



# Critical appraisal of the withering away of state in communism

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## Abstract

That the socialist system had come to a stand-still in the communist bloc or that it had 'failed' was no longer an issue that would excite serious intellectual debate. But what lessons were to be learnt from the theory and practice of the socialist system in the former USSR and what is now the way forward for such societies in a global system? What are the implications of the 'failures' for developing nations? This study adopted the doctrinal method. It closely reviewed the opinions of Marxists and their followers juxtaposing them with the views of their strongest critics in the period under study. It attempted an evaluation of the theoretical and practical validity of the concept of the withering away of the State and law. It came to the finding that Marxism is a universal doctrine that may not be subjected to the national feats and defeats that it had encountered in the current socialist countries which are now operating in a system of states. It concluded that the gains of Marxism and the usefulness of its postulations with regards to the concept of the withering away of the State and law are yet to be realized and that future historical data are still needed before the curtain can be drawn on the alleged failure of the proposition.

**Keywords:** Marxism, Withering Away of State, Law, Permanent and World Revolution

## Introduction

Marxism, its concepts and propositions are difficult to appraise. Nothing could have been yet, something could be thought to have been said. Yet, distortions, partisanship and polemics have had their toll. While it is 'one of the most relevant of modern utopias (Tucker, 1969 p. 222) <sup>[61]</sup> and 'modern anarchism' (Lloyd, 1964 p. 22) <sup>[36]</sup>, Marxism is 'one of the greatest individual achievements of sociology to this day' (Schumpeter, 1979 p. 46 and Lloyd, pp. 206-207) <sup>[57, 36]</sup>.

While Marxism 'is a religion (Schumpeter, 1970 pp. 5-6) <sup>[56]</sup> – call Marxist religion a counterfeit if you like, or a caricature of faith' – or one of the 'great "secular religions" of modern times' (McDonald, 1962 p. 362) <sup>[39]</sup>, it is 'essentially, a product of the bourgeois mind'. While Marxism has been overtaken by events and failed in its predictions, it is 'still too soon to assess (its) historical significance'. While it belongs to antiquity expressing the hopes and reality of 19<sup>th</sup> century (Lefebvre, 1968 p. 189) <sup>[33]</sup>, Marxism is 'part of the modern world, an important, original, fruitful and irreplaceable element in our present day situations' (Id., p. 188). While foretold 'many, too many "ends" that are "still with us, some more firmly established than ever" (Id., p. 189) and others "untenable", realists mistake the status quo for reality' (Id., p. 182). While its concepts and propositions leave many things unsaid and say many others far too readily (Duncan, 1973 p. 191) <sup>[18]</sup>, they are 'too vast, too complex for knowledge to encompass and dominate (Lefebvre, p. 190).

Nay, while a 'dead...' (Solzhenitsyn, 1974 p. 15) <sup>[59]</sup>, 'rubbishy...' (Id., p. 46), 'decrepit and hopeless, antiquated...' (Id., p. 42), ideology, 'Marxism is not only not accurate, is not only not a science, has not only failed to predict a single event in terms of figures, quantities, time scales or locations

(something that electronic computers today do with laughable ease in course of social forecasting ... never, with the aid of Marxism (Id., p. 43), but 'how State would soon wither away was sheer delusion, sheer ignorance of human nature' (Id., p. 42), a 'drastic philosophical simplification of the problems of government (Percy, 1954 p. 40) <sup>[37]</sup>.

To Lenin (1964, p. 497, 470 & 475) <sup>[34]</sup> Deborin (1935 p. 91) <sup>[11]</sup> all the foregoing are under the sway of the 'guardians of capitalist traditions', 'licensed lackeys of the bourgeoisie', 'ignorance and mercenary defense of capitalism' petty bourgeois individualism, intellectualism and apology.

Perhaps in between these polarities could be found the golden lane of pacifism succinctly put by Lane (1978, p. 10) <sup>[31]</sup> thus: Marx's works, indeed Marxism 'is a contribution to the study of society in which no one person can have the last word'. In other words, more historical evidence is needed in the future before a final verdict can be passed. Thus far is the nature of the doctrine that is to be appraised.

