towards nurturing the public virtues that lead people to do their duties as citizens. In contrast to liberalism, individuals must overcome their personal inclinations and set aside their private interests when necessary to do what is best for the public. Republicans, thus, acknowledge the value of public life. To them, public life draws people out, and it draws them together. It draws out their talents and capacities, and it draws them together into community – into connection and solidarity, and occasionally conflict, with other members of the public.

In view of that, there are two essential elements of the republican citizenship: publicity and self-government. Publicity basically refers to the condition of being open and public. The public is not a mere collection of people but a sphere of life where people joined by common concerns that takes them beyond their private lives. Besides, public affairs such as politics, as the common concern of the public, must be conducted openly in the public for reasons of convenience. In this case, the rule of law and civic virtue are central elements. Politics

requires public debate and decisions, which in turn require regular, established procedures – the rule of law is the standard formula for the republicans. The citizens and governments in a republican State shall not act arbitrary, impulsively, or recklessly but according to the laws of the State.

However, without citizens who are willing to take an active part in the government, a republic State could not survive. True citizenship requires commitment to the common good and active participation in public affairs – civic virtue. Republics must thus engage in what Sandel (1996: 6) calls “a formative politics... that cultivates in citizens the qualities of character that self-government requires”. Constitutional safeguards may be necessary to resist corruption in the forms of avarice, ambition, luxury, and idleness, but they will not suffice to sustain freedom under the rule of law in the absence of a significant degree of virtue among the citizens. To say that ‘Amare’ is a citizen of a republican State, it is to mean that he enjoys the protection of the State’s laws and is subject to the laws. It is also to say that, as a citizen, ‘Amare’ is supposed to be on an equal footing with other citizens. The rule of law thus requires not only active and public-spirited participation in public affairs – the civic virtue of the republican citizen – but also the proper form of government.

Republican citizenship has been criticized by scholars who advocate multicultural and other approaches of citizenship. The first is that the republican conception of citizenship is no longer realistic. Republican citizenship is an irredeemably nostalgic ideal in this age of globalization. To be a citizen, in the republican view, is to be a partner in a common enterprise, and people will be likely to put the common interest ahead of their own – to act as true citizens – only when they feel themselves to be part of such an enterprise. The Internet and satellite television are unlikely to inspire this sense of community on a global basis. The second is that the conception poses a threat to an open, egalitarian, and pluralistic society. This second criticism is put forcefully by Young (1990: 117), who detects a denial of ‘difference’ in republican attempts because in practice republican politicians enforced homogeneity by excluding from citizenship all those defined as different. To be sure, Young’s point is that the search for common ground serves to justify the dominance of a particular – and typically male – group.

The third point concerns the claim that citizenship involves a false ideal of impartiality. Here, the republican response is to deny that the ideal is false. We should indeed strive to think and act, when establishing laws and policies, as members of the public rather than self-interested individuals. But this does not mean that we cannot take account of the particular needs and interests of the people – even people who ‘stand in different social locations’ – who compose the polity.

4.4.2.4. Multicultural Citizenship

The increasing diversity in States challenges particularly the liberal conceptions of citizenship. The liberal view the rights of the individual as paramount and group identities and rights as inconsistent with and inimical to the rights of the individual. A number of factors have caused scholars to raise inquiries about the liberal analysis and expectations for identity groups in democratic States. These factors include the rise of the ethnic revitalization movements demanding recognition of group rights as well as individual rights; the structural exclusion of racial, gender, ethnic, and language groups; and increasing immigration throughout the world that made States multinational and polyethnic. They raise complex and divisive questions about how States can deal effectively with the problem of constructing civic communities that reflect and incorporate the diversity of citizens and yet have an overarching set of shared values, ideals, and goals to which all of the citizens of a State are committed. Consequently, the conception of citizenship in a modern State should be expanded to include cultural rights and group rights within a democratic framework.

