

THE ROLE OF THE HEAD OF STATE IN THE MODERN WORLD

Adrian-Gabriel DINESCU¹

Abstract

In the modern world there are quite a few different interpretations of the notion of "head of state", varying to a wide degree: from a ruler who has absolute power and is not elected in a democratic manner to a leader who has a mere ceremonial role and who is subject to universal suffrage. There appear to be five main types of states in the modern world, each one with its own type of head of state : states in which the ruler wields absolute power, states in which the ruler wields a considerable amount of power but still shares it with another body not necessarily elected in a democratic fashion, states in which the head of state wields power but within a balance with the other powers of state, states in which the head of state holds little power, fulfilling the general role of mediator between the other powers and finally states in which the head of state has a mere ceremonial capacity. In this short paper we strive to briefly define the modern world with its complexities, to analyze the different types of states and how the role of the head of state is still carried out in these complex times.

Keywords: *types of states, head of state, modern day, dictatorships, democracy.*

1. Introduction

Since the dawn of time humans, social creatures, have organized themselves into collectives which offer people the possibility of personal and social development, security and especially leadership.

All people crave leadership, as with human beings, conflicting views are something completely natural. Thus, a mechanism to solve stalemates had to be enacted.

This role of "leader" has been fulfilled throughout history by people holding a myriad of titles or functions, from tribe leader to emperor, from chieftain to hereditary monarch.

The manner in which this one leader served the interests of the many has varied. In some societies the leader merely followed his own agenda and fulfilled this function only for his own benefit, whilst other leaders have managed, through political discourse, to determine the way in which society evolved, to find ways in which radically different people with different opinions come to an understanding.

The power of the leader, also, has varied to a wide degree, from being an absolute ruler, who imposed his arbitrary rule upon the people he controlled, for example: absolute dictators, absolute monarchs, to being a simple symbolic representative of this power, fulfilling only ceremonial roles: constitutional monarchs, presidents of some republics etc.

The latter type of societies, fearing the inevitable spiral towards dictatorship if only one individual holds too much power for too long, have, in general, elected bodies in which elected individuals wield this power in the name of the represented.

2. The modern world

First of all, we should make a shot analysis on the concept of "modern world". What do we mean when we refer to "the modern world"? What do we mean when we use the word "modern"?

The term "modern", in general, is acknowledged to refer to contemporaneity, meaning the times in which we live. But modern is also accepted to be an epoch in human history, which started in the 20th century, after the end of the First World War¹.

Modernity meant the disillusion of the old empires, the disillusion of the old ways of life, the end of the great and ancient monarchies and also the emergence of general human rights.

It is well known that the First World War meant an end for the old European empires, but it also meant that new powers emerged, like the United States of America and Japan, but also the USSR, who fought to fill the power void created by the demise of the European empires².

Thus many experts claim that modernity began in the early 20th century, with the advent of human rights, of individual freedoms and with the emergence of a state in which the role of government is to ensure these rights.

The 20th century also meant a resurgence of despotic regimes: communism, fascism, nazism, in which, in the name of the general good, the individual was reduced to nothing but a cog in the infernal machine of the state, in which his personal wishes were less fulfilled than in the dark ages.

¹ "Nicolae Titulescu" University, Bucharest, PHD Candidate. E-mail : dinescu.adrian.gabriel@gmail.com

¹ For a careful analysis on the destiny of humanity and the modern world, P. Negulescu, "*Destinul Omenirii, 4 volumes*", ed. Cugetarea, 1937-1944.

² See also for an analysis on the history of European imperialism: Gary Marks, "*Europe and Its Empires: From Rome to the European Union*", http://garymarks.web.unc.edu/files/2016/09/marks_2012_europe-and-its-empires.pdf.

The 20th century was, practically, a century of extremes, in which, through the advent of new technologies, humanity tried to find a common path towards the future.

Are we still living in modernity?

Some would claim not, as it has been shown that we are currently living in the post-modern era, in which the old values have been abandoned and it has been stated that post-modernity will be the "end of history".³

Its values entail that the individual is the most important element, that the fulfillment of his desires is the most and only important thing in the world and that all other concepts and values are without meaning, including the idea of state, leadership etc.⁴

Post-modernism has been said to have brought the relativization of all values, the individual being the core of all existence, and the goal of this existence is just self-indulgence.

