

## 2 Basic Concepts in Government (I)

### 2.1 CONCEPT OF POWER

Power can be defined as the ability to cause others to take a course of action by the possession of means of sanctions which could be applied for non-compliance. Through the exercise of power, people can be made to act against their will; an example of this is the power of the school principal over the students. A power relation exists between A & B if A can influence B to do certain things even if B does not want to. The instrument of power may be physical, political or social sanction. The person wielding power can punish others if they do not obey his orders. There are terms which are related in meaning to power. These are influence and physical force.

- (a) *Influence*: This is the ability to cause others to bow to our wishes without resort to sanctions and deprivations or threat to do so.
- (b) *Physical force*: This is defined as naked power. When physical force is used to compel others to obey, it involves causing them pain, injury or death e.g. caning a child to compel him to carrying out certain others.

#### Forms of Power

Power can take three major forms, namely *political*, *military* and *economic*.

- (a) **Political Power**: This is the ability to mobilise the resources of the State in order to achieve certain desired effects with some instruments of coercion to ensure ready obedience of citizens. An example is the Federal government ban on *The Newswatch Magazine* for six months in 1987.

Political power is power of the State directed at organising and integrating the various activities of inhabitants and groups as it affects both domestic and foreign policies. Political power is exercised in the State by those who participate in decision making and in initiating policies. The political power of the State, therefore, resides in the parliament and executive.

- (b) **Military Power**: The State may find it necessary to use physical force to maintain internal and external security. When it exercises power in this manner, the power is known to be military. For example, the Nigerian army and the police were mobilised against the secessionists in Biafra in 1967 in order to keep the country one. Also, the army and the police have been used to quell riots in the country. Military power is an ingredient of political power.
- (c) **Economic Power**: This is power exercised over men, based on the possession and access to economic resources. In the State, those who own or control means of production of wealth such as factories, real estate, capital stock, etc. have a lot of economic power. They can hire and fire their workers. They influence government policies; for example, the Nigerian Chambers of Commerce, Mines, Industries and Agriculture, own and control some of the means of production of wealth in this country. They sometimes contribute inputs into the formulation of the proposals for the annual budgets. Often, the government consults them on how to disburse import licences for raw materials among other industrial and manufacturing concerns. All these are meant to seek their support in the task of revamping the economy and reducing unemployment.

#### Means of Acquisition of Power

The four different means for its acquisition are:

- (a) Acquisition by hereditary rights
- (b) Acquisition by election

- (c) Acquisition by persuasions and imposition
- (d) Acquisition by violence and coercion
- (a) **Acquisition by Hereditary Rights:** This is found in traditional societies where one's claim to political power is based on his being a member of the traditional ruling family. This produces a hereditary government. For example, the son of an Emir, Obi, Oba, Eze, or Obong ascends the throne when it is vacant.
- (b) **Acquisiton by Election:** Power can also be acquired directly from the people. This is through the means of regular periodic elections. It results in popular government. In 1979, Alhaji Shehu Shagari became the President of Nigeria by winning the presidential elections.
- (c) **Acquisition by Persuasion and Imposition:** Power can be acquired by a political leader through the weight of the strength and charisma of his personality. It produces a tyrannical government. An example is Ayatollah Khomeini of Iran.
- (d) **Acquisition by Violence and Coercion:** Power can be obtained through military force by the armed forces in a coup d'état. This produces a military government. Examples are Generals Gowon and Murtala Muhammed of Nigeria and Colonel Gaddafi of Libya.

### **Means of Exercising Power**

- (a) **Exercise of Power through Organs of Government:** The powers of government are exercised by the legislature, the executive and the judiciary. The legislature makes laws, the executive enforces the laws and implements the decisions of the parliament through the civil service. The judiciary interprets the laws and punishes offenders.
- (b) **Exercise of Power by Personal Diplomacy of the Incumbent:** This is a case where the chief executive of government takes decisions and acts promptly on a given issue. Institutions and organs of government responsible for initiating policies and making decisions are side-tracked. For example, General Murtala Muhammed resorted to personal diplomacy when he recognised the popular movement for the liberation of Angola MPLA as the sole representative of the people of Angola in their struggle for independence from Portuguese colonialism in 1975. He did not consult the Ministry of External Affairs, the Supreme Military Council (SMC), and the Liberation Committee of the Organisation of African Unity (OAU). Also, General Gowon did not consult the SMC when he donated ₦10 million to Jamaica while on an official visit to that island nation. The SMC was not consulted also when General Gowon ceded parts of the Nigerian territory in Cross River State which contains oil deposits to the Republic of Cameroun. It was in appreciation of that country's refusal to assist rebels during the Nigerian civil war.
- (c) **Exercise of Power by the Press:** The power of the press derives from its function to publish and disseminate news and information and expose the activities of government as it affects the interest of the public. Thus, its power to educate the public on the activities of government means that the press can be used to expose an unpopular government and force it out of office. It can also sustain such a government in power if these powers are not properly used. For example, sections of the Nigerian press played a major role in seeing to the collapse of the corrupt government under the second republic. The press was subjected to considerable censorship by Decree No. 4 of 1984 under the Buhari regime. This government of Buhari also collapsed partly as a result of sustained attack of its harsh laws by the Nigerian press.
- (d) **Exercise of Power through Collective Bargaining:** The labour unions have the power to compel the government to adopt policies that serve the interest of workers. This power is exercised by refusal to work or embarking on a strike action. Much money is lost per hour during strike actions. Thus, the management and the government find it necessary to negotiate with labour unions and if

need be, make such concessions as wage increase, reduction of work hours per day or per week or improvement of the general conditions of workers. Indeed, the power of workers to organise themselves into unions and seek to protect and further their interest, and the power of control exercised by union leaders over their members has enabled them to organise themselves into a political party in Britain and other countries.