There is a need to move towards a new type of multicultural citizenship appropriate to highly diverse societies and contemporary economic trends. Recognition of group difference implies departing from the idea of all citizens as simply equal individuals and instead seeing them simultaneously as having equal rights as individuals and different needs and wants as members of groups with specific characteristics and social situations which is basically the focus of multicultural citizenship. Discuss four principles of multicultural citizenship which are presented here under.

i) Taking equality of citizenship rights as a starting point. It is essential to ensure that all members of society are formally included as citizens, and enjoy equal rights and equality before the law. Just like the liberal perspective, multicultural citizenship concerns with the universal rights of members.

ii) Recognizing that Formal equality of rights does not necessarily lead to equality of respect, resources, opportunities or welfare. Formal equality can mask and legitimize disadvantage and discrimination. It is necessary to consciously recognize group difference and to understand its causes. While liberal theorists believe that the universal rights accorded through citizenship safeguard the cultural membership of individuals, theorists within the multicultural school of thought envisage the need for additional rights for vulnerable minority groups, in order for such groups to sustain themselves amidst the dominant culture(s).

iii) Establishing mechanisms for group representation and participation. Despite formal equality, disadvantaged groups are often excluded from decision-making processes. It is necessary to make arrangements to ensure the participation of people directly affected, wherever important decisions are made.

iv) *Differential treatment for people with different characteristics, needs and wants.* Liberalists' universal conception of citizenship within a stratified society results in the treatment of some groups as second-class citizens because group rights are not recognized and the principle of equal treatment is strictly applied. Treating people equally, despite the fact that past actions have made them unequal, can perpetuate inequality. Government should take measures to combat barriers based on gender, sexual preference, age, disability, location, Aboriginality, ethnicity, religion, area of origin and culture (Castles, 1999: iii). In this view, multicultural citizenship allows for marginalized voices to be heard. A *differentiated* conception of citizenship is needed to help marginalized groups attain civic equality and recognition in multicultural democratic nations. Society is formed of different groups which are either dominant or oppressed (Young, 1989). This strand of differentiated citizenship therefore concerns the denouncing of universal rights and the provision of special rights for oppressed groups. This suggests a politics for difference and not one geared towards the possibility of integration.

Critics of differentiated citizenship worry that if groups are encouraged by the very terms of citizenship to turn inward and focus on their 'difference' (whether racial, ethnic, religious, sexual, and so on), then the hope of a larger fraternity of all Americans will have to be abandoned. Citizenship will cease to be a device to cultivate a sense of community and a common sense of purpose. Nothing will bind the various groups in society together and prevent the spread of mutual mistrust or conflict.

Critics also worry that differentiated citizenship would create a "politics of grievance." If, as Young implies, only oppressed groups are entitled to differentiated citizenship, this may encourage group leaders to devote their political energy to establishing a perception of disadvantage-rather than working to overcome it-in order to secure their claim to group rights (Kymlicka and Norman, 1994: 372).

4.4.3. Modes/Ways of Acquiring and Loosing Citizenship

Citizenship right was one of the rights guaranteed to individuals by the Universal Declaration of Human Rights adopted in 1948. According to Article 15 of the declaration, "everyone has a right to a nationality" and that "no one shall be arbitrarily deprived of his nationality." Hence, in the following sections we will discuss the ways of acquiring and losing citizenship.

4.4.3.1. Ways of Acquiring Citizenship

Since the grant of citizenship remains within the discretion of the state concerned, the means of acquiring a particular State's citizenship vary from country to country. However, the common ways of acquiring citizenship can be grouped in to two: citizenship by birth and citizenship through naturalization/law.

i) Citizenship from birth/of Origin: individuals can get citizenship status of a particular State either because he/she is born in the territorial administration of that or his/her mother and/or father are citizens of the State in question. That is, there are two principles of citizenship from birth commonly known as *Jus Soli* (law/right of the soil) and *Jus Sanguinis* (law/right of blood). Whereas *Jus Soli* is a principle whereby an individual is permitted to obtain citizenship status of a particular State because he/she was born in the territorial administration of that country, *Jus Sanguinis* is a norm where citizenship acquired claiming one's parents citizenship status. However, jus soli could not apply to children born from diplomats and refugees live in a host State. Children born from diplomats in a host State where jus soli is allowed do not have the right to claim citizenship status of the host country because of two special principles (international diplomatic immunities): extraterritoriality and inviolability principles.

ii) Citizenship by Naturalization/Law: is the legal process by which foreigners become citizens of another country. The common sub-principles of acquiring citizenship through naturalization are the following. Political case (secession, merger and subjugation), grant on application, marriage, legitimatization/adoption, and reintegration/restoration. Citizenship by political case is a process by which an individual person acquires citizenship of a certain State following the conquest or cession of a territory. In case a particular territory is merged to or subjugated by another country, people domiciled in that territory would acquire a new citizenship. Besides, in cases of secession option may be given to individuals to choose either country's citizenship. Let us now discuss the remaining ways of acquiring citizenship vis-à-vis to Ethiopia.