Post-modernism was born out of the disappointment of the 20th century, in which the sciences flourished and ideas of utopian societies were widespread. Utopian society were present not only in books and discussions, but were also put into effect with devastating consequences, the dreams of men of a perfectly just and fair society ending in nightmarish dystopian realities.

Post-modernism, thus, allied with global capitalism, rejected these concepts and embraced, generally, self-gratification, a strive towards pleasure and the state and its leaders being only tolerated as long as they fulfilled all of the desires of the individual, having no power to push the individual or to force him in a certain direction.

Post-modernist thinkers consider that, rejecting the idea of state power, of leadership, will bring about a new and true era of prosperity and peace, as it does not recognize many of the concepts who brought war upon humanity.

3. The State

If the individual is the most important element in society, individual right always outweighing general interests, how can states even exist in this reality?

The state in the post-modern world is, generally, a weaker state, in which its powers are limited in favor of individual rights, the role of the state being mainly just to provide the general outline in which individuals express themselves.

However these post-modern states exist in a world in which there are still many failed states⁵ or in which other states are still powerful, therefore the individual, for his own protection, has accepted the idea

that the state must hold certain institutions which ensure its own survival, against other aggressive societies which did not embrace these utopian ideals of "the self".

Thus the role of the state in the world as is, the *modern world*, is to ensure the wellbeing of its citizens, to protect them from outside evils and to maintain inner stability.

The old role of the state to impose a direction on its individual has generally been eliminated in the modern democracies, as the individual did not accept the idea that their temporary pleasure must be sacrificed for a general and abstract future good.

However, post-modernism is a philosophy generally accepted in the Western democracies, and in a lesser degree in the rest of the world, which many claim is fully immersed in the modern world, a world in which conflicts between states can still be solved through armed struggle, in which the individual still is of little importance in the general scheme of things.

4. Various interpretations of the notion of "Head of state"

We can acknowledge that there are significant differences between philosophies regarding state organization, between different societies and thus there will be differences between the prerogatives of the head of state within these societies.

There are states in which the head of state still wields absolute power or close to absolute power. Usually these states still contain some sort of mock-Parliament which just rubber-stamps the decision of the head of state. These types of assemblies usually have only a ceremonial role.

These type of states still exist, unfortunately, and they tend to offer citizens a low quality of life, as the "supreme leader" tends to reject the enlightened ideals of democracy, equality and the rule of law.

In our opinion these types of states tend to fail, over time, the leader's power tends to diminish and erode and another more ambitious person will always seek to deprive him of his power and obtain it for himself.

These states have low stability on the long run and more often than not, after the death of the absolute ruler comes a period of high instability or even civil war.

Generally, states which embraced the communist or fascist philosophy tend to breed authoritarian regimes, but not necessarily, as there may be, especially in Africa and Latin American, leaders who through the use of military strength gain power and wield this power in a militaristic fashion⁶.

³ Francis Fukuyama, "*The End of History and the Last Man*", audio book - <https://www.amazon.com>

⁴ For an excellent analysis on post-modernism see R. Appignanesi, C. Garratt, „*Post-modernism. A Graphic Guide*“, Icon Books Ltd, London, 2013.

⁵ See also R. I. Rotberg, "*Failed States, Collapsed States, Weak States: Causes and Indicators*", <https://www.wilsoncenter.org/sites/default/files/statefailureandstateweaknessinatimeofterror.pdf>

⁶ See also W. Weinstein, "*Military Rule in Africa*", available at :

However it needs to be said that in war-times these types of regimes seem to be stronger, as the ruler will, more than likely, be open to sacrifice a lot more of his people's time and lives to preserve the state than democratic societies which tend to have a low tolerance for war-weariness and constant struggle.

As an example, see Soviet Russia during the Second World War. It sacrificed a large portion of its population, a lot more than the western democracies, and through this struggle, has managed to gain the upper hand over another dictatorship, Nazi Germany. Of course, it can be said that Soviet Russia was weak and needed all this sacrifice from its citizens exactly because the dictator, in this case Joseph Stalin, massively weakened the state with widespread purges and disastrous economic policies.