## Statement of the problem

The concern in this study has been decisively captured by Bottomore (1979 p. 4) <sup>[57]</sup> as follows: 'after a century of turbulent economic and political changes, and in the face of entirely new problems, we have to ask what is still living and what is dead in Marx's theory'. Have these 'turbulent economic and political changes' undermined the very concept of the withering away of the State and law? Does it not imply that the western capitalist legal system and bourgeois democratic republic have triumphed and they hold the keys for any serious future legal research and state development?

## Methodology and Scope

This study adopted the doctrinal method. It closely reviewed Marxists propositions juxtaposing them with the counters of their staunchest antagonists in the period under study which was Soviet communism. It evaluated the theoretical and practical sustainability of the concept of the withering away of the State and law. As Marxists viewed their postulation as an 'approach to further understanding' (Makepeace, 1979 p. 40) [42], 'as no more than approximation, which would necessarily be modified in the light of future research' (Law, 1978 p. 40) [32] than a 'dogmatic theory' intended to displace empirical research (O'Malley, 1977 p. 45) [49], the scope of this work is not to assert the views of Marx, Engels, and Lenin alone (Miliband, 1979 p. 128 and Macfarlane, 1975 p. 167) [44, 40]. But to have a coherent view of the concept in its original and later versions, at its philosophical and sociological levels, squared on contemporary 'concrete political and socio-economic trends to provide a key for anticipating prospective development' (Marcus, 1958 p. 9) [43] and better basis for examination as 'nothing is so sacred that could not be out-stripped and improved' upon (Stanisic, 1987 p. 11) [60]. As Stalin (cited in De George, 1967 p. 197 [13] and Zinn, 1971 p. 36-48) [64] states, Marxism is not 'a collection of dogmas which never change regardless of the changes in the condition of development of society... Marxism as a science cannot stand still...' And as Corrigan and Sayer (1981, 21) [10] affirms, 'we start, but do not stop, with Marx's work'.

However, Marxist propositions shall not be analyzed mainly 'through the prism of later interpretations and adaptations' (Miliband) for unlike Lichtheim's (cited in Mosse, 1977 p. 4) [45] static analysis, Marx is a man of all seasons. But the differentiations between the parental theory and later reconstructions shall not be unduly magnified so as not to hinder the basis of appraisal. In other words, Marxist propositions shall be integrated and contrasted with those of non-Marxists. In the general path of Marxism, a 'mystifying catchword' to O'Malley and a rouser of 'complicated problems' for Shapiro (1977, p. 95) [55] opinions may not always coalesce. When this happens, the divergent views shall be stated and a stand taken.

Given the unique nature of the concept we have set out to appraise, being always tied up with the socio-economic foundations of given epochs upon which arises the 'legal and political superstructure and to which correspond definite forms of social consciousness' (Fried and Sanders, 1964 p. 29) [20] frequent incursion shall be made to the political-economy of communism.

Although Marxist theory is not comprehensive (Makepeace, p. 20) because the state and law are not separate social phenomena (Ilumoka, 1986 p. 2) [27] within the social bound, squatting outside of civil society – and not because they are just instruments of domination 'to be done away with, not developed and elaborated' upon as Dias (1980 p. 399) [15] claims, or because they are of 'little account' as Harris (1980 p. 251) [24] claims, or because Marx was an amateurish political thinker as Tucker (1969 p. 4) [61] claims – its analysis of law is always subordinated to that of the State and class struggle and

the scattered reference to law corroborates this (Opolot, 1981 p. 112) [50].

## Literature Review

### Contemporary social realities

Some hours in October, 1917 when Russia was liberating herself from the clutches of feudal economic and political encumbrances, with little or no industrial and technological base, Lenin, 'the greatest political genius of recent modern times' (Lefebvre, p. 126) performed the caesarian section and the first socialist state was established. The following years were thought to be the springs of revolution in the west to stamp what had been accomplished in Russia with global essence. But they turned winters for revolution. Withdrawn to its recesses by civil war and by the fact that it no longer became the 'detonator of world-wide revolution' (Berki, 1975, p. 107) [4], Russia remained thus until 1940s when a handful of 'protégés' became established making Russia the 'motherland of socialism' (Opolot, 1981 p. 104) [50].