## 2.2 CONCEPT OF AUTHORITY

Authority can be defined as a relationship between persons or offices in which one has the right to give commands to another who sees it as a duty to obey. It is a legitimate power. It is the power which is vested in a person because of his role and his office within the organisation. An example is the power of a principal over his teachers this he derives from his office.

The basis of the authority relationship lies in the fact that it is legitimate. The subordinate believes that the superior has the right to give such orders. Authority relationship may also be legitimised by certain traditions and customs which allow a person the right to issue authoritative decisions. Authority relationship may be a product of some body of rules such as the 1979 Constitution of Nigeria which allocates to the various governments and officials in Nigeria during the second republic.

### Forms of Authority

There are various forms of authority. These are:

- (a) Political authority
- (b) Military authority
- (c) Administrative authority
- (d) Judicial authority

- (a) **Political Authority:** This is the power to make decisions, policies, issue orders and secure the obedience of the populace based on the powers attached to the office.

The legitimacy of those who exercise political authority may be based on customs and traditions, or on a written document such as constitution or on the personal qualities of the incumbents. For example, the late Sir Ahmadu Bello, Premier of Northern Nigeria, combined all these to exercise political authority among his followers in the Northern People's Congress (NPC) and throughout Northern Nigeria during the first republic.

- (b) **Military Authority:** This is the power of the military to apply military might to achieve internal and external security.

The legitimacy of military authority rests on its professional training and constitutional powers.

- (c) **Administrative Authority:** This authority is the power of professionals in government to make decisions, policies, issue orders and secure obedience from subordinates and the populace.

The legitimacy of the authority exercised by civil servants derives from their official position and also from instruments of delegated legislation.

- (d) **Judicial Authority:** This authority is the ability of judges to issue commands and secure obedience from other arms of the government and the general public.

The legitimacy of judicial authority derives from the following:

- (i) their official position as officers of the court;
- (ii) the constitution and other documents and instruments which establish the courts of law and allot functions to them;
- (iii) the acceptance by the populace of the philosophy and principles of separation of powers, independence of the judiciary and the rule of law.

## Sources of Political Authority

Authority can be derived through the law or constitution, it can also be inherited by tradition through custom, or acquired through personal attributes. These types of authority are exercised in different spheres which are known as legal, traditional and charismatic authorities.

**(a) Legal Rational Authority:** The exercise of authority derives its legitimacy from the following:

- (i) *Certain body of rules:* In this case, persons or offices exercise authority legitimised by a certain body of rules e.g. constitutional principles, statutes, decrees and edicts.
- (ii) *Official position:* Individuals occupying positions take decisions and make orders which flow from formal positions. For instance, the permanent secretary in a government department makes an order banning street trading. He exercises the power conferred, not on his person as an individual but, on his office as the administrative head of the department. The same applies to all other officials of government and political office holders. Authoritative decisions and orders are obeyed by citizens, because of the nature of official positions, and not because of the persons who exercise them.
- (iii) *Superior technical knowledge:* The exercise of political authority also may derive its legitimacy from the superior technical knowledge and skill of those who exercise it. For instance, the head of a government health department issues a bye-law on the operation of a local government abattoir, based on his knowledge of public health and veterinary medicine. This confers rightfulness to his order in the eyes of the public.

**(b) Traditional Authority:** This is the exercise of power based on a form of rule or custom and tradition which has been in existence for a long time. Such body of rules and customs confer on persons or institutions or families preferences to rule others. Their people repose faith in them because they believe that these authorities possess the prerogative to issue authoritative orders since their customs and tradition belief system and superstition say so. For example, the Emirs have the authority to rule over their subjects because the tradition, customs, and religious beliefs in practice for centuries hold them as the 'fathers of the people'. This provides the rightfulness or legitimacy to the orders they issue and are obeyed mainly on this basis not because of fear of sanctions.

**(c) Charismatic Authority:** This type of authority derives from the belief that the individual possesses certain qualities which entitle him to obedience. The legitimacy of the orders issued by such individuals may be religious or non-religious.

The rightfulness of an order may derive from repose on faith in some scriptures which prescribe the individual as an elect of God or as possessing certain magical or supernatural powers. Thus, his followers obey him since they have supreme confidence on the rightfulness of his order. For example, Buddha and Prophet Muhammed exercised this type of authority over their followers.

The individual is seen to possess unusual ability and power, sex appeal, attraction, intelligence, eloquence, etc. These inherent qualities tend to entitle him to obedience. For example, Dr Nnamdi Azikiwe, Late Chief Obafemi Awolowo, and Late Sir Ahmadu Bello possessed some of these qualities which enabled them to exercise authority over their followers.

