



# **CHAPTER FOUR:**

## **State, Governance and Citizenship**

# Understanding State

## Defining State

The term state' has been used to refer to :

- ✓ a collection of institutions,
- ✓ a territorial unit,
- ✓ a philosophical idea,
- ✓ an instrument of coercion or oppression, and so on.

# Cont'd...

These **confusion stems** that the state has been understood in **four quite different ways**;

- ❑ An idealist perspective,
- ❑ functionalist perspective,
- ❑ an organizational perspective and
- ❑ an international perspective.

# I)The idealist approach

View the state as an **embodiment of moral and ethical principles.**

- ✓ The state is not merely a practical institution for organizing society,
- ✓ But, a manifestation of the higher ideas of **justice, equality** and **common good**.
- ✓ Upholding the **fundamental rights** and **liberties** of citizens

# Cont'd....

- Hegel identified **three moments of social existence**:

**The family:** (a particular altruism)

- ✓ People to set aside their own interests for the good of their children or elderly relatives

**Civil society:** (universal egoism)

- ✓ Individuals place their own interests before those of others

**The state:** (universal altruism)

- He conceived of **the state as an ethical community** underpinned by **mutual sympathy**-

# Cont'd...

Some **key tents** of the idealist perspective:

The state:

- ✓ Is a **representation** of **the general will of the people**, not just the interest of those in power
- ✓ Has a **duty to promote** the moral and spiritual development of its citizens
- ✓ Laws and institutions should be **grounded in universal ethical principles**
- ✓ Should aim to create a **harmonious, just, and virtuous society**

## 2) Functionalist approaches

Views the state **more as a practical tool** for **organizing and managing the affairs of society**.

- ✓ 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**.
- ✓ state as a mechanism through which **class conflict is ameliorated** to ensure the long-term survival of the capitalist system

# Cont'd.....

Proponents of this perspective see the state as:

- ✓ A necessary and pragmatic institution, focused on achieving specific outcomes
- ✓ And addressing the practical needs of the population

## The weakness

- ✓ It tends to associate any institution that maintains order with the state itself



### 3)The organizational approach

- State is **a complex organization** with various branches, departments, and agencies that serve different functions
- Defines the state as the **apparatus of government** in its broadest sense,(**hierarchies**, **bureaucracies** and **decision making process**) with in the state apparatus that shape how it operates
- The state has an **organizational culture**, **norms**, and **administrative procedures** that influence its behavior
- These organizations **interact with** and are **influenced by non-state** actors( businesses, civil society group, and international organizations

# Cont'd.....

- 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**

## 4) The international approach

- ✓ The state as **a fundamental unit in the international system**
  - The **basic 'unit'** of international politics
  - Plays **a central role** in global affairs
- ✓ State is **a multi-faceted entity** that wields significant power and influence
  - Indicate the **dualistic structure** of the state (the two faces of state)
    - **The inwards looking**: Domestic order(its relation with in the territory
    - **The outwards looking**: Its relation with other states

# Cont'd....

## According to the international law:

- ✓ The state has four features:
  - a defined territory,
  - permanent population,
  - an effective government and
  - Sovereignty (internal & external)

# Rival Theory of State

According to André wood (2013):-

## *1)The pluralist state: -*

- ✓ State is unbiased or favoring any interest
- ✓ State **does not have an interest of its own** that is **separate from that of society**

## **Heywood**

- ✓ The “state is the servant of society and not its master”
- ✓ It stems from the belief that the state acts as an ‘**umpire**’ or ‘**referee**’ in society
  - an **impartial arbiter** or **referee** that can be bent to the will of the government at a given moment

# Cont'd....

- ✓ Origin from social-contract theories of Thomas Hobbes & John Lock.
  - The social contract theory suggest that state had **arisen out of voluntary agreement**

## The agreement:

- Made by individuals who recognized that only the establishment of **a sovereign power** could safeguard them from
  - Insecurity,
  - disorder and
  - brutality of the state of nature

## Cont'd...

- ✓ **Without a state**, individuals abuse, exploit and enslave one another;
- ✓ **with a state**, order and civilized existence are guaranteed and liberty is protected

As **Lock put it**, where there is **no law**, there is **no freedom**.