The self-destructive tendencies of these regimes can be seen perfectly in this example: the Soviet Union was finally destroyed from within, by technological stagnation, economic destruction and excessive military spending. Also the Nazi regime, though initially praised for raising the standard of living by massive building projects, has self-destructed through irrational use of resources and costly wars.

Thus, without democratic discourse, things tend to fall apart over time as stagnation ensues, or the regime will eventually self-destruct through irrational decisions.

The second type of state is a state in which the leader holds a lot of power, but in which there is still a possibility of that leader, through in-fighting, to be deposed of that function.

This type of "authoritarian" democracy we usually see in present-day Asia, where the culture of the individual permits and even encourages this type of authoritarian rule, as human rights are usually accepted and enforced to a lesser degree.

This type of state is more dangerous from a general and historical perspective, as outside observers tend to view it as a stable and productive regime, in which citizens' rights are, more or less, protected by the state and in which business is encouraged and thus bringing a reasonable amount of prosperity for the individual.

This type of head of state tends to welcome business, as prosperity will bring him stability and recognition by the general public.

The danger comes in the form that the head of state holds a disproportionate amount of power and will over time tend to gather more and more power. There is also a tendency to encourage the personality cult and generally neglect the well-being of the individual and of the state.

Thus, on the long run, this type of regime is unsustainable.

Also, having the head of state make most the important decisions leads to a lot of them being bad decisions or mistakes, mistakes that in a democratic society tend to not be made, as there are far more checks and balances making sure that decision echoes the general wellbeing.

As an example of this state : modern-day China⁷ which has departed for the absolute authoritarian days of Mao Tse Dong and after 1990 has embraced what has been called "authoritarian" capitalism with a particular blend of democracy, in which the head of state wields a lot of power, but does not impose absurd measures like in the absolute regime states. The head of state decides the general direction of society, and can be in office till death, but through general internal political infighting, his decisions are usually kept in check. Also, having embraced capitalism, the economy has been thriving through the 1990s and 2000s, only now reaching a point of stagnation.

The third type of state is a state in which the head of state has sufficient power, but there are in place sufficient types of checks and balances in order to ensure that the power is not abused.

These type of states usually take the form of presidential democracies, in which the head of state, usually called "President" is elected directly and wields a significant amount of power.

The checks and balances usually come in the form of a Parliament, which directly oversees the executive powers of the President, and can censor his decisions if need be.

As a perfect example of this state: the United States of America. They have embraced this type of head of state, in which the President wields significant executive power, though this power is appointed through democratic means and is censored by a democratically elected Congress.

The President of the United States of America wields a considerable amount of power, having legislative prerogatives, is the supreme commander of the military forces and has a wide degree of executive power.

The United States of America have embraced this type of state in which the separation of the three power of state is considered to be sacred, in which the judiciary is truly independent of the other powers and the Supreme Court has broad jurisdiction to deal with varied issues in the law making and enforcing process.

However, the President of the United States of America is in no way independent from the judiciary, can be and has been indicted⁸, so the power he wields is in no way arbitrary and this is exactly what guarantees the separation of powers of state and ensures that no power becomes abusive.

The fourth type of state is that in which the head of state wields a low amount of power, being

https://www.jstor.org/stable/4185351?seq=1#page_scan_tab_contents

⁷ See this article on modern day China by P. Link and J. Kurlantzick, "China's Modern Authoritarianism", <https://freedomhouse.org/article/chinas-modern-authoritarianism>.

⁸ See the indictment process of President Nixon, <https://www.archives.gov/research/investigations/watergate/roadmap>

considered in general to be a neutral power who brings balance between the three powers of state.

Romania has this type of President, who is technically the head of the executive branch, but shares power in relation to the prime-minister. He is also the head of the military and also can review the law making process and can ask the Parliament to review laws before passing them.

Romania does not have a long tradition in democracy, but has fought from the 18th century to try to balance the interests of opposing groups and to ensure that these interests do not collide with the general interests of the population and of the nation.