## Differences Between Power and Authority

Power	Authority
(1) The exercise of power is based on the possession of means of coercion and, or sanctions by the incumbent who exercises power.	The exercise of authority is based on the power attached to the office of the incumbent that exercises the power.

## Power

- (2) Obedience to an order in a power relation is based on fear of sanctions. The power may not be legitimate e.g. the power of an armed robber.
- (3) Since the exercise of power often results in resort to force, resistance to this power and coercion by citizens are met with force.
- (4) The continued reliance on naked force as a means of securing obedience in a power relation signals a legitimacy crisis in a political system.
- (5) In a power relation, subordinates may obey to avoid unpleasant consequences that follow the evocation of sanctions. In that case, it involves the loss of free will by those compelled to obey

## Authority

- Obedience to an order in an authority relation derives from legitimacy of the order on the grounds of existing rules or customs or inherent qualities of he who commands it. Authority is, thus, legitimate power.
- Confronted with an authority relation, it is the duty of citizens to obey.
- The recourse to sanctions as in the application of force to secure obedience in an authority relation is accepted by citizens as legitimate and is not a threat to stability of the political system.
- In an authority relations, it is the duty of subordinates to obey. Disobedience to authoritative orders is an abuse of free will.

## 2.3 CONCEPT OF LEGITIMACY

By legitimacy, we refer to the condition of being lawful. When we speak of the legitimacy of a course of action, we refer to its conformity with certain principles or laws. Such power is seen to be right.

The legitimacy of the political system as a whole is its quality which fosters the belief that the existing political institutions are seen as appropriate and, therefore, acceptable to the populace.

By the legitimacy of the government, we refer to the understanding that the exercise of powers of government must rest on the foundation that it has a right to govern, as well as the recognition by the governed of that right.

### Factors Affecting Legitimacy

- (a) **Homogeneity of Values:** Members of the society are likely to accept the political system and the legal order upon which it rests if they have shared values and common cultural heritage. They are, therefore, likely to have very little else which divides them that cannot be amicably resolved without compelling dissenting groups to opt for a new institutional framework and practices to give expression to their sentiments.

A very good example are the Chinese with three-quarters or more of their almost two billion population originating from Han-Chinese ethnic group. They have accepted the communist ideology and they have adopted such common national symbols as the Great Wall and Mao tse Tung who is venerated as a national hero. They also speak Chinese and have been exposed to the religious teachings of Confucius, the great Chinese saga. Given all these shared values and experiences, the idea of Chinese nationality and the political system that gives it expression is a reality. The people believe it.

- (b) **Long Period of Historical Contact and Experience:** If members of the society have lived together for a long period and have passed through similar historical experiences, this factor encourages them to accept the political system which is a product of these experiences, their cultural diversities notwithstanding. Examples are the English, Welsh and Scottish of the United Kingdom of Great Britain. They have accepted the Westminster system of government and the English language as their lingua franca. These legitimising factors find expression in the Union Jack - the British national flag.
- (c) **The Existence of Common Symbols and National Holidays:**  
These provide the nucleus on which crystallised sentiments of love of one's nation is attached. They represent a common heritage for people who live under the same political system. As such, they see this existence as their duty to ensure the survival of the system. In Britain, the monarchy is a symbol of national unity and national morality and hence, a seal of legitimacy of the political system. Also, memories of national heroes such as the Duke of Wellington, Horatio Nelson, Sir Winston Churchill arouse sentiments of nationalism. In the United States, Presidents Washington, Franklin D. Roosevelt are venerated as founding fathers of the nation, while the birthday of the late civil right leader, Martin Luther King, is observed as a national holiday. The national flag and the statue of liberty are also unifying and legitimising factors in the United States. In Nigeria, some of our leaders who have made important contributions to the development of the nation have been recognised as national heroes, and they serve as symbols of legitimacy. These include Sir Herbert Macaulay, Sir Alhaji Tafawa Balewa, Alvan Ikoku and General Murtala Muhammed. The singing of the national anthem and saying of the national pledge during morning assemblies in our schools and at public functions are also measures designed to inculcate the spirit of nationalism in Nigerians and provide symbols for legitimising the political system.
- (d) **Good Government:** This refers to the performance of the government. That is, the extent to which the political system satisfies the basic expectations on which rest the concept of government and governing in the opinion of the populace and of influential groups in the political system. In some countries, such as Britain, France, United States and Soviet Union, the armed forces, the business and international community, and professional bodies have no doubts in their minds about the ability of the government to cope with the day-to-day problems of fulfilling its most basic obligations such as maintenance of law and order, customs services, conduct of diplomacy, foreign trade, local government and the provision of social amenities and infrastructures. These functions, when executed by the government, tend to confer on them a measure of legitimacy in the eyes of the populace. From these, spring their right to govern and the recognition of that right by the populace. In some francophone countries such as the Niger Republic, Chad, Burkina Faso and Togo, basic infrastructures and national income are propped up by France, their former colonial master. These developments tend to undermine the legitimacy of these regimes, not only in the eyes of their populace but also foreigners.
- (e) **Economic Growth and Industrialisation:** Wealth and economic progress tend to increase the tendency for members of the society to accept the present arrangements in the political system, provided the large majority is not totally excluded from the fruits of economic boom and industrialisation. This accounts for the relative stable political system in advanced industrial countries of Western Europe like Britain, Sweden, France, Western Germany and the United States of America in the post-world war II period. Wealth and economic boom tend to open up vast opportunities for individuals and groups to advance according to their abilities. They, therefore, tend to accept the existing economic and political institutions and practices as viable, effective and enduring.
- (f) **Existence of the Basis for Collective Bargaining:** The existence of institutions for collective bargaining ensures that groups seeking certain economic rights and concessions will find basis for

