

**The State – Nation Imbalance.
Peace and Complex Circumstances**

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Abstract: The defining reference points of this paper take into consideration the creation of several scientific premises which would structure the approached issue - constitutional state (nation) correlated with the term security – by reference to the current international context coordinates. The goal of the proposed approach is organizing the elements which define the security of the constitutional state from the perspective of the coexistence between peace and complex situations (crisis and war). In the effort of organizing such a scientific matter, we attempted to realize clear, concise boundaries by means of research – the study and analysis of conflicting phenomena (conclusive factors / consequences). Thus, we pointed out the role of the modern constitutional state in the current context, the inference between the state – nation balance, through its components, to preserve peace and nation security through efficient management of complex situations.

Keywords: nation; constitutional state; security state; crisis; war state

“In each action we must look beyond the action at our past, present, and future state, and at others whom it affects, and see the relations of all those things. And then we shall be very cautious.”
Blaise Pascal, Thoughts

1. Introduction

Regarded as the result of affixing the social status to the biotic one, society is the expression of successively building human organizations out of interest, joined with necessities and social values. Instantiating the defining elements of the society evolution emphasize the morphological unit of humanity – the community – whose current correspondent is the nation.

The people reinforce the individuality and sustentation of the nation (social „Corpus”). Through the people, the nations succeeded in imposing the right of existence at the time of building and preserving the state as an organization which manages social necessities.

Within state entities, nations build organizations (public or private, with precise functions – economic, political, cultural) which are necessary for the development of resources, management of social necessities and people socialization, having the following functional typology:

- productive;
- management – specialized in normative and administrative activities (political structures, legislative structures and public administrations) regarding human relation, people and organizations relation and organizational relations. This category includes the military organizations (army forces), the army, intelligence services and the structures that ensure public order;
- integrative – have as result public social processes (civic, professional, private organizations, such as families, associations and foundations).

The human society dynamics at the beginning of the millennium, with turbulence, complexity and globalization as defining elements, generates opportunities and threats concerning the security of nations and organizational forms through which they self manage (the states).

Controversy is omnipresent in the human society and it represents the conflict state between states, organizational forms or between states and organizational forms and it evolves from dissension, tensions and conflicts.

2. Peace and Complex Circumstances. The State – Nation Imbalance

The state represents the society consisting of governors and governed people, as a human community (people) subjected to a common authority, constituted on a private territory and having specific characteristics. Its functionality is determined through legal rules – rules that establish the rights and obligations of the subjects of social relation which they make clear, generally compulsory, and impersonal, established or agreed upon by the state, and which can be imposed, if needed, through the state’s coercion force. In this context, it is the state that manages the

nation and adjusts the socio-political processes, ensuring law abidance, the proper functioning of public administration and protecting the society against aggressions (including the use, in the long run, of organized and legitimate violence, to which it holds the monopoly).

The norms and basic principles of a state are consecrated by the constitution in what the relation between the powers is concerned (legislative, executive and judicial), between the governors and the governed people, as well as the regulation of the rights and liberties of the citizens.

In modern society, the recent valences of the power separation theory (as a result of the socio-political organizations diversification) disclose the movement towards the perspective of power equilibrium (not their separation), with the tendency of conferring the executive power the task of important political decisions, and the representative assembly the role of government control.

The state, as an organized form of political power, represents an institutionalized juridical order, in which, through association, the accomplishment of a common goal is followed. Through the governors, the state arrogates the functions of defending the established order, of imposing the judicial cause to the existent controversies, of protecting the society through political- juridical instruments against internal or external aggressions, and of using, in the long run, of organized and legitimate violence.

The institutions are the governmental instruments in a state, seen as management mechanisms whose main reason of existence and functionality is the identification of, prevention from and counteracting the insecurity sources, being invested to create and use power resources – information, funds and force. It is the institutions that create the laws (The parliament – supreme legislative institution which expresses the sovereign will of the people), those that manage and deploy activities of execution organization and complete application of the laws (by the means of central authorities – government, ministries, departments and local authorities – prefectures and city halls; this activity is concreted in juridical plan through administrative paper that needs to be compliant to the legislation), respectively those which sanction the actions generating unorganized processes (the justice – ensures constitution supremacy, as the supreme law, but also the protection of fundamental rights and liberties).