4.4.3.2. The Modes of Acquiring Ethiopian Citizenship

Before the 1930, there wasn't officially inscribed legal document that deals with citizenship. But in 1930 Ethiopia adopted a legal document named as "*Ethiopian Nationality Law*". Recently, this nationality law has replaced by another legal document called "*Ethiopian Nationality Proclamation NO. 378/2003*" which was adopted in 2003 by the House of People's Representatives. This proclamation is enacted in accordance to article 6 and 33 of the 1995 FDRE constitution and affirmed that a person can acquire Ethiopian citizenship either by birth or naturalization. Now, let's discuss the modes of acquiring Ethiopian citizenship included in the 2003 nationality proclamation.

1) Acquisition by Descent: the 1930 Ethiopian nationality law asserted that "any person born in Ethiopia or abroad, whose father or mother is Ethiopian, is an Ethiopian subject." In its

Article 6(1), the 1995 FDRE constitution stated that “any person of either sex shall be an Ethiopian national where both or either parent is Ethiopian.” In line with this, Article 3 of the 2003 nationality proclamation ascribed two principles under the acquisition of Ethiopian citizenship by decent. One, “Any person shall be an Ethiopian national by descent where both or either of his/her parent is Ethiopian;” second, “An infant who is found abandoned in Ethiopia shall, unless proved to have a foreign nationality, be deemed to have been born to an Ethiopian parent and shall acquire Ethiopian nationality.” According to the proclamation, any person can’t acquire Ethiopian citizenship through the principle of *Jus Soli* (law of soil). It means that children born in the territorial administration of Ethiopian do not have the right to acquire Ethiopian citizenship. Birth place of a child is not a requirement to acquire Ethiopian nationality. Wherever a child was born, he/she has the right to attain Ethiopian citizenship if, and only if, he/she is born from an Ethiopian father or mother or both Ethiopian parents.

2) Acquisition by Law (Naturalization): Article 6(2) of the 1995 FDRE constitution also avers that aliens can get Ethiopian citizenship. Under naturalization, there are various ways of acquiring Ethiopian citizenship in accordance with of the amended Ethiopian nationality proclamation of 2003 recognized by the provisions of Articles 5 to 12 of the 2003 nationality proclamation. These are:

a) Grant on Application (registration): happens when an alien requests a host state to be granted citizenship status of the country in question. However, host countries, including Ethiopia, do not simply grant citizenship status to those who apply unless they fulfill certain requirements. The common ones are applicant’s age, length of residence in the host country, criminal conviction, income and moral character. But the criteria vary from country to country. For instance, according to Article 5 of the 2003 Ethiopian nationality proclamation, an applicant shall get Ethiopian nationality if, and only if, he/she (1) reach the age of majority, 18 years; (2) lived in Ethiopia for a total of at least four years; (3) has sufficient and lawful source of income (economically self-reliant); (4) is able to communicate in any of the indigenous languages spoken in Ethiopia; (5) has a good character; (6) has not recorded criminal conviction; (7) has been released from his/her previous nationality or the possibility of obtaining such a release upon the acquisition of Ethiopian nationality or that he/she is a stateless person; and (8) takes the oath of allegiance indicated in Article 12 of the proclamation: “I—, solemnly affirm that I will be a loyal national of the federal democratic republic of Ethiopia and be faithful to its constitution”.

b) Cases of Marriage: an alien who is married to an Ethiopian citizen have the possibility of acquiring Ethiopian citizenship. Yet, there are certain preconditions set in Article 6 of the proclamation in which the marriage and the alien married to an Ethiopian citizen must fulfill just to allow the foreigner acquire Ethiopian nationality by law. One, the marriage shall be thru in accordance with the laws of Ethiopia or the State where the marriage is contracted; second, the marriage shall lapse at least for two years; third, the alien married to

an Ethiopian citizen have to live in Ethiopia for at least one year preceding the submission of the application; and fourth, the alien have to reach the age of majority, be a morally good person, and lastly take the oath of allegiance stated under Article 12 of the proclamation.

c) Cases of Adoption (Legitimizing): this process whereby an illegitimate child get citizenship status of his/her caretaker's nationality. In this case, Article 7 of the nationality proclamation asserts that a child adopted by and grown under the caretaker of Ethiopian citizen has the right to acquire Ethiopian citizenship. But, the child could get Ethiopian citizenship if the adopted child has not attained the age of majority; lives in Ethiopia together with his/her adopting parent; and has been released from his/her previous nationality or the possibility of obtaining such a release upon the acquisition of Ethiopian nationality or that he/she is a stateless person. However, where one of his/her adopting parents is a foreigner, in writing, such a parent has to express his/her agreement that his/her adopted child gain Ethiopian nationality.