Today, the world is bifurcated into the western and eastern blocks. New problems have arisen in both. While capitalism has entered imperialism, communism is poised to liberate mankind from the 'monster'. This is so because while 'the greatest enemy' to the development of productive forces is capitalism and the United States ruling class is actually the 'last great hope' in blocking the historical process of man's fight against alienation, Lenin (cited in Shub, 1965 p. 312) [58] actively supported the 'rise against the rest of the capitalist world ... and, in the event of necessity, come out with armed force against the exploiting classes and their states' for international imperialism cannot in any case and under any condition live side by side with the Soviet Republic (James, p. 131). Thus, for the first time in human history, two ideologies have entered an international competition and history and the law of dialectics is with the last in time.

Often equated with all that Marxism stands for, Soviet Russia became the most valuable guinea pig in the laboratory of empiricists and realists in the analysis of the withering away doctrine that it deserves attention. Apart from the strain that Russia sustained during her march to socialism, the second quick and revolutionary move to communism may have bred internal and international imbalances. This according to Kamenka and Tay (cited in Ilumoka, 1986) is the struggle between two central but contradictory trends in Marxism. It is the tension ... between revolutionary transformation and the desire to enhance social stability; a tension between mass campaign and political process and desire for social solidarity and psychological security for individuals; and a tension between utopian spontaneity and technical and administrative realism. It is tactical, therefore, that efforts should be made to gauge the second revolutionary drive. Recent de-radicalizations are informed by this argument, but therein lies the withering away of the State and law. Over the years the approach has been varied but systematic.

From 1917 – 1921, the doctrine was interpreted in class terms – that until the division of society into classes has become

abolished, all government and law will remain to oppress the bourgeoisie and guarantee the interest of workers and the ‘toiler’s state’ (Carter, 1972 p. 101) [8]. From 1921 – 1928, strain created the New Economic Policy – while ‘official apologists admitted that the legal system has been broken ... to meet’ with the requirements of the transition, ‘theorists ... were convinced that ... there would no longer be any need for law’ as essentially a bourgeois category. But law and the State would become accepted officially as normal in socialist stage of development.

In the 1930s, Stalin’s ‘excesses’ began. It was what ‘irrepressible Trotsky’ (Berki, p. 109) called the re-establishment of the most offensive privileges imbued with a provocative inequality, strangulation of mass-self-activity under police absolutism, transformation of administration into a monopoly of the Kremlin oligarchy, and the regeneration of the fetishism of political power. The system of secret police and mass purges were explained in the fact that ‘progress in the construction of socialism led to a sharpening of the class struggle’, and ‘capitalist encirclement’ – a view whose ‘dubious’ anchor was that western powers were threatening to attack and using opponents to ‘foment subversion within’ Russia (Makepeace, pp. 138-181) and essentially that prominent communists like Trotsky and Bukharin etc ‘were in the services of foreign espionage organizations and carried on conspiratorial activities from the very first day of the October Revolution’ (Acton, 1973 p. 240) [1].

Later, classes were declared eliminated and the State was to ‘defend the country from foreign attack’. That is, the State and law were to become powerful instruments of social revolution and protectors of socialist property (Marcuse, 1958 p. 101) [43]. Vyshinsky (cited in Kamenka, p. 172) led in the view that the State and law will disappear, but only ‘after the victory of communism in the whole world. As Bukharin (1979 p. 45) [6] puts it, ‘as long as the state power is in the hands of the proletariat, it will inevitably take on the character of a dictatorship until its victory world-wide’.

Since 1953, the position has been that socialism has been achieved and the State and law will not wither away because they will be used to ‘consolidate the gains of socialism until communism will be achieved in the world arena’ (Makepeace, p. 228). In more recent times, communism has been declared achieved and the reason why the State and law will remain is to defend the ‘fatherland’ until the ‘capitalist encirclement’ is liquidated (Marcuse, Loc. Cit.).