The state law is a reflection of the democratic state and it is founded on constitution and on the other bills that make up the juridical triangle, having as fundamental principle sovereignty (Maftai, 2010, pp. 51-52) – the nation's supreme juridical authority of issuing laws and imposing their application in a certain territory, and consequently, its independence towards the authority of any other nation and its equality according to the international right.

The characteristics of sovereign political- state entities are constituted from the following factors:

- external recognition (as international right subject, through which the political-territorial organization has become a state) and internal recognition (through which the territorial state has converted in nation state – legitimate organizational form, necessary to the self-management of the nation) that sustain the legitimacy and exclusive authority of the state entity of interfering inside its territory;
- power resource control tenure (information, capital and force);
- governments' goals achievement, such as: security, state law, national identity and social welfare.

In modern democratic states, authority arguments have been almost completely removed. State power legitimacy results not from its sovereignty, but from the democracy principle and majority one. In modern times, there are opinions according to which sovereignty has become anachronism, since it affects the constitution of international collaboration forms, necessary to conjointly fulfill some of the governments' goals (the states being incapable of fulfilling them unilaterally).

The rise of interdependency between state entities limits their autonomy (which derives from inter-state agreements), a fact which imposes changes in sovereignty approach¹, given the creation of transnational mechanisms based on centralized governing or state consolidation in supranational organizations in order to solve the discords of contemporary era (reorientation from nations' interest balance to providing them).

To this end, sovereignty dissociation implies re-dividing state power between a national and a multinational state power (established gradually). Thus, state structures evolve to over-statal ones, based on economic factors especially (eliminating the boundaries of free trade, that imposes overtaking the national

boards and organizing economy in a single collectivity). Common exertions of a sovereignty part at the state community level, through delegating certain decision powers so as specific problems resolutions could be adopted democratically, leads to obtaining power and influential potential that couldn't be obtained if the operation would be personal.

In what the competence transfer theory is concerned, sovereignty would transpose in an extended cooperation in which state entities consensually arrogate sectorial competences, which could have as result acquiring power resources by the strongly industrialized states and limiting the competences of the developing states.

State entities can be seen as:

- supremacy centers – whose purpose is to govern and manage the social in the benefit of some socio-political groups – through supervision, domination and obedience of the masses;
- national states – the legal, political and administrative expression of managing the nation through people will (democracy).

The mission of the national state is the governing of the nation in security state (it ensures the defense, security and public order needs without resorting to repression or terror, by maintaining the military organizations in the legal regulations).

In modern society there are socio-political groups that aim for the monopoly, tenure and control of the resources of their own state entity (inefficient / violent governing) or of other nations (expansionist pressures). Their measures usually conjugate with the aggressions occurring outside the reference state. Satisfying a nation's interest by means of the self-management mechanism (the state) is influenced by the other socio-political entities that promote the goals of the nations of interest groups they represent (they can exert ideological, economic or military pressures destined for the domination of other peoples or appropriation of their resources).

As a result, the relations between socio-political organizations are, generally asymmetrical, being followed by selective disorganization (economic or informational aggressions) or destructive disorganization (for some organizations).

We may consider as leading cause of dispute imbalance between state – nation (this concept is about inconsistency of ethnic, national and political borders, and power of the state). Through its components – imbalance and inefficient / violent

governing – it affects the stability of the regional security circumstances (state groups characterized by a certain degree of geographical proximity and strategic interaction or security interdependence).

Incongruity is the inconsistency between national identity and territory, borders, taking into account that these have been usually stated through confrontation. External incongruity determines inter-statal territorial conflicts (unifying pan-national movements), whereas internal incongruity generates intra- state conflicts that pursue secession (creating new states).

In the weak states, inefficient governing generates scattered violence (behaviors, disputes and rivalries), and the violent governing controls, dominates and subjugates people through tyranny / despotism (exercise of power in one's own interest), repression (the main resource through which opposition is countered) or terror (a form of extreme violence used to repress any attempt of overthrowing the government).

Such deficitary governing methods, as centralized decision-making (political power focused on the power resources – information, fund and strength) and total ideology (the superiority of political orientation over social orientation), limits thereby the people possibility of using their own resources, defining and satisfying their social needs, the result being the nation decreased capacity to protect their values and interests through state (socio-economic inequality and political imbalance).

3. Constitutional State and Peace

Through the concept of irenology (from *eirene*, meaning peace in Greek and *logos*, meaning science), peace gained new valences that define it as a social structure or as a group of positive connections whose essence is synectic and leveling concurrence between human groups.