orderly negotiation. Otherwise, if they are not attended to and they remain excluded from the mainstream of the economy, chances are that they will seek violent means to express their grievances and use this to try to attain their objectives. This underlies the need for such organisations as the Nigerian Labour Congress (NLC) and the Industrial Arbitration Panel (IAP).

- (g) **Popular Participation:** In the making of both political and economic policies and in the choosing of political leadership, popular participation helps to ensure support for an acceptance of the political system. This means that provisions must be made for such institutions as political parties, pressure groups, labour unions, free press and the establishment of certain economic and political rights. If these measures are not taken, loopholes would be created for some groups to usurp political power and try to use force and violence to legitimise their government in the face of popular resistance to it.
- (h) **Ability to Use Sanction Creatively:** This has to do with the manner in which political power is exercised by those in authority. The existence of rules and other facilities provides basis for the exercise of authority. But often, there is the temptation to rely too much on the use of coercion in extracting obedience. More emphasis should be on threat of sanctions as against their application for the purpose of securing obedience. All the same, those in authority must demonstrate resolve or readiness to apply sanctions in the event of disobedience. Any responsible government must try to maintain a balance between these two options. Indeed, one of the evidence that the legitimacy of a regime is being eroded is when it is unable to act in open and when there is reckless break of law and order as well as its tendency to increasingly resort to naked powers.

### **Legitimacy and Political Stability**

A number of factors also account for crisis of legitimacy and instability of the political system. These are outlined below.

- (a) **Rejection of Existing Political Institutions and Practices by Some Groups:** Some groups may begin to question the existing political institutions and practices because there are still outstanding issues that are yet to be resolved among various groups in the political system. Conflicts which result from this kind of demand may threaten the stability of the political system. For example, outstanding issues that are yet to be fully resolved in the Nigerian political system include:
  - (i) creation of more states;
  - (ii) religion - the question as to whether or not Nigeria is a secular state;
  - (iii) the formula for rotation of national leadership and distribution of social and economic opportunities among different ethnic groups;
  - (iv) party system; that is, whether one-party system or multi-party system;
  - (v) the economic system; that is, whether socialism or capitalism, or mixed system.

It does happen that some groups will begin to oppose existing values in the political system. They may organise around these values, and conflict arises when they begin to ask for a new set of policies or even a new social and legal order to give expression to their interest and values. For example, in Nigeria, a cross-section of the society which includes workers, academics, politicians, students and members of professional bodies have expressed opposition to the capitalist system and the exploitation which it breeds. They have, therefore, called for a new economic, social and legal order based on socialist system.

- (b) **Transition to New Social Structure:** Legitimacy crises may result from transition to new social and economic structures. An example is the transition from a peasant-based agricultural society to an industrial society as in Nigeria. The revolt of peasants otherwise known as *Agbekoya* riot in the former Western Nigeria and the *Bakolori* revolt in Niger State indicated the desire by the people to effect a change in their political and economic conditions. Peasants are excluded from the benefit

of high incomes and social amenities in the area. They therefore, feel they do not have any in the new political and economic institutions and practices created by the economic development and oil boom. This legitimacy crisis is also expressed by the rural - urban migration, as the rural poor seek to have their own share of the good things of life in urban areas such as Lagos, Ibadan, Kano, etc. This results in more problems such as poor housing for the urban poor, prostitution, armed robbery and juvenile delinquency. Also, the oil boom and highly lucrative, commercial activities during the period created a new class of the super-rich from urban middle class. But, in the present post-oil boom era and period of economic hardship, the middle class, now hard pressed, may opt to align with workers and peasants to demand new economic rights. If the demand is not met, this, in effect, threatens the political stability of the country.