Although Stalin’s state theory and its periodic has been subjected to critical re-examination and re-evaluation in not only academic but official circles (Churchward, 1968 pp. 92 – 96) [9] and although Trotsky’s theory was more congenial to Marxian orthodoxy, Stalin’s rationalization and vindication was that it was not envisioned that socialism would be proclaimed in an isolatable context. Thus the exercise boils down to the Marxist core position that revolution and the withering away of the State law are only meaningful when it is global than national. Herein did Trotskyism make the historic departure from Stalinism! To Stalin, a bird in hand was worth

two in the bust, while to Trotsky (cited in Makepeace, p. 41) a bird in hand was a ‘reactionary utopia’ since ‘socialist construction is conceivable only on the foundation of class struggle on a national and international scale and the completion of socialist revolution within national limits is unthinkable’.

Today, state and law have come out in ‘bolder and bolder reliefs’ in Socialist Republics though not as political power for class domination and despotism, but for the unpredictable clash of supremacy of world communism over world imperialism. Although Keni-Paz (1977, pp. 66 -67) [30], a worker in the ‘cottage industry’ of criticism and varieties of Marxism, opines that what made Trotsky ‘the outstanding symbol of Marxist internationalism’ was more of his obsession to make Marxism acceptable to the Russian and non-capitalist soils, that is, through permanent revolution. Deutscher (1959 p. 215) [14], Oglesby (1971, p. 19) [48] and Wesson (1978, p. 229) [63] are unshakable in observing that, whenever communism might advance, it would run into oppositions and barriers set up by Anglo-American capitalist imperialism; and in whatever part of the globe the Anglo-American capital might seek to exploit and expand, it would be confronted by the stark threat of proletarian revolution. ‘Bolshevism’, declares Trotsky (cited in Deutscher, p. 215), ‘has no enemy more fundamental and irreconcilable than American capitalism... (They are) the two basic antagonistic forces of our age’. Thus, ‘as long as capitalism and socialism remain, we cannot live in peace’, Lenin (cited in Shub, p. 445) rules, ‘in the end one or the other will triumph – a funeral requiem will be sung either over the Soviet Republic or over world capitalism. This is a respite in war.’

### Theoretical validity of the withering away of state

Marxism is an idyllic, universal kingdom of ends whose ‘weight is felt in philosophy, economics, sociology, theology, natural science and even linguistics, politics, history and law, ‘fertilizing the broadest variety of intellectual and academic disciplines’ (Berki, p. 55). Perhaps the magnetic field of Marxism is historical materialism. As a result, in the conception of the withering away of the State and law, the concepts – state and law – find their definitions, origins and functions in class and class struggle which find their origins, and definitions in economics, relations and forces of production; private property and division of labour.

There is therefore, what Weber, Acton and Dias quarrel against: mono-causal relationship between these concepts such that the ultimate determining factor find expression in the economic base. This crop of multi-causal philosophers and writers, hankering to defy Marxism, argue that the economy is not the only causative factor in history (to which Marxism agrees), but rather, that all elements of the superstructure are as causative as the base (to which Marxism disagrees). For instance, at ‘The German Sociological Association in 1910’, Weber (cited in Lovanovic) protests, ‘I would like to protest the statement by one of the speakers that some one factor, be it technology or economy, can be the “ultimate” or “true” cause

of another. If we look at the causal lines, we see them run, at one time from technical to economic and political matters, at another time, from political to religious and economic ones etc'.

In 'The Illusions of the Epoch', Acton (1973, p. 242)<sup>[1]</sup> objects: 'now I have already made the objection, on pages 166 – 168 that technology, political and moral factors are so intimately concatenated that to say that the first determines the other two is to move about abstractions.' And Dias (1980, p. 400)<sup>[15]</sup> observes, that an explanation of history in one single factor 'will inevitably fail for it is bound to be an oversimplification'. With the discovery that the State and law are expressions and reflexes of the economy, that 'all societal changes and political revolutions are to be sought not in men's brains not in men's better insight into eternal truth and justice, but in changes in the modes of production and exchange' that they 'are to be sought, not in the philosophy, but in the economics of each particular epoch' (Neznanov, 1978 p. 9)<sup>[47]</sup>, Marxists proceed to treat the cause than the effect – the base than the superstructure.