Taking into consideration the probability of using force, we mark the following typology:

- high level peace – the situation in which attendees never think of resorting to violence, no matter what circumstances, the solution of disputes being institutionalized non-violent procedures, unanimously accepted;

- normal (lasting) peace – the situation in which the conflicting circumstances (sovereignty recognition, border establishment, resources allocation) have been solved, the inter-states relations begin to improve beyond the inter-governmental level, so the probability of starting a war is excluded on long terms;
- cold peace – marked by official agreements between attendees, on long terms the risk of resorting to force still remains, since the conflicting circumstances are being solved (the sides think about making plans, taking into consideration the possibility of war).

Essential for the maintenance of peace are the following:

- collaboration activities for needs satisfaction (they impose a community direction – mutual assistance relation, common action projects);
- prevention of expansionist pressure of supremacy centers (economic, political or military actions which endorse the institution of obediential relations or political or military control, directly or indirectly).

Fulfilling the nation's interests through the self management mechanism (the state) is influenced by supremacy centers that pursue the determination of a self interest evolution (in order to direct other countries' politics, without transforming their internal structures), by ideological, economic or military pressures.

Duplicate state – induced by supremacy centers – acts within state power in which it suggests to seize the resources (it expresses the coexistence of democratic government and authoritarianism). The presence of the duplicate state is conditioned by the existence of some gaps (industrialized / under development state entities) that facilitate the conquest and the organization of the territory concerned.

To achieve its goal, duplicate state develops social disruptive processes that result in the generation of political obedient elite towards the supremacy centre, which subsequently works by inefficiency / violence against their own nation (resource dispossession). In addition, the assimilation of subculture and interiorization of a feeling of inferiority towards everything that the supremacy centre produces, facilitates the information aggressions for organizing the dominated area (increasing economic dependency, exploitation of resources / employment).

Modern period reveals the duplicate state as an extension of the supremacy centers that controls social space seized by imposing economic and financial systems, inconsistent to the real needs of communities.

In time of peace, the states' functionality has essential references:

- sovereignty over resources - the ability to produce, protect and use them for self benefit;
- building symmetrical relations with other entities in order to develop and sustain cooperation relationships (informal relations that have social needs as basis), avoiding the asymmetrical ones (adversity).

In order to maintain peace, state entities shouldn't build power relations, develop expansionist tendencies, oblige nations to confront each other and have the right to decide their fate by geopolitical situations and the interests of the supremacy centers.

Human society evolution has imposed modern approaches of the security state, a concept previously delimited by force balance, dissuasion, neutrality and disalignments.

At first, force balance and deterrence (dissuasion) established and preserved security state – peace – internally (as an effect of disseminating power between socio-political forces, ensured through legislation and institutions) and externally (as a result of self defense and common defense – closing defensive alliances). Force balance has a reference component (an international system or a political – state entity, in which coalitions are constituted) and a dynamic component (an iter and intra- statal relation system, whose evolution modifies power and military force). Dissuasion endorses deterring potential opponents, by detaining them from triggering an aggression war, which generated a competition for raising power resources. Some state entities can resort to neutrality or disalignment to the opportunities and consequences of a possible involvement in redefining security space from force positions.

Using these concepts holds forth the perspective of ensuring by means of force (especially military) of the security state of states (peace), in accord with their imposing or accepting power resources abilities.

In modern times, considering the type of predominant existent interactions at inter-statal level, the concept of security (and by default peace) has been adorned with new valences:

- law – abiding coexistence – active cooperation based on equality and reciprocal advantage (especially desirable for small states), whose application depends on big powers attitude;
- collective security – starting from the indivisible character of security, implies a common arrangement in its favor (applying some common defense measures against aggressions, by means of a treaty);
- equal security – implies convergent interests between equally sized powers;
- common security – promotes the principle of international peace, a consequence of general security;
- cooperative security – multilateral managing of security in international organizations or coalitions.