- ✓ **For him**, the purpose of the **state is restricted to**: -
  - Defense of a set of natural or god –given rights like: **Life, Liberty & property**

# Cont'd....

## 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**

## Pluralism as a theory of state:

- ✓ Pluralism asserts that, within liberal democracies, **power is widely and evenly dispersed.**
- ✓ 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 only a **weather vane** that is blown in whichever direction the public-at-large dictates.



# Cont'd...

## 2)The Capitalist state

- ✓ According to this theory state is a result of **class oppression**.
- ✓ The state cannot be understood separately from **the economic structure of society**

In Marx's writings there are **two theories of state**.

- a) State is described **as an instrument for the oppression of the exploited class**
  - b) The **state appears to mediate between conflicting classes**, and maintain the class system itself in existence.
- ✓ Marx's attitude towards the state was **not entirely negative**

# Cont'd.....

- ✓ Marxist **deny** that the state is an autonomous entity bent on the pursuit of its own interests
- ✓ State served as revolutionary dictatorship of the proletariat **during the transition from capitalism to communism**

### 3)The Leviathan state:

- ✓ State defined as a totalitarian state having vast bureaucracy

Conversely to pluralists

- ✓ Suggest, state is desperate to interfere or meddle in every aspect of human existence
- ❖ The state as a parasitic growth that threatens both individual liberty and economic security.

The central feature of this view:

- ✓ The state pursues interests that are separate from those of society
- ✓ state intervention reflected the internal dynamics of the state
  - Demand side pressures-emanate from society itself
  - Supply side pressures- the institutions and personnel of the state apparatus

# Cont'd.....

## 4)The patriarchal state: -

Developed by radical feminist

- ✓ Argue that state **power** reflects a deeper structure of **oppression** in the form of **patriarchy**
- ✓ The radical feminists place it in a context of **gender inequality**, and
- ✓ insist that it is essentially an **institution of male power**
- ✓ Men are preferred to concentrate on the deeper structure of power centered on institutions like **family and economic system**.

# The Role of The state

- ✓ There is **no agreement** about the exact role the state should play
- ✓ But, there are different **state forms**.

□ These includes:-

- Minimal state,
- Developmental state,
- social democratic state
- collectivized state,
- Totalitarian state and
- Religious state.

# I) Minimal State

It is the idea of classical liberals

- ✓ its aim is to ensure that individuals enjoy the widest possible realm of freedom
- ✓ rooted in social-contract theory, but it nevertheless advances an essentially 'negative' view of the state.
- ✓ state has the capacity to constrain human behavior and
- ✓ is merely a protective body

**The core functions of the minimal state includes: -**

- ✓ To maintain domestic order;
- ✓ ensure the contracts or voluntary agreements made between private citizens;
- ✓ provide protections against external attack.

# 2. Developmental States

□ is one that **intervenes in economic life** with the specific purpose of promoting **industrial growth and economic development**.

## Japan

- ✓ Practice to **stimulate economic progress**
- ✓ Banks are helping to shape private investment decisions and the economy to towards the international competitiveness

## France

- ✓ The state bureaucracy has seen itself as the custodian of the national interest

## Germany

- ✓ '**Partnership state**' –between the state and major economic interests

### 3.Social Democratic /Welfare/ state

- ✓ States intervene with a view to bring about **broader social restructuring** (prioritizing **fairness, equity and social justice**).
- ✓ It is the idea of both modern liberals and democratic socialists.
- ✓ There is a shift from **a 'negative' view**(a necessary evil ) to **a 'positive' view**(enlarging liberty and promoting justice)

#### State

- ✓ Is an active participant;
- ✓ in particular, helping to **rectify the imbalances and injustices of a market economy**



# Cont'd....

- ✓ **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**
- Keynesian economic policies is to **promote growth and maintaining full employment**
- **welfare states'** to the promote social well-being amongst their citizens
- dedicated to the principle of individual empowerment

## 4. Collectivized states

- ✓ State bring the **entirely of economic life** under its control.
- ✓ Set up **centrally planned economies** administered by a network of economic ministries and planning committees –**called Command economies**
- ✓ Sought to abolish private enterprise altogether  
**USSR and Eastern Europe were best example.**

# 5.Totalitarian States

- ✓ Most **extreme** and **extensive** form interventionism is found.
- ✓ The essence of totalitarianism is the construction of an all-embracing state which **penetrates every aspect of human existence**
- ✓ The **state brings not only** the economy but also **education, culture, religion, family life, under direct state control.**
- ✓ States effectively extinguish civil society and abolish the private sphere of life altogether

**Hitler's Germany and Stalin's USSR were best example.**

## 6. Religious State

- ✓ By the tendency within religious fundamentalism **view religion as the basis of politics.**
- Religious states are founded on the basis of religious principles/religiously oriented government/.

