

Q. Examine the view that Hegelian spirit is nothing but evolution of human consciousness to the realization of political maturity for global human co-existence?

Ans: Introduction:

Hegelian spirit reflects evolution of human consciousness. When people become political aware, they demand rights. Human History is full of examples where people demanded rights <sup>when</sup> they became familiar with their worth. Hegelian spirit defines thinking process as thesis and this ~~is~~ has power to alter the world.

Hegelian spirit:

The spirit defines three terms: Thesis, anti-thesis and synthesis. Thinking is thesis. It has few flaws which anti-thesis covers. Thesis and anti-thesis cannot live together and at last they explode. ~~Anti~~ Synthesis will merge both and present idea containing infusion of both thesis and anti-thesis.

.. Some manifestations of human consciousness for realization of political maturity that transforms the world:.

### 1- Abolishment of slavery:-

Slavery was performed by a set of people. In the past, society was divided into classes. There was a class who did not have any rights and merely existed to facilitate upper class. With the raise in conscious level, people got their rights and ended their manipulation at the hands of upper class. Abraham Lincoln leaded for the abolishment of slavery.

### 2- Overthrown of monarchies:

In history, monarchies leaded the states. People had to follow them. They ~~donot~~ did not have any rights. People depended on monarches for their bread and butter and lived at their mercy. There was

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For example: French monarchy was  
overthrew by revolution in 1789.

The concept of <sup>elected</sup> parliament was

introduced in Britain only by  
raise in consciousness level. monarchy

in Britain still exists, but now its  
powers are limited. Real power is

with legislature and king/Queen is

just a ceremonial head.

3- demand of right of vote:-

People did not have right of  
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~~time~~ time, they realised their  
should be a right of vote.

Athenian people were the first one  
to use the right of vote wherein

people on their wives decided not  
to surrender before Iran. Iran at

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#### 4- Demands of rights for female:

Female suffered even after getting <sup>which was provided only to men.</sup> right of vote. States did not have provided equal status to them against men. They strived for their rights when they realized they were oppressed by male-dominated societies. In 19th Century, females of Britain got right of vote. New-Zealand was first country to provide females the right of vote.

Hegelian Spirit defining evolution of human consciousness:

Man is a material being. He gets idea and implement it. It should have few flaws in it. In order to counter it, ~~so~~ anti-thesis comes. These two conflicting ideas cannot exist together. It becomes necessary that someone combine both into two whose ultimate result should be well-being of people.

Hegel gave right of implementation to the state. He defined below characteristics for state.

- 1- The first and foremost priority of state is well being of citizen.
- 2- State shows its will through policies.
- 3- People should obey state.
- 4- State is sovereign and absolute in its decisions.

Hegel and evolution of states:

According to Hegel, system of world changed with the rising concerns of people. Previously, states only gave protection of life and property. Hobbes also gave the citizens only right of life and property. He did not give accountability right to citizens. Hegel criticized him. After industrial revolution, people came to know their worth and they stood to break their chains.

Conclusion:-

As discussed, Hegel ~~is~~ presented theory of dialectic wherein he described thesis, anti-thesis and synthesis. Moreover, his 3 key terminologies are associated with raise in consciousness level of people. People demand more when they know more. It is clearly visible from the history.

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Q3 The growing judicial activism in Pakistan is clearly at the expense of parliamentary sovereignty and supremacy. Critically analyze the statement?

Ans: Introduction:

Every state has three pillars. Judiciary, executive and legislature are three organs of state. Working of all these organs in their spheres is necessary for progress of state. Encroachment in others spheres is detrimental for every country and it is like undermining the sovereignty and supremacy of other organ. Judicial activism in Pakistan is growing and raised concerns for the supremacy of legislature. However, steps can be taken to revise supremacy of legislature.

Judicial activism:-

Judiciary is meant to interpret the law. The exercise of power in any other spheres come under judicial activism. For example: Judiciary in past <sup>was</sup> founded to check prices of



accommodates. Constitution ~~dit~~ does not provide them the right to check prices of utilities. It is exercise of power that is not delegated to them. Therefore, it comes under category of Judicial activism.

Factors indicating that Judicial activism exist in Pakistan:

#### 1- Stay orders to hotels:

Pakistan was a worst effectee of floods in the 2021. Hotels and many properties were destroyed in the floods. On the backdrop of it, Judiciary gave stay orders to hotels that were at the banks of rivers. Government was against these hotels and wanted its demolishment.

The judiciary intervened and gave them stay order. Therefore, ~~exacerbation~~ ~~of~~ Judiciary is ~~more~~ responsible for the devastated outcomes.

#### 2- suo motu:

Judiciary takes case on its own. Previously, judiciary did not read

Chapter 2 Political Science

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newspaper so, that they did not get any influence from opinions of public. But, now judiciary is taking up matters on their own. Judiciary is founded to take up cases especially related to politics. In Pakistan, <sup>there are</sup> many cases ~~ever~~ there which took fundamental rights of people, but judiciary is silent. But judiciary intervenes in political matters which is not even under its domain. It is beyond comprehension.

(i) Parliament:-

Parliament is an elected body which is supposed to formulate law and policies for citizens. It is supreme and sovereign organ of Pakistan as it contains elected people. People elected them and they represent them. Undermining parliament means to ~~unde~~ take citizens forgrating.

(ii) How does Judicial activism undermines sovereignty of parliament:-

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## 1. Interventions in the domain of parliament :-

Parliament formulates policies.

It has few legal bars as it like according to constitution it cannot make any law against Islam and fundamental rights of citizens. Judiciary in most cases intervenes in the task of parliament. Judiciary can intervene when it is

against fundamental rights or constitution. Judiciary finds protection of constitution and fundamental rights a weapon to strike down any policy. In Reko Digg project, Pakistan suffered due to intervention of judiciary. Canadian based firm penalised \$7 billion on Pakistan.