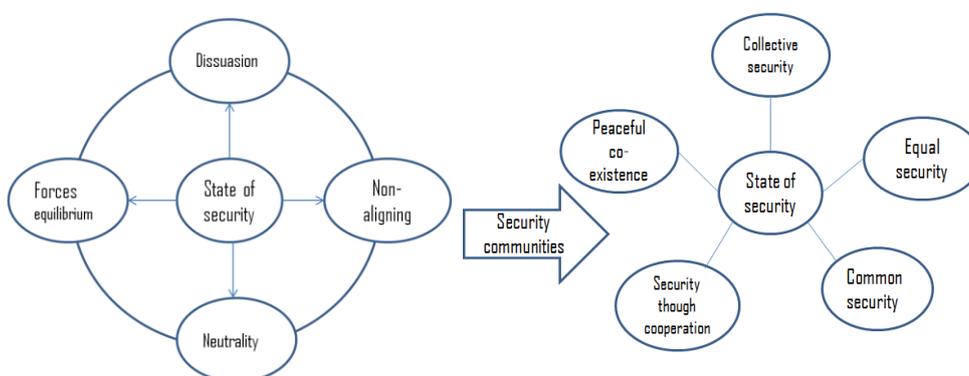


Figure 1. Means of accomplishing security

At regional security centers level, in relatively high state- nation balance, maintaining peace strategies are based on modifying or overcoming potential conflicting causes, mainly by settling conflicts and integration.

Unlike the settling conflicts strategy, whose centre of interests resides in strictly conserving statal sovereignty and uninvolved in the internal business of other states (considered as compulsory premises for peace), integrationist strategy is based on significant compromises regarding sovereignty and authority transfer to

supranational institutions, leading to a common decisional process and their consolidation.

In case of state- nation imbalance, maintaining peace in regional security centers depends on the types of involvement of big powers, such as:

- agreement – cooperation inside a state entity group in order to resolve conflicts that appear both between them and between tertiary states (through collective reference, adopting common decisions, abiding the same diplomatic agenda);
- hegemony – implies the presence of a state that dominates the security environment (ensures the mediation services, arming control and a crisis prevention system, deterring military aggressions etc).

Thus, the effects are induced over the security environment by regional integration significantly contributes to preserving peace, considering:

- political conditioning – decreasing government capacity to act unilaterally in the field of war and peace, as a result of the common decision process and consolidating sovereignty;
- emergence of community sense, common identity and reciprocal identification;
- economic conditionality – decreasing state tendency of acting isolatedly and involving in wars, caused by interdependency and stakes of these actions (economic relations, prosperity).

On this background we can inscribe the effects of the mechanisms through which an agreement / hegemony instills and maintains peace state, respectively:

- expansionist tendencies control (through diplomatic, economic or military sanctions);
- security guarantee expansion (military presence – overcoming the dilemmas regarding security, creating some crisis prevention systems – minimizing the possibilities of war ebullition);
- demobilization and counteracting the regional domination centers (giving the fact that they don't benefit from the support of another big rival power);
- decreasing conflicts (through mediation – pressures or compensations; through guaranteeing regional commitment).

The disclosed aspects sustain the perspective according to which, in a regional security centre, characterized by an accentuated state- nation imbalance, an agreement / hegemony installs cold peace, which, subsequently, can facilitate the strategy of conflict solving (regular peace) and regional integration (high level peace).

4. Constitutional State Stand towards War

War represents, from the point of view of violence, the highest level of conflicting state evolution (in constitutes in a direct confrontation of armed forces – armed fight).

Polemology, as war science, (from the Greek *polemos*, war and *logos*, treaty), studies its forms, causes, effects and functions, considered as social phenomenon.

War state discloses the situation in which belligerent states are found, from the moment of notifying the war declaration or beginning the hostilities to peace conclusion. Instituting war state redefines the state's interests and the measures that are to be imposed in order to defend it, including the use of military actions based on armed battle. Activating relations with other states or international organisms are possible, creating others, on multiple plans, especially on political – diplomatically and economic plans.

Legal norms regarding state relations, in relation to their position towards war (belligerence, cobelligerence, unbelligerence and neutrality) are established through international law documents.

The perspective regarding the specificity of the war towards other social phenomena referring to opposition or social battle is also remarked, sense in which the acceptations are representative: collective phenomenon which delimits from the individual violent acts, holds a legal character, has a subjective element – intention, and a political one – organization.

The war represents, from the point of view of violence, the highest level of conflicting state evolution (it constitutes in a direct confrontation of the army forces – the army battle).

Managing violence implies counteracting aggressions against nations, both outside the politico- statal frame and inside it. This task falls upon the army forces, as the main institution with defense function of the nations against any forms of

aggressions. They have the mission to eliminate the insecurity resources and to prevent and reject military aggressions.