# Understanding Government

## What is Government?

- ✓ Broadest sense, to govern means to rule or control others
- ✓ The formal and institutional processes that operate at the national level to maintain public order and facilitate collective action
- ✓ Refers to political organizations comprising individuals & institutions authorized to formulate public policies & conduct affairs of state.
- ✓ A body or organ that administers a country and main organization dealing with affairs of the whole country

# Cont'd....

- ✓ Any form of government **must possess two essential attributes** to be effective and stable.

## **a) Authority:-**

- ✓ ability to compel obedience
- ✓ legitimate power or acknowledged duties of the government.

## **b) Legitimacy:-**

- ✓ is the popular acceptance of governing regime or law as an authority.

**Thus**, government is **one of the most essential components** and also an administrative wing of the state

# Purposes And Functions of Government

These includes:-

- ✓ *Self-preservations*
- ✓ *distributions & regulations of resources.*
- ✓ *management of conflicts*
- ✓ *fulfillment of social or group aspirations.(future interest & goals).*
- ✓ *protections of rights of citizens.*
- ✓ *protections of properties*
- ✓ *implementations' of moral conditions*
- ✓ *provision of goods & services.*

# UNDERSTANDING CITIZENSHIP

## Definitions:-

- ✓ Citizen is a person who is legally recognized as member of:  
a particular; officially sovereign political communities,  
entitled to different responsibilities.
- ✓ In a formal level, citizenship denotes to the network of  
relationships between the state and the citizen.
  - With respect to: - acquisitions and loss of a given  
country's nationalities.



## Cont'd....

- ✓ Several countries denoted as the **judicial relationship** between the citizen and the State
- ✓ Other countries denotes as the **social roles of citizens in their society**

**Generally**, the concepts of citizenship vary from societies to society, depending on the:

- **Place,**
- **the historical moment, and**
- **political organizations.**

# Cont'd...

- ✓ The common elements one can find in definitions of citizenship includes:-
  - **rights, duties, belonging,**
  - **identity and participations.**

## I)Citizenship as a Status of Rights

- ✓ a citizen makes the person creditor of a series of rights
- ✓ political discourse often tends to identify citizenship with rights
  - **Liberty(privilege right);**
    - ✓ a freedom given for the right-holder to do something
    - ✓ The beholder got benefits from liberty rights without obliging others - **right to movement**

# Cont'd.....

- Political ( first order right)

- ✓ 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

Example: private property

- social( claim right)

- ✓ the inverse of liberty rights
- ✓ enjoyed by individuals when others discharge their obligations

Example: health and education

- Immunity Rights:

- ✓ allow bearers escape from controls
- ✓ a right not to be dismissed from their job after a new government comes to power

# Cont'd...

## II) Membership and Identity

- ✓ Citizenship is associated with membership of a **political community**
- ✓ a specific identity that is common to all members who belongs to it
- ✓ Entails certain **standards of proper conduct**.
- ✓ **linked to shared** territory, common culture, ethnic characteristics, history, etc.

## III) Participation:

- ✓ occupies a key position in citizenship

### Two approaches

A) Minimalists: passive compliance with the rules

B) maximalists: imply active, broad participation of citizens engagement

# Cont'd....

## IV) Inclusion and Exclusion

- ✓ All individuals living in a particular state **do not necessary** mean that all are citizens.
- ✓ There are non-citizens visiting, working and living in a particular state
  - Such peoples enjoys rights such as the right to **life, movement, and protection of the law**
  - Follow the responsibility to respect the law
- ✓ **Political and economic rights** that are reserved to and duties to be discharged by citizens only
  - Voting, defense,.....