- (c) **Intra-elite Struggles:** In some countries, the question on political institution and practices acceptable to the populace has been partially resolved. But legitimacy crisis may result from intra-elite conflict over differences in interest and policy preferences. Such groups may have it as an objective to capture political power at the polls or in a coup d'état so as to actualise their policy preferences. This legitimacy crisis often results only in changes in the personnel of government and policies without drastic alteration of institutional patterns and established values and practices. The changes in government since 1960 are of this nature. These intra-élite class struggles have featured the following actors: political élite, military - bureaucratic élite, the feudal class, and economic and business classes.
- (d) **The Demand for Economic Rights by Workers:** Legitimacy crises may also arise as a result of refusal to fulfil workers' and peasants' demands for economic and political participation. Class conflict usually ensures the necessity to scrap the institutional structures and practices which preside over their exploitation. If they succeed, a new political system emerges with new principles of legitimacy.
- (e) **Weak Institutional Framework in Post-colonial States:**

Post-colonial States tend to inherit institutions and practices from the colonial regime following independence. The institutional framework is weak because the people involved are yet to develop the necessary attitudes needed to operate this framework. Thus, the gap between institutional framework and attitudes tends to weaken the legitimacy of the regimes of new States as they try to deal with problems of economic development. This leads to demand for changes in the leadership. The ensuing struggles result in political instability.
- (f) **Crisis of Unfulfilled Expectations:** Legitimacy crisis may also arise when the expectations, yearnings and aspirations of the people in post-colonial States fail to be fulfilled by the politicians. During elections, politicians give a lot of political promises to the people. But when they are elected, they turn their backs on the people. They fail to keep to and fulfil their political promises. Instead, there is corruption and maladministration. Thus, the expectations of the people raised during the election campaigns are not fulfilled, making them disappointed. The military rulers who take over from politicians cannot contain the legitimacy crisis either. This is because they are not elected by the populace. They are, therefore, unable to mobilise the people towards the realisation of these objectives. Thus, a new set of military rulers takes over power in a counter-coup. A vicious circle of poverty and political instability is forever introduced within the political system.
- (g) **Election Robbery:** The last but important fact is getting to political office through election robbery. When elections are not free and fair, the resultant government lacks legitimacy and this creates situations of political instability.

## 2.4 CONCEPT OF SOVEREIGNTY



Sovereignty can be defined as that attribute of the State which enables it to exercise supreme authority within its territory without any external controls. It is the absolute power of the State to make and enforce laws within its territorial jurisdiction without any external restraint. Nigeria is an example of a sovereign nation which exercises her sovereignty by making and enforcing laws within her territory without external control.

### **Origin and Development of the Concept**

The concept of sovereignty was developed during a period of crisis. The rulers of the European States quarrelled with the Pope over the doctrine and practices that all Christian States formed one big political unity called Christendom. The Pope was both a political and spiritual leader. There were also conflicts between kings of these States and their nobles over the limits of kings' powers. The concept 'sovereign' came to be associated with the kings of these States and the States which broke away from the Pope's control. They expressed strong desire to exercise full authority over their States without interference from the outside or any limitations from nobles within their borders. This led to violence and loss of property. So political thinkers such as Jean Bodin, John Lock, Hobbes and Rousseau who developed the concept, further came to the conclusion that if the State is to survive the forces that threaten to disintegrate it, it must have some definite authority which must be obeyed by all within its borders. At the same time, it must not be subject to any external control or authority. Thus, recognising and identifying one supreme authority in the State was their ultimate solution to anarchy. However, suggesting as to where to locate this supreme authority of the State differed from one to another. Among those political philosophers, Jean Bodin was the first to develop this concept of sovereignty and introduced it to the field of political science.

### **Attributes of a Sovereign State**

A sovereign State has the following attributes:

- (a) It is independent from external control such that its internal and external affairs are not controlled by other powers. It could enter into any treaty without reference to other nations.
- (b) It has powers to make and enforce laws within its territory, and secure the obedience of its citizens and persons within its borders. It can utilise an amount of coercive powers it cares to apply to enforce its will.
- (c) It has the right to protect itself from external aggression by going to war with the enemy, if there is any threat or violation of its territorial integrity.
- (d) Sovereign States have the right to claim equality in their relations with other States e.g. membership of AU or UNO.
- (e) Sovereign States reserve the right to associate with other States in international organisations such as the United Nations Organisation (UNO), African Union (AU), and so forth on equal basis irrespective of their size, population and wealth.
- (f) The sovereign powers of a State are indivisible and inalienable. They are legally absolute.

### **Types of Sovereignty**

There are basically four types of sovereignty namely, external, internal, political and legal.

- (a) **External Sovereignty:** This is the supreme power of the State over its territory and inhabitants without any foreign control. The sovereign State is independent of any external authority. It is free from control exercised by other States or organisations within the international political system. The notion of external sovereignty suggests that States can behave as they like without having anybody to call them to order. However, this is not the case in reality. If it were so, it would lead to conflict and chaos in the international system. In practice, States must reach some understanding with other States on the nature of relations they should establish. This involves their giving up aspects of their sovereignty. It is more so if they are members of international organisations such as the AU, UNO, etc. For example, they are expected to carry out the decisions and resolutions of

these organisations, obey international agreements with other countries and respect international laws and conventions. Therefore, the sovereignty of Nigeria or of any other independent sovereign State is only to the extent that each country manages its internal affairs without undue interference from outside powers. It also implies the ability to conduct its diplomacy through its own nationals rather than depend on foreign countries for these services. These are the essence of external sovereignty of a State. It does not mean that States are above international law and order and international morality.