The army forces act subsumed to the strategic goal in country defense war in order to destroy the invasive groups, banish it from their own territory, respectively to block their attempts of obtaining speedy victory, in the same time with rebuilding or improving the defense system for a balance of the situation and taking the lead.

Considering the use of army forces, one can delimit:

- war – the situation of effectively using force, with the purpose of destroying the battle capacities of the opponents;
- cold war – using demonstrative military force (intimidation / constraint), there is a considerable probability of transferring the hostilities into war (deliberate or unintentional), the participants do not resolve the fundamental aspects regarding the battle.

One can distinguish three causes of war:

- security dilemma – it generates unintentional conflict and war spirals (as a result of the measures adopted by a state for their own security, perceived as threats by the third parties);
- profit achievement – when the estimated benefits of the war (intentional) surpass its costs;
- internal vulnerability – lack of internal legitimacy encourages involvement in a fault process and initiation of diversion wars.

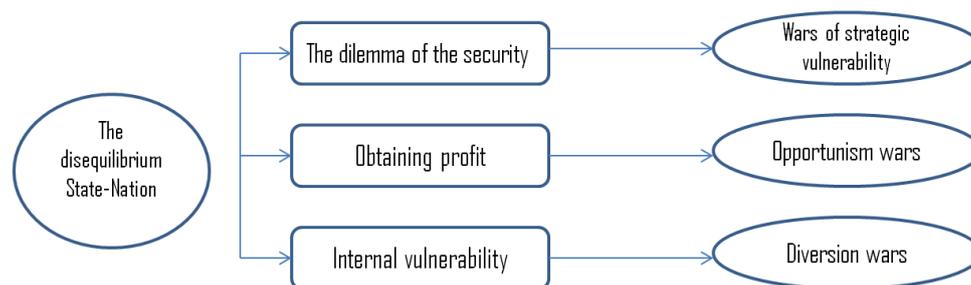


Figure 2. Causes and types of war

These have as catalyst the state-nation imbalance, which intensifies the security dilemma, produces opportunities for the state entities or blames a third party, generating wars:

- strategic vulnerability – in congruency and weakness of a state entity facilitates unintentional war (as a result of the suspicions regarding the potential destabilization of the system or external interventions in order to obtain profit);
- opportunism – contesting the legitimacy of regional organization by revisionist powers that expand by means of war, on adjacent entities (weak ones);
- diversion – distracting the nation's attention from their problems through aggressive politics.

5. Crisis in the Constitutional State

The etymological gist of the word crisis lies in the decision notion (Latin – *crisis*, French - *crise*), a fact which implies perceiving crisis in direct relation to the obligation to decide. Approaching the concept carries a dichotomy delimitation – crisis, as a state (a result of time accretion of some disorganized processes which destructure the links between the nation functions), and crisis as a situation (it implies an imminent civil war or a general collapse of the constitutional state, of law and order, the increase of the probability of war outburst).

Critical state and situation define the evolution of the crisis, disclosing:

- internally – managing organizations crisis, such as military organizations, parliaments, governments or structures adjacent to the governing system, to productive and integrative organizations;
- externally – legitimacy and rationality of the state crisis (induced by the expansionist pressures of dominancy centers).

In the terminological delimitation, the following facts are to be taken into account:

- a radical change of national and international situation, characterized by the existence of a direct threat to security goals, interests and fundamental values of the parts involved in a conflicting state;

- a situation defined by a mutation in the external or internal environment (of a state entity / regional security centre), which threatens the basic values, with a high probability of involvement or initiation of military character hostilities;
- an international state which implies the perception of the strategic decision factors according to which the developing actions or those seen as threats, of some state entities affects the concrete national interests and any intercession meant to counteract this threat amplifies the probability of the armed conflict.

It can be globally considered that states and critical situations have the following sources:

- political degradation through immoral and demagogic practices that affect the rationality of the state (that have s result hostile actions against other state entities);
- resource forestall – conflicting states between possessors and prejudiced, leading to decreasing cohesion and social solidarity, accentuating socio-economic polarization, decline in living conditions and in the degree of social protection;
- violent destructure of power relations – socio-political changes implying the army forces.

In critical situations, pursuant to contesting the rules, tension is set among socio-political groups, materialized in various conflicts, both as type and as intensity, and new structures, with the purpose of abolishing the crisis generator factors, are organized.

