

SUBJECT: POLITICAL SCIENCE I

COURSE: BA LLB SEMESTER I

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MODULE: MODULE IV, THEORIES OF THE ORIGIN OF STATE

THE ORIGIN OF STATE

Political thinkers and philosophers have tried and attempted to trace out and explain the origin of the state in various methods, according to the nature and the social condition prevailed at the time of their thinking. However, there is no valid answer to “what is the origin of the state”? There were many contradictions in the thesis on what the origin of States. Nowhere in the history has it been recorded when the state came into existence. There were various beliefs regarding the origin of the state, some believe that the origin of the state lie in the hands of God whereas others believe that they are based on social contract and some trust on single force, the family or the process of evolution. The research anthropology ethnology and comparative philosophy had tried to focus on the origin of the state but it was not adequate.

Prof. **R.N.Gilchrist** aptly mentioned that “of the circumstances surrounding the dawn of the political consciousness, we know little or nothing from history, where history fails, we must restore to speculation” . Historical method and evolutionary course of action failed to prove when mankind originally came under the control of state. It is only the imagination of the political scientist and historical researchers that various elements which might have made contribution for the origin of the state. As such, there was no agreeable and acceptable conclusion among the political thinkers regarding the fundamental question of origin and establishment of state.

As a result, there were various theories concerning the primary or pre historical origin of the state propounded by the political scientists and historical researchers. These theories are:

1. The theory of Divine Origin
2. Patriarchal Theory
3. Matriarchal Theory
4. Force Theory
5. Social Contract Theory
6. The Marxist Theory of State

THE THEORY OF DIVINE ORIGIN

This is the oldest theory among the origin of the state. It stated about the right of kings. The formal statement of this theory is that the state has been established by and ordinated of God; its rulers divinely appointed; they are accountable to no authority but God, as described in Bible. The combination of earlier rulers where of priest and king or the magic man and king .

According to **Maclver**, the magic man was priest and king. All are combined as one. In the epic Mahabharat, it is recorded God appointed Manu to rule the people as per their request to protect them . James in his work "*The Law of Free Monarchies*", kings are justly called God, for they exercise a manner of resemblance of divine power on earth, King are accountable for God only. The people cannot question him for the right or wrong done by him. James has stated the following rights of the king in Law of free Monarchies:

- i. Monarchy is divinely oriented.
- ii. Hereditary right is indispensable
- iii. Kings are accountable for God alone.
- iv. Resistance to lawful king is sin.

This theory has supporters only among the religious people. It has been nullified for being unhistorical, irrational and unscientific. Its merit was a powerful factor in preserving order and strengthening the respect of man, property and government and it reveals itself in the political organization.

Causes of the Decline of the Divine Theory:

In the first place, when a more acceptable theory like the social contract theory came out, the divine theory was dashed to the ground. The new theory suggested that the state is a handiwork of men, not a grace of God.

In the second place, the Reformation that separated the church from the state debased the coin of the divine theory. The post-Reformation period is a period of non-religious politics. Thus the secular outlook made the divine theory totally unacceptable.

In the third place, the emergence of democracy was a big blow for the autocratic dogma of mixing religion with politics and thereby it blunted the edge of identifying God with the King. Democracy not only glorified the individual but shattered the divine halo around the origin of the State.

Last but not the least was the growth of scientific enquiry and materialistic view of the political mechanism. The result was that the erstwhile blind faith and superstition was no longer acceptable. The people began to accept only those things that stood the test of logic and reasoning.

Criticism of the Divine Theory:

There are seven lines of argument in the hands of **R. N. Gilchrist** levelled against the divine theory:

The first line of argument of Gilchrist is that the state is a human institution organised in an association through human agency. Modern political thinkers cannot accept the view that God has anything to do with the creation of the state. It does not stand the common sense of the moderns that God selects anybody to rule over the state.

The second line of argument is that the divine theory is fraught with dangerous consequences, because a semi-divine King is bound to rule arbitrarily as he is responsible only to God and not bound to heed public opinion. Such a theory will make the ruler despotic and autocratic.

The third line of argument is that the divine theory is unrealistic because a bad ruler will continue to rule under the divine shield. There were some bad rulers like James II of England and Louis XVI of France, who were replaced by the people. This could not happen if the divine theory was to be accepted.

The fourth line of argument is that the New Testament of the Bible reversed the divine conception of the state as ingrained in the Old Testament. It is emphatically stated in the New Testament-"Render unto Caesar the things that are Caesar's and unto God the things that are God's", which gives the state a human character as against the divine coating.

The fifth line of argument is that the divine theory is unscientific. The anthropologists and sociologists after careful scientific analysis have discarded the theory as totally untenable as an explanation of the origin of the state.

The sixth line of argument is that the divine theory runs counter to the universally accepted conception that the state is the result of a historical evolution. The generally accepted theory of the origin of the state is that various factors like religion, family, force and political consciousness were behind the growth of the state.

The seventh line of argument is that the divine theory is undemocratic. The inevitable implication of the theory in content and tone will make the King absolute and his government never democratic. So the theme of the theory is against the spirit of democracy.

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