- (b) **Internal Sovereignty:** This refers to the ability of the State to exercise power over its own nationals. Thus, citizens should give absolute loyalty to the State. But the State has duties and obligations towards them too. For example, it expresses their general will. It also provides them opportunities to live a useful life. The State must do all these since membership of the state is compulsory. The State exercises its powers through its agents. This demands that sufficient limitations must be placed on its powers, thus, limiting its internal sovereignty. This is necessary since its agents may be tempted to abuse these powers which can easily happen because they also have their own vested interest to pursue. The possible abuse of State powers can be checked if an internally sovereign State has a responsible government that satisfies the following conditions:
- (i) State agents can only be made responsible and effective if in advance, sufficient methods for dismissing them are documented.
  - (ii) State agents must be made to consult the people before taking action on major national issues.
  - (iii) The period of office of agents must be limited.
  - (iv) The election of the agents into office in the first place must be by the electorate.
  - (v) There must be freedom of association and freedom to join or form political parties and trade unions.
  - (vi) There must be freedom of the press to check abuses of fundamental rights.
  - (vii) There should be approximate economic equality.
  - (viii) There should be in existence an organised and informed public opinion.
- (c) **Political Sovereignty:** The supreme power of the people to establish a government of their choice is called **political sovereignty**. This is also called popular sovereignty. The people exercise their power through periodic regular elections. Through the instrument of election, the people determine the type of government they wish to have. It is clear from this that the 'people' here refers to the electorate who actually vote in election. Thus, for political sovereignty to be meaningful, there should be universal adult suffrage. Moreover, the voters should be a body of enlightened, politically conscious citizens who can make rational decisions on political issues. The people also exercise their 'supreme power' of the State through plebiscite or referendum, recall of legislators or the executive (where such is in practice), and the expression of public opinion. The weight of public opinion has the power in a democratic society of directing the course of government. It can also remove an unpopular government. However, in some societies especially in developing nations, the people are 'powerless'. This is caused by mass ignorance, political apathy and mass poverty.
- (d) **Legal Sovereignty:** The people exercise the supreme power of the state indirectly. The actual power of the State is exercised by the government. This power of the government to make and enforce laws for the welfare of the State is called legal sovereignty. This is mandated power. Legal sovereignty is the power which the government exercises as a trustee of political power on behalf of the people who are the beneficiary of this trusteeship. The government; the executive, the legislature and the judiciary, exercises the real power of the State. This power is vested in the government by the people under the social contract. Thus, the government exercises the power which ultimately belongs to the people.

## **Limitations of Sovereignty**

- (a) **Practical Experience:** One of the major limitations of sovereignty of nations as a concept is that no nation has the supreme, unlimited and indivisible powers attributed to it. In practice, powers of the State are usually divided among the various organs of government such as the legislature, judiciary, and the executive. It is not possible to satisfy the theory by some political philosophers that a sovereign State must be determinate and indivisible.
- (b) **Safeguards:** It is often the case to introduce safeguards to check those who exercise powers of the State. For example, the parliament can have its decisions vetoed by the chief executive. The electorate can exercise the power of recall on their representatives in parliament or even the executive. They can also exercise the power to vote them out in the next election. Public opinion is also another safeguard against misuse of supreme authority.
- (c) **Difficulty of Locating the Sovereign:** It is difficult to locate sovereignty in some States such as the Federal States. This is because the federal and state governments are coordinate in powers and share the political powers of the State. It is mainly in matters of defence, customs and excise, and foreign relations that the federal government has exclusive powers to act for the whole. This situation serves to limit the concept of sovereignty as it is defined.
- (d) **Membership of the International Political System:** Nation states need to have intercourse with other States in the international political system. For example, they may become members of international organisations. There is need for them to trade with one another or exchange cultural programmes, sign treaties of friendship, etc. These relations tend to limit the extent to which they will want to exercise supreme authority in the international system. They must give and take, concede to other nations when necessary. In this way, they further their legitimate interests.
- (e) **Economic, Technical and Military Aids:** Some nations are weak and poor. Therefore, they need economic, military, as well as technical assistance. In return, such States are duty bound to support the policies of donor countries in international form. This tends to limit the extent to which such weak and poor countries can exercise full sovereign powers in international political system.
- (f) **Dangers Inherent in Exercise of Sovereign Power:** If nation states were to exercise full sovereign powers, it will lead to conflict and chaos in the international system. This will introduce a most dangerous situation such as war. In this age of nuclear technology, a nuclear war will certainly spell disaster to mankind.
- (g) **International Laws and Treaties:** Sovereign States are compelled to obey international laws and treaties to which they are signatories. This ensures peace and world order.
- (h) **Customs and Traditions:** The sovereign power of the State is limited by customs and traditions. States should respect their people's customs and traditions. They should not make laws to abolish the cherished traditions and customs of the people. For instance, in spite of the fact that chieftaincy institution is redundant in Nigeria, the Nigerian State has found it difficult to abolish it.

## **The Location of the Sovereign**

Political philosophers differ in their opinion as to where to locate the supreme and indivisible powers of the State. We shall now consider some of the views they have expressed on this.

- (a) **Location in a Monarch:** Jean Bodin suggested that the absolute powers of the State should be located in a monarch. But in modern states, no such monarch exists who exercises absolute powers over his subjects. Usually most modern monarchs reign but hardly rule. There are institutions, such as parliament, and executive bodies through which modern monarchs rule. These bodies have a way of exploiting the complex processes and machinery of government to circumscribe the powers

of the monarch. Ethiopia under Emperor Haile Selassie, the Saudi monarch, the Moroccan monarch are good examples. Reigning monarchs such as the Queen of England, do not as a matter of convention veto the Acts of Parliament.