Thus, while Durkheim stops at division of labour as the impetus of historical change, Marx advances further to show that before division of labour was the production and reproduction of life from where arose the former which gave rise to private property, social classes, class struggle, State and law which in turn, became alienated from civil society and super-imposed on it. With these developments, society became bewildered by social problems which find their climax in the capitalist society divided into two great warring camps – the bourgeoisie: owners of private property and the proletariat: owners of labour power.

As Dunayevskaya (1982, p. 130)<sup>[17]</sup> rightly observes, 'Marx made clear how total the uprooting of capitalism must be – abolition of private property, abolition of the State, the bourgeois family, (and) the whole "class structure"…' The abolition of private property etc was foremost in the laudatory, no-nonsense tone of the Communist Manifesto. On the question of the abolition of property however a distinction must be made between it and personal property... personal property is not thereby transformed into social property. It is only the social character of the property that is changed. It loses its class character (Bhalla, 1984 p. 150)<sup>[3]</sup>. With the abolition of private property, classes, defined in relation to private property, will wither away. The dying of classes leads naturally to the withering away of class conflicts and of the State and law which are the products, expressions, servants and strengtheners of private property and civil society. If the State and law are organization and will of which the main objects are to secure, by force, the subjection of the working majority to the propertied minority, it certainly makes sense to argue that they will dissolve with the dissolution of the contradictions. Thus, the ultimate and series of transformations in more basic parts of the social bound – the economy – undermine the State and law and wither them away as they relinquish their holds in one domain after another.

Although Duncan terms the theoretical approach narrow, he does not proffer a broader one. And although Duverger (1972

p. 78)<sup>[19]</sup> argues conclusively that the State will not wither away after the elimination of social classes as Stalinist era demonstrates and vindicates, nor can capitalist encirclement or resistance of exploiting class explain its persistence because, 'political power has a reality of its own, independent of class structure and other influential factors' – the reality being the 'natural tendency to expand until it meets effective resistance' – his 'tendency to expand' and 'effective resistance' are clearly unfathomable because 'political power' cannot, does not exist in vacuum before its tendency to expand and face effective resistance.

### Practical validity of the withering away of state

Can the State and law wither away? It is practicable? Scholars have addressed these questions from a number of perspectives, but common to all them is the use of the Soviet Union as the centre piece. In the course of the following discourse, six perspectives have been identified and analyzed. Harris (1980 p. 256)<sup>[24]</sup>, while ending his book in 1981, reduced the questions to an article of faith when he asked, 'can you believe it?' That the State will be replaced with administration, as McDonald (p. 360) put it, is a utopian category and 'nothing less than naïve'. This perspective has been critically countered in 1979 by Cain and Hunt (p. xiii) who hold that such 'naïve' and 'malicious' classification of the withering of state and law as utopian and its terse contrast with Soviet law are 'crude caricatures' and travesties of Marx's position'.

Writing in 1957, Djilas has sought to conjecture new classes and property relations in Russia. What Djilas call new classes and blinds a massive literature around, however, are social groups and have been dismissed in a sentence in 1978 by Rene (p. 14) who argues, and correctly too, that State and law will exist because even though social classes have melted away in Russia, there are still social groups which, if allowed to fester and foster, may grow into social classes and re-inaugurate capitalism thus 'harming socialist institutions'. Lloyd (1964 p. 22)<sup>[64]</sup>, writing in 1964, has stated that 'it seems incontestable that the introduction of Marxist socialism' has thus far, 'entailed more and more law and legal repression rather than its abolition' not even its withering away.

In a similar vein in 1973, Plamenatz (1973 p. 41) has declared that 'the State is nowhere more powerful and more careless of the individual than where communists are in control of it.' To this form of empirical exposition, Cain and Hunt (p. xii) have held that 'far from being most useful, empiricist "findings" may be practically dangerous and compound errors inherent in judgments based on common-sense or acceptance of phenomenon at face value'. In 1966, Morris (p. 104) had opined that it was difficult to imagine that Soviet leaders took the withering away of the State and law seriously as its operational significance, then, had less to do with the disappearance of the State that it did with efforts to secure the loyalty and active participation of the people in actual business of government. Morris morally caught the wave of Leninism because from the moment any member of society can administer the State, the need for government of any sort

begins to atrophy and it is at such a moment that the class interests of the laboring people would have coalesced with those of the entire population.