Prof. Dan Claudiu Dănișor has published in a recent paper an article regarding the "head of state as a neutral power" and has made an excellent summary of the situation of the Romanian President, being *"the neutral power, a power that is situated outside the three powers derived from the organization of the state on the basis of the principle of separation of powers, was conceived and institutionalized in various ways. One of them transforms the Head of State into a power that distances itself from political games (...). The Head of State plays the role of balancing power and that of mediator between legislative, executive and jurisdictional power and between state and society."*⁹

Thus, it can be seen that the president of such states, wields much less power than that of the third tier countries, as he has a relatively low amount of power, but acts as a mediator between the different powers and ensures the preservation of constitutional rights.

The fifth type of state is where the head of state has a mere ceremonial role.

This is the classic case of constitutional monarchies, where the monarch, generally hereditary, is officially the head of state, but wields a mostly ceremonial role.

For example, The United Kingdom of Great Britain is ruled by a King (or Queen) who acts as head of state and holds this function for life, but has little to no power in matters of state, the Prime Minister being the true head of state, wielding true powers in legislative and executive matters.

Other states which fall under this category are generally the parliamentary democracies, in which the President of the republic is not elected by the people directly, but is elected by Parliament. He generally has a limited role in the function of state.

5. Conclusion

As we could see through-out this short paper, the role of "head of state" in the modern world is varied and ranges from absolute power to minimal, ceremonial power.

This variance has its basis in society itself, its history and its values. A society with a troubled past in which leaders have abused their powers, but which has obtained a certain amount of democratic rule, will tend to have a head of state which has a limited amount of power, and who is elected directly, reducing to a minimum the risk of that leader becoming an absolute one. This is exactly the case in our country which has seen its fair share amount of absolute rulers, ranging from absolute monarchs to absolute dictators.

Our young democracy doesn't have confidence in itself yet and thus reduces the role of head of state to the function of a „mediator" between the other powers, offering firmly most of the power to the legislative branch who also elects the head of the executive, the prime-minister, and who even has the power to suspend the President.

Other countries who have a democratic tradition like the United States of America, in general, trust their heads of state and endow them with extended executive powers as to ensure smooth governance, but most importantly, the power to act decisively in case of emergency, whilst still being subject to the rule of law through the Court system.

In Romania, suffering this power void in cases of emergency, the executive has been empowered to pass "emergency ordinances" which come into effect immediately and can deal with a wide array of urgent and difficult situations. But, as any power can be abused, it can be noted that the number of "emergency ordinances" passed by the government is high and, lacking the necessary powers, the head of the state, the president, cannot intervene in this process and thus making his mediator role a mere ceremonial one.

This is a point we would like to make in this paper: as long as there is no trust between individuals in a certain society, as long as the balance of powers is not maintained and enough safeguards put forth to protect this delicate balance, the state will not function correctly and it will not serve the people.

And it's not the "powers" that will suffer the consequences, but the people who put them there in the first place!

References

- R. Appignanesi, C. Garratt, „*Post-modernism. A Graphic Guide*", Icon Books Ltd, London, 2013.
- D.C. Dănișor, „*Șeful statului ca putere neutră*" in "Dreptul", nr. 6/2018, p. 115.
- F. Fukuyama, "*The End of History and the Last Man*",
- audio book - <https://www.amazon.com/>
- G. Marks, "*Europe and Its Empires: From Rome to the European Union*", http://garymarks.web.unc.edu/files/2016/09/marks_2012_europe-and-its-empires.pdf.
- P. Negulescu, „*Destinul Omenirii*", ed. Cugetarea, Bucharest, 1937-1944.

⁹ D.C. Dănișor, „*Șeful statului ca putere neutră*" in "Dreptul" magazine, nr. 6/2018, p. 115.

- R. I. Rotberg, "Failed States, Collapsed States, Weak States: Causes and Indicators", <https://www.wilsoncenter.org/sites/default/files/statefailureandstateweaknessinatimeoferror.pdf>
- P. Link, J. Kurlantzick, "China's Modern Authoritarianism", <https://freedomhouse.org/article/chinas-modern-authoritarianism>.
- W. Weinstein, "Military Rule in Africa", https://www.jstor.org/stable/4185351?seq=1#page_scan_tab_contents
- *The indictment process of President Nixon*, <https://www.archives.gov/research/investigations/watergate/roadmap>