d) Citizenship by Special Cases: as it is labeled in Article 8, an alien who has made an outstanding contribution in the interest of Ethiopia may be conferred with Ethiopian nationality by law without undergoing the pre-conditions stated in Article 5 (sub-articles 2 and 3) of the 2003 Ethiopian nationality proclamation. That is, he/she is not required to live in Ethiopia for a total of four years and may lack the ability to communicate in any of the languages spoken in Ethiopia.

e) Re-Admission to Ethiopian Nationality (Reintegration/Restoration): this is a process by which a person acquires his/her lost citizenship. The 2003 Ethiopian nationality proclamation acknowledges this principle in its Article 22. That is, a person who has lost Ethiopian citizenship status may get back Ethiopian nationality. However, there are requirements in which the person is expected to fulfill. In this case, the person could be readmitted to Ethiopian nationality if he/she applies to the Security, Immigration and Refugee Affairs Authority for re-admission. In addition, he/she has to return and domiciled in Ethiopia and renounces his foreign nationality to get back Ethiopian nationality.

Examining and Deciding upon an Application to acquire Ethiopian Citizenship

An application to obtain Ethiopian nationality by law shall be accompanied with relevant documents and shall be submitted to the Security, Immigration and Refugee Affairs Authority (Article 10 of the proclamation). Then, the application shall be examined by the Nationality Affairs Committee (Article 11 and 23 of the proclamation), a committee comprises five members, namely; (i) a representative of the Security, Immigration and Refugee Affairs Authority (chairperson); (ii) a representative of the Ministry of Foreign Affairs (member); (iii) a representative of the Ministry of Justice (member); (iv) a

representative of the Federal Police Commission (member); and (v) a representative of the Authority (member and secretary). The Committee has to submit its recommendation to the Security, Immigration and Refugee Affairs Authority. If the committee's recommendation got approval of the Authority, the applicant shall take the oath of allegiance (see *article 12 of the proclamation*) in front of the committee. Lastly, the applicant confers with a certificate of naturalization and become legally an Ethiopian national.

4.4.3.3. Dual Citizenship

Dual citizenship is the condition of being a citizen of two nations. Of course, a person may acquire more than two States which is called multiple citizenship. Duality/multiplicity arises because of the clash among the *Jus Soli*, *Jus Sanguini* and naturalization. For example, a baby born to a French family visiting the United States would acquire U.S. citizenship by *Jus Soli* and French citizenship by *Jus Sanguinis*. A child born from a mother and father of two different countries could acquire dual citizenship through decent. Besides, on the one hand, a State may allow its naturalized citizens to keep their original citizenship, and on the other, a State may refuse its citizen to revoke his/her citizenship for various reasons which are cause for dual/multiple citizenship. People who declared that they no longer were citizens of such a country and became naturalized in another still would be claimed as citizens by the original nation.

Today just under half of all African countries still prohibit dual citizenship on paper—though in many cases the rules are not enforced, so that a citizen can acquire another citizenship without facing adverse consequences in practice. Ethiopia prohibits its citizens to have dual citizenship. Article 20(1) of the 2003 nationality proclamation asserts that “any Ethiopian who voluntarily acquires another nationality shall be deemed to have voluntarily renounced his Ethiopian nationality.” However, a person who retains another country's citizenship or voluntarily renounces his Ethiopian nationality may not be allowed to release his/her Ethiopian citizenship if he/she hasn't discharged his/her outstanding national obligations and/or has been acquitted or served the penalty for the crime he/she accused of or convicted (see Article 19(4) of the 2003 Ethiopian nationality proclamation). Therefore, under this condition which is called indelible allegiance, the person would remain dual/multiple citizen, an Ethiopian and the country he/she acquires citizenship through law (see also Article 20(4) of the 2003 nationality proclamation).

4.4.4. Ways of Losing Citizenship

Citizenship can be lost when a State provides for lapse or withdrawal of citizenship under certain conditions, or when a citizen voluntarily renounces it. The primary rationale for loss of citizenship is the absence of a genuine link with the state. Many citizenship laws also provide for loss if there has been fraud in the course of acquiring citizenship. Some States have provisions for depriving people of citizenship in cases where their behavior is considered to demonstrate disloyalty towards the state.

