

Quadrant IV – Notes

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Notes

- There are diverse perspectives on the origin of the state such as Divine origin of the state, Patriarchal theory of state, Matriarchal theory of state, Historical evolution of the state, Organic theory of the state etc.
- The social contract theory claims that the state came into existence as a result of social contract. It treats state as the product of mutual contract between men, created with definite purpose, to serve social needs.
- Exponents of this theory are Thomas Hobbes, John Locke and Rousseau who advocate this theory in different ways.

Hobbe's views on social contract theory

- Thomas Hobbes claims that man by nature is a cruel, violent, anti-social and selfish animal.
- In the state of nature in absence of the state, the man acted as per his inherent nature which resulted into an outbreak of constant clashes and conflicts between men.
- They used their natural liberty to oppress or kill others for the fulfilment of their selfish interests.
- Thus, state of nature, according to Hobbes, was a period of war of everyone against everyone. Man, in the state of nature were like hungry wolves, each ready to devour the other.

- In a bid to escape from the misery and horrors of natural condition and the desire for self-preservation led man to enter in a mutual contract to setup civil society / Polity which will give each one security of life and property.
- Under this contract, people surrendered all their natural rights (except right to life) unconditionally to one man who became sovereign, and the people become his subjects.
- The sovereign or the King is not a party to the contract, which, therefore, is not binding on him. It is binding on the people alone.
- The sovereign possesses all powers to manage the affairs of the state and receives complete obedience of people, in return he should ensure them security of life and property. He should maintain law, order & peace.
- Hobbes's sovereign or the king is all powerful and is not answerable or accountable to anyone.
- He makes laws as they deem fit to his judgment but he himself is above those laws.
- No one can remove him from his position because the contract is irrevocable.
- Through this theory, Hobbes advocates and justifies absolute monarchy in which the king possesses unlimited power. He is the epitome of political authority. Sole judge of right and wrong, and to whom all shall obey.
- The disadvantage of this theory is that it justifies autocracy and leaves people at the mercy of king against whom they have no power which they get in democracy.
- This theory is contrary to modern notion of popular sovereignty (rule of people)
- Hobbes was a tutor to Charles II of England. He condemned the Civil War of 1642 as he saw in it the forces of disintegration.
- He sought to establish the absolute monarchy as an essential condition of social solidarity.

Locke's views on social contract theory

- John Locke draws a different picture of human nature. He claims that man by nature is non-violent, social, rational and peace-loving animal.
- Due to this behavior, the conditions in the state of nature were full of peace, harmony, goodwill and mutual assistance.
- Majority of people at this stage obeyed the law of nature, that is the law of inward morality .
- Man had also recognized right to life, liberty and property of each one and behaved accordingly.

- But still, there were few persons who set aside the rules of morality in pursuance of their self-interest.
- In the absence of any established authority in the state of nature, it became very difficult to deal with such offenders.
- In order to rectify this defect, men abandon the state of nature and entered into political society by means of a contract.
- When men entered into political society, they surrender their natural rights to the assembly of men while retaining their right to life, liberty and property
- Locke's Sovereign (assembly) has limited powers. He is a party to the contract hence, not above it. He is bound by the same laws.
- He could be removed or replaced with new one, if failed to perform his duties or prove false to the trust of the people. On this basis he justified the bloodless 'Glorious' revolution of 1688.
- Locke says that the government has all powers but no power to supersede right to life, liberty and property of people
- The social contract is not permanent in nature and has to be renewed after each generation to renew people's trust.
- Through this theory Locke establishes idea of democratic constitutional government.