# THEORIZING CITIZENSHIP

✓ There are different approaches to citizenship but the most contemporary addressing the issues of citizenship are **four approaches**:

- ❑ *Liberal*

- ❑ *Communitarian*

- ❑ *Republican*

- ❑ *Multi-cultural citizenship*

# Citizenship in liberal thought

- ✓ Begins with the individual person (**the self**)
- it gives a strong emphasis to **the individual liberty** of the citizen

## In liberalism

- ✓ The primary *political unit* as well as the initial focus of all fundamental political inquiry is the *individual person*.
- Liberals insist that individual should be free to decide on their own conception of the good life.
- **John Lock (1960)**, viewed individuals as endowed with reasoning skills.

# Citizenship in communitarian thought

- The debate on citizenship as the expression of community revived with the emergence of communitarianism since 1980s.
  - Taylor's source of the self (1989).
  - Walzer's sphere of justice (1983).
  - Sandel's Liberalism and the limits of justice (1982).
  - Macintyre's after virtue (1981) were establishing the foundations of communitarianism.
- Hence, as an approach, communitarianism emphasizes on **the importance of society in articulating the good.**



## Cont'd...

- ✓ For them, **identity** of citizens **cannot be understood outside** the **territory** in which they live, their culture and traditions.
- ✓ Rules, procedures and legal policy is the shared common good
- **Communitarians view individuals as the product of social practice.**
- Deny interests of communities can be reduced to the interests of their individual members
- **For communitarian** no individual is **entirely self-created**;
- instead the citizen identity is deeply **constructed by the society**

### **Criticized-**

sacrifice large parts of their individual for shared values

# Citizenship in Republican thought

They put emphasis on **both individual and group rights**.

- ✓ It incorporates the ***liberal notions of the self-interested individual with in communitarian frame work of egalitarian and community belonging.***
- ✓ For them citizenship should be understood as a **common civic identity, shaped by a common public culture.**
- ✓ It requires citizens to **bring together to find unity** in the **midst of diversity without pressurizing them.**
- ✓ Encourages people to look for the **common ground** on which they stand, **despite their differences**, as citizens.
- ✓ Promotes an **effective balance** between **tolerations and obligations.**

# Multicultural citizenship

- Is the theory that recognizing of group deference
- For them, citizens have equal rights as individuals and have different needs and wants as members of the groups.
- Basically, multicultural citizenship emphasizes on the following principles:
  - ✓ Taking equality of citizenship rights as a strong point.
  - ✓ Recognize as formal equality of rights does not necessarily lead to equality of respect, resources, and opportunities/welfare.
  - ✓ Establishing mechanisms for group representations and participations.
  - ✓ Differential treatment for people with different characteristics needs and wants.

# **Modes Of Acquiring And Loosing Citizenship**

According to UDHR(1948) art. 15...everyone has a right to a nationality and no one shall be arbitrarily deprived of his nationality.

# WAYS OF ACQUIRING CITIZENSHIP

- ❑ Means of acquiring vary from country to country.
- ❑ However, the common ways of acquiring citizenship are :-
  - a)Citizenship by birth and**
  - b)Citizenship through naturalization/law**

# a) Citizenship from birth:-

There are **two** common principles of citizenship by birth:-

- i) Jus Soli (right of the soil or law of the soil).*
- ii) Jus Sanguinis (law of the blood or right of blood).*

✓ **Jus soli** is the principle where by an individual is obtaining citizenship status because he/she was born in territorial administration of a given country.

NB:- *Jus Soli could not apply to children born from diplomats and refugees live in a host state.*

✓ While **Jus Sanguinis** is a norm where citizenship acquired claiming one's parents citizenship status.

## b) Citizenship by naturalization

It incorporates:

- ✓ **Political case** (secession, merger and subjugation).
- ✓ **Grant on application**
- ✓ **Marriage**
- ✓ **Legitimatizations**/adoption and re-integration or restoration/

# The Modes Of Acquiring Ethiopian Citizenship

- ✓ Before 1930s, there was not officially inscribed legal document.
- ✓ But in 1930, Ethiopia adopted a legal document- **Ethiopian nationality law.**
- ✓ In recent time this document replaced by another legal document called “**Ethiopian Nationality proclamation No:378/2003.**”
- ✓ According to this proclamation there **are different model.**

These are:-

- 1)Acquisition by Descent**
- 2) Acquisition by law or naturalization**



# I) Acquisition by Descent

**Art. 6(1) of 1995 FDRE constitution** stated that

- ✓ any person of either sex shall be an Ethiopian national where **both or either parent is Ethiopian.**
- In this case principle of **jus soli or law of the soil does not work; because birth place of the child is not required.**