One can imagine a number of reasons why a nation might want to terminate citizenship of individuals. Aleinikoff put denationalization grounds into three categories: allegiance, punishment, and public order. One may lose a country's citizenship when he/she demonstrates a lack of allegiance which could be explained through what we called active disloyalty (for example, treason) or simply no loyalty at all (apathy or unconcern about the fate of the nation). Citizenship is related with enjoying rights in one nation. However, a country may seek to deny such benefits to people it believes are unworthy of enjoying them. Denationalization, on this account, may be justified as punishment. For example, the U.S. Congress has enacted several denationalization grounds that fall within this category, such as violation of laws against subversion, draft evasion, and desertion from the armed forces in time of war. Also, the time that a citizen deemed to be a threat to public order, dangerous to national security or who embroil the state in foreign controversies, the State may denationalize the person. Generally, the commonly discussed ways of losing citizenship are deprivation, renunciation, lapse/expiration and substitution.

Deprivation is an involuntary loss of citizenship which arises while government authorities or court take a decision to nullify an individual's citizenship. It is on the assumption that the burden of justification for the loss of citizenship of an individual lies on the state. The citizen may be deprived of his/her citizenship for reasons of uncovering national secrets, non-compliance with citizenship duties (duty of loyalty), loss of genuine link with his/her state, flawed acquisition of citizenship, promising loyalty to and/or serving in armed force of another country, trying to overthrow the government by force, seriously prejudicial behavior, and becoming naturalized in another country. But, the 1995 FDRE constitution asserts that "no Ethiopian national shall be deprived of his or her Ethiopian nationality against his or her will." Similarly, in its Article 17, the 2003 Ethiopian nationality proclamation prohibits the possibility of losing Ethiopian nationality through deprivation.

Lapse/expiration is another way of losing citizenship which is not applicable to Ethiopia. Lapse is a mode whereby a person loses his/her citizenship because of his/her permanent residence or long term residence abroad beyond the number of years permitted by the country in question. For example, if an Indian citizen stays outside his/her country continuously for more than seven years, he/she automatically loses his/her Indian nationality by the principle of lapse.

Renunciation is the voluntary way of losing citizenship. The UDHR (1948) guarantees the right of a person to change his/her nationality. Loss of citizenship is voluntary only if it is intended and initiated by the individual concerned. An Ethiopian national has the full right to renounce his/her Ethiopian nationality if he/she wishes according to Article 33(3) of the FDRE constitution and Article 19 of the 2003 Ethiopian nationality proclamations. However, the person who has renounced a country's nationality may not be actually released from that status until he/she has discharged his/her obligations towards that particular State or accused of a crime. This situation is called indelible allegiance. According to Article 19(4) of

the 2003 Nationality Proclamation, an Ethiopian who has declared to renounce Ethiopian nationality may not be released until: (i) the citizen has discharged his/her outstanding national obligations or until he/she has served the penalty for the crime he/she has accused of or convicted.

Substitution: citizenship may be lost when the original citizenship is substituted by another state, where it is acquired through naturalization. On the other side, this may also take place when a particular territory is annexed by another state; the inhabitants' citizenship within the annexed territory will be replaced by the citizenship of the subjugator. Generally, an Ethiopian citizen can lose his/her Ethiopian nationality through renunciation and upon acquisition of other country's nationality stipulated in article 19 and 20 of the 2003 nationality proclamation, respectively.

4.4.4.1. Statelessness

Statelessness is the condition of having citizenship of any country and with no government from which to ask protection. According to the international law, stateless person is a person who is not considered as a national by any state under the operation of its law. Statelessness almost always results when state failure leads people to flee – be it due to invasion and conquest by another state, civil war, famine, or an oppressive regime – from their home country. Individuals could also become stateless persons because of deprivation and when renouncing their citizenship without gaining nationality in another State. Some people become stateless as a result of government action. To settle such conditions, the UN has adopted a convention on the protection and reduction of stateless persons.

Chapter Summary

The chapter tries to present the basic notions of state, government and citizenship. An effort has been made to clearly show the relationship among the concepts of state, government and citizenship. State is an institutions created to ease the complex relationships and interactions among individuals and groups. There are various theories and perspectives on the structure and purpose/role of the state in collective life. Government is the administrative wind of that institution which is empowered to take care of the business of the state. Citizenship refers to the rules regulating the legal/formal relation between the State and the individual with respect to the acquisition and loss of a given country's nationality. However, from political and social perspectives and at a substantive level, citizenship is beyond a legal status and seen as a practice, as active participation in affairs of the state for the good of the wider community. For this reason, citizenship is frequently described as a contested concept which has had different meanings depending on the historical legacies, political organization of the State, ideologies and socio-cultural context of societies. Citizenship status, however, is not only restricted to individual persons.