But it was solved by government and Pakistan was saved from big loss. Government derives its power from parliament and cannot move against it.

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Recently a no-confidence motion was passed against Prime Minister. However, the government was again declared on Monday as not declared it void. It is speaker a decision in judiciary decision on the when rights but in even at and ju facilitat visible is un

2- Had a role to remove government:

Recently, Parliamentarians moved a no-confidence motion against government. It was parliament internal matter. Prime minister dissolved assembly. However, decision of prime minister was against constitution. At the same day or night, Judiciary on its own declared ~~the~~ his decision null and void. It is worth mentioning here that speaker at that time gave his decision in favour of prime minister. Judiciary also struck down his decision. It puts a question mark on the working of judiciary that when matter is related to <sup>even</sup> basic rights it does not give any decision, but intervene in political matters even at night. A girl was missing and judge was not available to facilitate the case. It is clearly visible from the cases that judiciary is unable to address its cases, but ~~its~~ interventions in other spheres.

In the light of above discussion, one can say that judiciary intervenes in the matters of parliaments and has undermined its sincere will and effort needed to fix the issue. Otherwise the country has to face a major problem in the near future due to the interventions.

### "Section-B"

Q7- Fascism generally flourishes in countries with strong nationalism and weak democracies. Discuss the enabling conditions for fascism with reference to Germany and Italy?

Ans:- Introduction:-

Fascism had transformed the 20<sup>th</sup> century of world ~~history~~. Fascism

grew after world-war I when fascist leader emerged. World-war I started due to Germany and it was defeated at the end. Hitler arose in Germany when it has to face many barriers which were put up by West. Mussolini stood in Italy when West did not fulfil their commitments made with the country before world war-I. In both cases, countries ~~became~~ became economically and politically weak which gave rise to fascist leaders.

Fascism :-

Fascism is a word derived from fiasco. It is authoritative and totalitarianism concept of state. People have to follow leaders and fascist leaders control their political and social both life.

Fascism in Germany:

Adolf Hitler stood in Germany. Germany lost in world-war I as a result the alliances put

barriers on Germany and cut it from the world. People at Germany suffered due to economic loss. Germany became politically, socially and economically weak. Adolf Hitler emerged and took advantage of the prevailing conditions. World faced many devastating issues/effects after rise of him.

(\*) Fascism in Italy:-

Italy in world war-1 took side of alliances or West. In return extra territories or colonies were promised to give under control of Italy after winning in the war. After war, Italy was not given anything. Soldiers came to homes after war have nothing to celebrate. Italy also suffered politically, economically and socially. There were crises and fascist leader emerged to exploit people.

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## Enabling conditions for fascism:-

### 1- Emergence of crises:-

As visible from above discussions both countries faced fascism when there were crises in them. Italy and Germany faced through

- crises as a result of world war-I. The crises gave rise to a new ideology called fascism

### 2- Strong nationalism:-

Both fascist leaders took support of nationalism. They inculcated feeling in people that they were best and ~~no~~ they were superior to everyone. As Mussolini, founder of fascism in Italy said, "nothing beyond the state and nothing against the state."

### 3- Weak political structure:-

Both countries faced fascism



When these political structures were weak. These countries passed through a political turmoil and fascist leader used the circumstances for their vested interests.

#### ↳ Exploitation of resources:

Exploitation creates a sense of revenge and deprivation. In both countries, people suffered after world war due to alliance of west. People felt sense of ~~loss~~ deprivation and both leaders in their countries used the feelings of people to take their interests.

#### Conclusion:

In the light of above discussion, when people faced deprivation and exploitation of resources after world war, fascism emerged. Previously world was unknown with the term of fascism. Fascist leaders took support of nationalism and weak democracy for flourishing fascism.

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Q6- How far 18<sup>th</sup> ammendments will transform the existing federal structure in Pakistan?

Ans: Introduction:

Pakistan is a federating state. It has one centre and 4 provinces. Harmony among the federating units and centre is needed for the progress of country. Pakistan has devoluted subjects to provinces from the centre in-order to ensure provincial autonomy. However, there is a long ~~debate~~<sup>ongoing</sup> debate on the 18-ammendment ~~ongoing~~ and there are also concerns to take the ammendment back. It has totally transformed the federating structure of Pakistan.

(i) Subjects under 18<sup>th</sup> ammendment:  
18<sup>th</sup> ammendment was done <sup>in</sup> under constitution to devolved <sup>from</sup> subjects of centre to centre. It was done to give provinces more autonomy.



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to provinces.

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previously in the domain of federal.  
now education can vary from  
province to province because it  
is under provinces.

4- Disaster management given to provinces  
but was reverted back.

Centre looks upon the management  
of disasters after myths. now, it  
is also at disposal of Centre. But  
it was given to provinces previously.  
provinces collectively after signing  
an document that they did not  
have capacity to handle it again  
gave it to centre.

5- Sign on charter of Democracy:

Charter of Democracy  
was signed in 18th ammendment.

It was against any non-parliamentary

intervention. Now, if any one of think  
~~about~~ against state has to bear  
punishment. It was basically  
done to ~~remove~~ remove article  
58 2(b)'s consequences.

6- Abolishment of Concurrent list:

Pakistan has 2 lists previously  
under constitution of 1973:  
Concurrent and Federal list.

Concurrent list was abolished and  
its subjects were transferred to  
provinces under 18th ammendment.

Conclusion:

In the light of above  
discussion, 18th ammendment was  
done to give provinces more  
autonomy. Few subjects were  
transferred from centre to  
provinces and financial allocation  
in taxes were also increased.