## 2)Acquisition by law or naturalization

### a)Grant on application(registration)

- ✓ Is the way of requesting a host state to be granted citizenship status
- ✓ According to art. 5 of the 2003 Ethiopian Nationality Proclamation, the application shall fulfill the following **criteria to be Ethiopian national:-**
  - ✓ Reach age majority, 18yrs
  - ✓ Lived in Ethiopia at least for a total of 4yrs
  - ✓ Has sufficient and lawful income(economically self-reliant)
  - ✓ Able to communicate in any of the indigenous languages spoken in Ethiopia
  - ✓ Has a good character
  - ✓ Should be a person with no record of criminal conviction
  - ✓ Has been released from the previous nationality
  - ✓ Take an oath of allegiance indicated in art. 12 of the proclamation

# Cont'd...

## **b)Cases of marriage:-**

- ✓ The marriage shall be in accordance with the laws of Ethiopia.
- ✓ The marriage shall lapse at least for two years.
- ✓ The alien married to an Ethiopian citizen have to live in Ethiopia for one(1) year preceding the submission of the application
- ✓ The alien have to reach the age of majority
- ✓ Take the oath of allegiance.

# Cont'd...

## **c) Adoption/ legitimating/**

- Is the process where by an illegitimate child get citizenship status of his/her care taker's nationality

## **d)Citizenship by special cases.**

- An alien who has made an outstanding contribution in the interest of Ethiopia get Ethiopian nationality without fulfilling the preconditions stated in art. 5 of the proclamation 2003.
- i.e. a person may not require to live in Ethiopia for 4years and may lack ability to communicate in any of the languages spoken in Ethiopia

# Cont'd...

## e) Re-admission

- ✓ Re-integration or restoration
  - A process of a person acquires his/her lost citizenship.
  - Ethiopian proclamation 2003 acknowledges this in art.22; but, the following criteria have to be fulfilled.
  - Applies to the security , immigration and refugee affairs authority for re-admission
  - She/he has to return and domiciled in Ethiopia and renounces his/her foreign nationality.

# DUAL CITIZENSHIP

- ❖ Is a condition of being a citizen of two nations
- ❖ Duality /multiplicity/ arises because of the clash among:
  - the jus soli,
  - jus sanguine and
  - naturalization.
- **But, Ethiopia prohibits dual citizenship.(art. 20(1)) of the proclamation**

# Ways of Loosing Citizenship

The common once are:-

- Deprivation
- Renunciation
- Lapse or expiration
- Substitution

# i) deprivation

- ✓ is an **involuntary** loss of citizenship due to the reason that:-
  - Uncovering national secrets
  - Non-compliance with citizenship duties
  - Loss of genuine link with his/her state
  - Flawed acquisitions of citizenship
  - Promising loyalty to serving in armed force of another country
  - Trying to over throw the government by force, etc.

**NB:-** the Ethiopian nationality proclamation 2003, art.17, prohibits the possibility of losing Ethiopian nationality through deprivation.



## ii)Lapse /expiration

- ✓ losing citizenship because of long term residence abroad beyond the number of years permitted by the country in question.

### Example

- ✓ In India, if a person permanently stays outside his/her country more than seven years, he/she automatically loss his/her Indian nationality.

**NB:-This is not applicable in Ethiopia.**

### iii) Renunciation

- ✓ is **voluntary** way of losing citizenship.
- The UDHR(1948) guarantees such rights.
- ✓ The FDRE constitution art. 33(3) and art. 19 of the 2003 Ethiopian proclamation allow renouncing.

### iv) Substitution:-

- ✓ citizenship may be lost when the original citizenship is substituted by another state, where it is acquired through naturalization.
- ✓ This may takes place when a particular **territory is annexed by another state.**

# Statelessness

- ✓ is the condition of lacking citizenship of any country and with no government from which to ask protection.

## stateless person:

- ✓ is a person who is not considered as a national by any state under the operation of its law

## **NB:- statelessness always resulted when;-**

### State failure leads people to flee

i.e. due to:

- ☐ Invasion and conquest by another state
- ☐ Civil war
- ☐ Famine or an oppressive regime
- ☐ Deprivation