- (b) **Location in the Parliament:** John Locke suggested that the supreme powers of the State are located in the parliament. He argued that since the parliament is elected by the electorate who indeed are the sovereign, the parliament, therefore, exercises power on their behalf. This is the principle of representative government.
- (c) **Location in an Assembly of the Citizens:** Rousseau suggested that it was actually an assembly of the citizens that should have the sovereign powers. He did not accept the idea of representative government. But in modern times, it is not possible for all citizens to assemble in one place to take decisions on day-to-day affairs of the State. This was only possible in small city states of Greece such as Athens.
- (d) **Location in the King-in-Parliament or Legal Sovereign:**  
Professor A. V. Dicey suggested that the sovereign powers of the State can be located in the king-in-parliament. This is what he called the legal sovereign whose command is law. By this, he meant that sovereignty of a State is vested in the king acting through parliament. Thus, in Britain, the law is made by the Queen-in-Parliament. But the ultimate power of this State lies with the people.
- (e) **Location in the Electorate:** Professor A.V. Dicey also suggested that the sovereign powers of the State can be located in the electorate. Since the sovereign is a determinate and invisible body, the electorate could possibly be the sovereign. This is because the electorate has never been known in modern times to have organised themselves to exercise such powers. They have always done so through such bodies as the parliament.
- (f) **Location in Federal States:** The sovereign, in unitary States such as Britain and Ghana, is suggested to be located in the executive and parliament. In some unitary States such as Belgium, the sovereign cannot be precisely located. This is because both federal and state governments tend to share powers of the State and government. Both exercise legislative and administrative powers in the spheres allocated to them by the constitution in which they possess independent powers.
- (g) **Location in the Amending Powers of the Constitution:** Some political scientists argue that sovereignty is located in the body that is empowered to amend the constitution. Generally, the body that is empowered to amend the constitution in a unitary system is the central legislature, and in a federal system, it is collectively the legislatures of the federal and constituent (state) governments. But ultimately, the voters who elect the members of these legislatures indirectly hold the ultimate and final power in determining the type of government in a State.

## CONCLUSION

The executive and legislature cannot be said to be sovereign since they do not possess absolute power. They are elected by the people and exercise their power on behalf of the people. The people, on the other hand, are not sovereign since they cannot directly make and enforce laws. Where then lies sovereignty?

Sovereignty lies with legal-political sovereignty. That is, it is located jointly in both the people and the government. The people constitute the source of sovereignty while the government exercises it on behalf of the people. None of them can claim exclusive power over it. It is a joint possession.

## KEY POINTS

### *Concept of Power*

- (a) *Definition:* Power can be defined as the ability to cause others to take a course of action by the possession of means of sanctions which could be applied for non-compliance.
- (b) *Terms which are related to power are:*
  - (i) *Influence:* The exercise of influence goes without sanctions or deprivations.
  - (ii) *Physical force:* This is a means of causing others pain, injury or death and can be used to secure obedience in a power relation.

### ***Forms of Power***

#### **(a) *Political power***

- (i) Political power is the ability to mobilise the resources of the State in order to achieve certain desired effects with some instruments of coercion to ensure ready obedience of citizens.
- (ii) Political power is employed by the State to regulate and integrate the various activities of individuals and groups in relation to domestic and foreign policies. It is exercised by the parliament and the executive which initiate and make decisions.

#### **(b) *Military power***

Military power is exercised by the State when it resorts to force in order to maintain the internal and external security of the State.

#### **(c) *Economic Power***

This is power exercised over man, based on the possession and access to economic resources by men and groups who wield it.

### ***Means of Acquisition of Power***

- (i) *Acquisition by hereditary rights:* This is power acquired by virtue of being a member of a traditional ruling family.
- (ii) *Acquisition by election:* This is power acquired directly from the people through a regular and periodically-held election.
- (iii) *Acquisition by persuasion and imposition:* This is power acquired by a political leader by means of his charismatic personality.
- (iv) *Acquisition by violence and coercion:* This is power acquired by the military through a coup d'état.

### ***Means of Exercising Power***

- (i) Power is exercised through the organs of government.
- (ii) Power is exercised by personal diplomacy of the incumbent.

### ***Concept of Authority***

*Definition:* Authority is a relationship between persons or offices. The superior secures the obedience to his commands from the subordinate who sees it as a duty to obey.

### ***Forms of Authority***

- (i) *Political authority:* This authority is the power to make decisions, policies, issue orders and secure the obedience of the populace based on the power attached to the office.
- (ii) *Military authority:* This is the legitimate power of the military to apply military might to achieve political ends.
- (iii) *Administrative authority:* This is the power of professionals in government to make decisions, policies and issue orders and secure obedience from subordinates and the populace.

- (iv) *Judicial authority*: This authority is the ability of judges to issue commands and secure obedience from other arms of the government and the general public.

