

Though together and
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certain



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Though we do not equate the State with society, yet the State provides the framework of the social order. The State, as Laski says, is a way of regulating human conduct and it prescribes rules of behaviour by which men must regulate their lives. The State, as such, represents the highest form of social organization. It exists to regulate and cement social relations. It binds people together and enjoins upon them certain uniform rules of behaviour without which a well-ordered social life is not possible.

Society, in brief, is held together by the State. But the State is an agent of society and as an agent of society, it has certain rights. Like all other rights, the rights of the State, too, are relative to its functions. The State is, accordingly, not exempt from the imperative: " Thus far and no further", to which all agencies of society are subject. The distinction between the State and society is all the more necessary to understand, because the will of the State is in actual operation the will of government.

The sovereignty of the people is, no doubt, a dogma of democracy and it is the basis of all political decisions, but in actual practice it is nothing more than an indication in a vague manner of the general direction in which the sovereign people wish to see events move. The effective source of State action is the small number of men who constitute the government and whose decisions are legally binding upon the community. If the State and society were to be identical, all human relations and social activities will ultimately be at the mercy of the few men who constitute the government and act on behalf of the State.

In the name of the general welfare and common interest the government may prescribe anything. Its interference in the social order may become all-comprehensive, and instead of acting as an agent of society for the maintenance of rights of man, it may begin creating rights “ as the lordly dispenser of gifts.”