Writing with authority and in a mood similar to that of Morris, Haralambos and Heald (1980 p. 106) <sup>[23]</sup> has stated that 'the return' of power to the people is, as Ralph Miliband admits, 'a programme to which communist regimes have not so far seriously addressed themselves'. However, as James (p. 23) rightly noted in 1973, the great value of the Soviet system is not only the nearness of the government to the masses but the opportunity it gives them to enter into any business of the society. Suffice it to say that the essence of the concept of the withering away of the State and law is their 'de-institutionalization and de-politicization', that is, their resolution into society, even though, to Percy (p. 45) in 1954, this diversion of the 'whole modern educated world' from the study of the 'inherently vicious and illiberal' state to the 'vaguer entity called society' is a 'meaningless romantic movement'.

Makepeace (p. 219) in 1980 has posited after a consideration of the Russian situation since 1953, that the concept of the withering away was 'now distinctly theoretical'. Writing along the same lines in 1957, Hazard (p. 5), after a consideration of the concept as it was seen by students of the West and Soviet politicians under Stalin, has seen the withering away as being of more 'theoretical interest and approaches rejection in practice'. Although a tinge of realism surrounds these observations, there is no doubt that in the name of empiricism and realism, they have reduced a universal doctrine to the practical fate it faces in a national polity where the State and law, properly so-called, have been smashed and are withering away but for 'capitalist encirclement'.

Referring to Lloyd in 1974, Adigwe (1974, p. 32) <sup>[24]</sup> has observed that the 'Communist Jerusalem' was indefinite in duration and when it would arrive was 'far from certain'. More recently in 1980, Haralambos and Heald stated that there was less indication of the State withering away in Eastern Europe nor was there any little evidence that the days of the dictatorship of the proletariat were numbered. These opinions have been strongly countered in 1981 by Hampton (1981, p. 48) <sup>[25]</sup> when he asserted that although Marx's vision of the future seems as far off as ever' there was 'no denying its validity'. Moreover, James (p. 122), Lloyd (p. 221), Churchward (p. 89) and DeGeorge (1967, p. 143) <sup>[13]</sup> were unanimous in drawing authority from Lenin to the effect that the withering away of the State and law would, take place after 'a fairly long transitional period'; would take 'a rather lengthy process'; and would 'necessarily be gradual'. And as Opolot rightly noted in 1981, 'the process of the transformation of law, as in other aspects of society, is still proceeding and will go on for a long time'.

Thus, Tucker approached the point when he asserted that five decades after October, 1917 it was 'still too soon to assess' Marxism's historical significance. Two decades after Tucker's observation, it might still be a premature 'violation of historical perspective', as Lenin saw it moments after the revolution, to

expect the State to wither away. Although Schapiro (1970, 210) <sup>[54]</sup> and Percy (p. 44) were always wanting to insinuate that in Lenin's later writings, the withering away of the State 'receded into the distance', and as it faded, the gap between ... imperfection and future blessedness' became essentially 'arbitrary political power'.

### The tragedy of history

The 'busy cottage industry of critics' that Gouldner (1980, p. 251) <sup>[21]</sup> has denounced as a coterie of 'historically dubious and unjust' critics still wears its facial anachronism from Engels personality through the withering away of the State to the Russian revolution. Mourning Lichtheim, Mosse (1977, p. 4) <sup>[45]</sup> discloses what these 'obscure antic gibeers' consider the tragedy of history: Engels has introduced positivism and revisionism into Marxism; socialism has succeeded on nations where it is doomed to fail and has failed in nations it would have succeeded; and Lenin, Trotsky and the Russian revolution have introduced Marxism to countries for which it was never meant for (Mosse, p. 3 and Kene-Paz, p. 67).