### ***Sources of Political Authority***

- (a) *Legal authority*: This an authority which derives its legitimacy from a certain body of rules, impersonal network of positions and superior technical knowledge.
- (b) *Traditional authority*: It is authority based on a form of rule or customs and tradition which have been in existence for a long time, and which confer on persons or institutions or families preferences to rule others.
- (c) *Charismatic authority*: It is an authority which derives from the belief that individuals possess certain qualities which entitles them to obedience.

### ***Differences Between Power and Authority***

In a power relation, superiors secure the obedience of subordinates by threat to evoke sanctions. But in an authority relation, subordinates see it as their duty to obey the orders of their superiors. The legitimacy of those who exercise authority derives from their official position, a body of rules, their personal qualities and certain traditional principles.

### ***Concept of Legitimacy***

#### ***(a) Factors affecting legitimacy***

- (i) Homogeneity of values promotes legitimacy.
- (ii) Where there is a long period of historical contact and experience, legitimacy is encouraged.
- (iii) It is also promoted by the existence of common symbols and national holidays.
- (iv) Where there is good government, legitimacy is ensured.
- (v) Economic growth and industrialisation promote legitimacy.
- (vi) Existence of the basis for collective bargaining promotes legitimacy.
- (vii) Popular participation ensures legitimacy.
- (viii) Ability to use sanctions creatively promotes legitimacy.

#### ***(b) Legitimacy and political stability: Determining factors***

- (i) Rejection of existing political institutions and practices by some groups may cause conflict which may lead to political instability.
- (ii) Also legitimacy crisis may arise due to sharp cleavages among groups which organise around different values other than existing ones in the political system.
- (iii) Intra-elite struggles: These struggles over differences in policy preference may lead to legitimacy crisis.
- (iv) The demand for economic rights by workers may also cause legitimacy crisis.
- (v) Also the gap between weak institutional framework and attitudes needed to operate them in post-colonial states tend to result in legitimacy crisis and political instability.
- (vi) When the expectation of the populace remains unsatisfied by their political leader who had promised them heaven and earth during elections, but instead resorted to corruption and oppression, legitimacy crisis arises.

### ***Concept of Sovereignty***

- (a) *Definition*: Sovereignty of a State refers to that attribute of it to exercise supreme power within its territory and manage its own affairs without any external control.

#### ***(b) Attributes of a Sovereign State***

- (i) It is independent of internal and external control by any power.

- (ii) It has the right to enforce its laws upon its citizens.
- (iii) It has the right to protect itself from external aggression and internal revolt by resorting to force.
- (iv) It has the right to claim equality with other States in relation with it.
- (v) It is entitled to respect from other States and it has the right to take action against States which violate its sovereignty.

### ***Types of Sovereignty***

- (i) *External sovereignty*: This is the supreme power of the State to conduct its affairs within its territorial jurisdiction without any external control.
- (ii) *Internal sovereignty*: This refers to the power of the State to exercise power over its own nationals.
- (iii) *Legal sovereignty*: This is the power of the government to make and enforce laws for the State.
- (iv) *Political sovereignty*: This the ultimate power of the people to establish a government of their choice.

### ***Limitations of Sovereignty of States***

- (i) In practice, no person or group in a nation-state exercises the supreme power attributed to a sovereign State. Powers of the State are usually divided among the various organs of the State - the legislature, etc.
- (ii) Also in practice, safeguards are introduced as a check against the abuse of powers of sovereigns.
- (iii) Legal sovereign is responsible to political sovereign.
- (iv) The fact that nation states must give up some of their powers and, or interest in order to associate with other States in the international political system suggests a limitation on the sovereignty of State.
- (v) Weak and poor States receive economic, technical and military aids from strong and rich States thereby limiting their sovereignty.
- (vi) International laws and treaties limit sovereignty.
- (vii) Customs and traditions also limit sovereignty.

### ***Location of Sovereignty***

Sovereignty is located in legal-political sovereign.

## **SAMPLE EXAMINATION QUESTIONS**

### **Essay Questions**

1. What are the differences and similarities between power and authority?
2. What are the main factors affecting legitimacy?
3. What is sovereignty? Discuss its limitations.
4. Discuss the various means of acquiring political power in a State.
5. Write short notes on
  - (a) Political sovereignty
  - (b) Legal sovereignty
  - (c) Location of sovereignty
  - (d) Forms of authority

### **Objective Questions**

1. An indispensable element of authority is
  - (a) legitimacy.
  - (b) coercion.
  - (c) physical force.
  - (d) sovereignty.
2. One of the limitations of sovereignty is
  - (a) authority.
  - (b) moral justice.
  - (c) treaty.
  - (d) separation of powers.
3. One of the sources of political authority is
  - (a) judicial authority.
  - (b) administrative authority.
  - (c) military authority.
  - (d) legal authority.
4. An indispensable requirement of legitimacy is
  - (a) conformity with rules and principles.
  - (b) power.
  - (c) physical force.
  - (d) influence.
5. Sovereignty is located in
  - (a) the armed forces.
  - (b) the supreme court.
  - (c) the legislature.
  - (d) legal-political sovereign.

### **Answers to Objective Questions**

1. a
2. c
3. d
4. a
5. d