A typically accepted pattern – typical crisis – is regularly displayed in four well-defined phases:

- pre- crisis (low conflict, mostly unmilitary) – can degenerate as a result of factors such as hostile action, destabilizing event, international environment change;
- escalating / aggravating (armed confrontation);
- detention (conflicting intensity significantly decreases);
- Post- conflicting state (consequences).

Any crisis implies developing a different conflicting (under the aspect of intensity and origin):

- socio- political (contradictions between values and interests and social claiming);
- ideological (beginning in antagonistic states, irreconcilable political interests or programs);
- military (as a result of armed forces involvement in sustaining the politics or protecting the nation).

Crises are induced the actions of the state- nation imbalance components (the degree of power of the state, the congruency degree between political borders and national identification) and their effects, having as display form anomic states, systemic crises (lack of armed confrontation) and politico- military crisis (armed confrontation).

Characteristic to conflict evolution (starting from peace state) is the legal dispute (controversy) that can be manifested between states, organizations or between states and organizations (as latent tensions, which express the potentiality of the conflict), whose unsettlement facilitates the rise of crises which, subsequently, emphasize, risking to turn into war.

Anomic states are characterized by overbalancing social values, ambiguity, lack of rules, having as goal the disturbance of managing organizations (eroding the national economic base, inefficient reforms, loss of traditional market and of raw material strategic sources, separatism and confessional integrity, social instability).

Systemic crises result from blocking the functionality of socio-political organizations, with field specificity (economic or politic) or state entity assembly (generalized crisis).

Economic crisis implies the regression of productive capacities (the effect being the imbalance of the commercial balance, inflation, budgetary deficiency), as a result of managing them inefficiently / violently. Economic decline is also accentuated when dominancy centers impose economic politics to the state, by influencing the governing act.

Political crisis expresses government incapacity of decreasing tensions and of preventing conflict between capital holders and resource producers or between socio-political groups. During it, external pressures of dominancy centers can lead to reevaluating the influential spheres and discussing national frontiers (by exploiting minority issues).

Economic and political crisis are both the expression of inefficient / violent governing – situations which inadequately managed amplified by dominancy centers aggression, induce general crisis.

Politico- military crisis is characteristic to the military confrontation situation (armed conflict) both intra and inter- statally.

The governments incapacity to solve systemic crises, followed by recourse to armed force (which becomes main factor in conflict evolution), generates another type of crisis – intra- statal armed conflict. This represents the most severe form of battle between political, social and military forces in a country which is established when the dialogue is no longer available (civil war, armed conflict – armed insurrection, military coup d'etat). Internal armed conflicts occur on the territory of a state, between its armed forces and the factious ones or armed groups that control a part of such entity. Intra- statal armed conflict threatens a nation by affecting two of its backgrounds – the state and the territory. This leads to losing sovereignty and national independence, building obedient systems, changing the government form, national armed forces dissolution or disappearance. Inter- statal armed conflict is the armed battle between two international subjects in which hostility and violence actions are limited (not being accompanied by the will to make war and they do not imply formal recognition, so, consequently, do not cause war state). Thus, a third party intervention in inter- statal armed conflicts (in the name of the forces acting against legitimate governing), transforms them in inter- statal armed conflict (as – military intervention, or part of armed conflict – military incident, frontier major incident, low intensity conflict).

6. Conclusion

Society dynamics is characterized by a series of processes with constant and universal character:

- establishment, evolution and emergence of nations;
- constitution an interaction of organizational forms through which nations self manage;
- state - nation imbalance with various degrees of manifesting.

One can notice the incidence of the global effects on human organizations (anomic hates, crises, politico- military conflicts, wars), but also punctual effects, whose

broad impact contributes to society turbulence (on the background of state- nation imbalance).

Security represents the essential condition for a nation's existence and evolution in peace state, and by default for the organizational structure system through which it manages (statal entity). Security state is the result of a cognitive and acting process which has as reference the values and interests of the nation (correlated to their protection, promotion and defense necessities), and as background – constitutional order (established by the nation through state, necessary for preventing crisis situations and implications on statal entities, socio-political balance preservation) and defending the nation against any kind of threats and aggressions. The security process implies maintaining peace or establishing it in complex situations. Peace is established in an international system only when conflicts are resolved without using organized military force (war). This interpretation sustains that initiating peace state implies non-war state, whose evolution implies not only the absence of war, but also replacing it with other nonviolent means of confrontation.

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