If these representations, so-called tragic elements of history, be plausible, do they affect the practical validity of the withering away of the State and law? The submissions are in the negative. As Gromyko (1983, p. 12) <sup>[22]</sup> observes, 'no ranting of modern bourgeois and opportunist ideologists' on the applicability of Marxism-Leninism to the specific conditions of the third world 'can halt the triumphant march of the ideas of the October Revolution. And as Zinn (1971, p. 46) <sup>[64]</sup> crucially submits, the traditional Marxist notion of revolution taking place due mainly to the breakdown of capitalism and an organized class – conscious proletariat taking over as a follow up, is hardly tenable again. To him, and correctly too, where socialist revolutions have taken place in the world, they have done so mostly because 'war has weakened or destroyed the state and created a vacuum in which organized revolutionaries could take over'. It is contended that the practical validity of the withering away of the State and law is closely tied with the possibility of a world revolution for as Lenin (cited in Shub, p. 448) asserts, the victory of socialism in one country, or a number of countries does not by a split of a second preclude war in general rather it presupposes wars.

Although it is beyond the scope of this study to speculate on the possibility or impossibility of the withering away of the State and law, the phenomenon of October, 1917 has altered radically, and revolutionarily too, not only the Russian national and international scenes, but the dialectics of the withering away of the State and law. An all important and yet, hardly recognized dimension has become annexed to the functional integument of the State since then. A dimension whose resolution is the only realization of the hackneyed philosopher's stone: 'the State is not "abolished", it withers away'. It is a dimension which is an inescapable historical heritage and whose truism is the simple one that the path of history cannot be charted in a round table once and be all and that an effective solution to a world-wide problem is a global cure than 'piecemeal tinkering'.

This resolution has been replete in Marxist statements that only a reproduction can be most eye-opening. Mao asserts that after the People's Commune has resumed all socio-economic and political functions, the duty of the State 'will be only to deal with aggression from external enemies and will not operate inside' (Brzezinski, 1965 p. 368) [5]. Furthermore, he poses: 'Don't you want to eliminate state power? Yes, we do, but not now, we cannot yet afford to do that. Why, because imperialism still exists' (cited in Lewis, 1946 p. 34). If anything, internationalism, as Hampton (p. 51) points out, is the essence of Marxist thinking and a causal perusal of the foreign policy of Communist States can betray this. As Ponomaryo (1968) [51] puts it, the aim of Soviet foreign policy is the liberation of the working class of the world who, like the bourgeoisie, as Ulam (1974, p. 13) [62] noted, 'have no country'. Indeed Raymond (1968, pp. 37, 363 & 401) [52] was sharper when he maintained that 'the basic goal of Soviet foreign policy is simple: Marxist world revolution'. And as he continues, 'at present ... world revolution remains firm Soviet policy' for the U.S.S.R. armed forces have two main functions: to safeguard communism in U.S.S.R. and spread it abroad by sword.

Thus, while it becomes practicable for the State and law to wither away as soon as it becomes possible to think of a world communist revolution, it is arguable to aver that in the communist societies of today, the State and law have been abolished and are withering away tremendously in consonance with Marxist conception of the doctrine. But Marxism being essentially a universal category, cannot be measured and evaluated by national feats and defeats when half of the global system still wallows away in the firm grips of class struggles. Yet, it is doubtful whether division of labour and alienation has been eliminated in these People's Republics.

## Conclusion

Marxists stridently contend that as soon as it becomes possible to think of world communist revolution, it becomes practicable to think of the withering away of the State and law. But while they stand in 'bolder relief' in the People's Republics, they have become tremendously de-politicized and used for legitimate economic functions and above all, for the defence of the fatherlands against capitalist encroachments and for the inevitable but unpredictable clash between world communism and world capitalist imperialism because: 'we are living not in a state but in a system of states, and the existence of the Soviet Republic side by side with imperialist states for a long time is unthinkable. One or the other must triumph in the end. And before that end comes, a series of frightful clashes between the Soviet Republic and the bourgeois states is inevitable'. For 'there is no alternative left: either the Soviet government triumphs in every advance country in the world, or the most savage reactionary imperialism triumphs, the most savage imperialism which is out to throttle the small and feeble nationalities and to reinstate reaction all over the world. This is the Anglo-American imperialism which has perfectly mastered

the act of using for its purposes the form of a democratic republic. One or the other, there is no middle course'.

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