

This is my first attempted question of political science. I don't know if I have done it right or not. Please thoroughly evaluate it and guide me my weak points. Also tell if the structure is right or not, and does my answer satisfy the question asked.

Please tell me what to do.

Totally confused!

Q no: 02:

Why Monist Concept of Sovereignty has been abandoned? Analyze legal concept of Sovereignty.

1

Introduction:

Sovereignty is derived from the Latin word "Superamus" which means Absolute authority. The concept of Sovereignty emerged in Europe during the "Treaty of Westphalia" in 1608. Sovereignty is the absolute power to do anything. It usually resides within the sovereign who can be a single person or a group of institutes. Sovereignty has travelled a long path in these centuries from papal authority to Monarch with divine right and then to the parliament. In the contemporary world, the absolute concept of sovereignty is a rare sight, and the world has since moved to the pluralistic concept of sovereignty because of the rise of liberal and democratic ideas.

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2. Legal Concept of Sovereignty:

With the end of the 30 years war in Europe by the Treaty of Westphalia, the concept of "Nation-state" emerged with its two attributes, Sovereignty and territorial integrity. Sovereignty of a state is its absolute authority within its territorial borders.

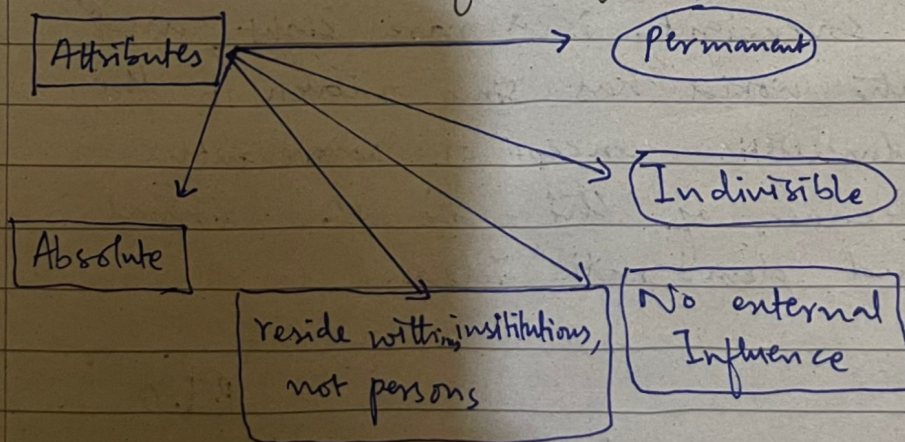
if Types of Sovereignty:

i) Legal Sovereignty:

Legal Sovereignty is the authority of the state to pass and enact any kind of law. It coincides with the law making power of the state and the execution of those laws.

In the contemporary world, public representatives usually hold this power through parliaments.

Attributes of Legal Sovereignty:



- Absolute legal sovereignty:

It should hold absolute authority within the borders of the state.

- Resides within Institutions, not persons:

Legal sovereignty reside within institutions, such as parliament. It does not changes with change in person.

- No external Influences

Legal sovereignty should not have any external influences; Rather, stakeholders should be sole holders of this authority.

- Indivisible:

Legal sovereignty should reside in single person or institution within a state. If it divides within the border of a state, de facto and de jure sovereigns forms.

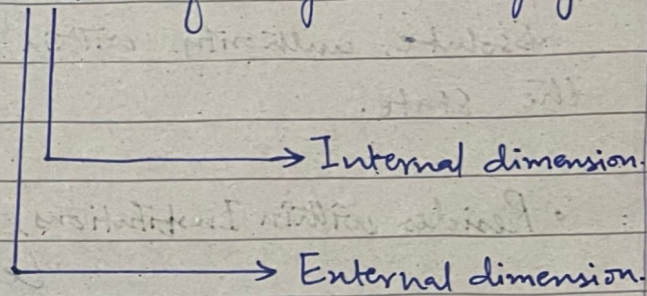
- Permanent:

It should be permanent.

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b) Dimensions of Legal Sovereignty:

Dimensions of legal sovereignty.



• Internal dimension:

The absolute authority within a institution of the state to form and implement laws within the boundaries of the state.

• External dimension:

The absolute authority of a state to form its foreign policy and laws governing its foreign relations without any external influence.

3. Why Monist or Absolute concept got abandoned:

According to "Monist theory of Sovereignty", Sovereignty should reside within a single person usually "Monarch" with absolute authority to form and implement any kind of law and take any kind of action without any accountability.

Thomas Hobbes and James Bodin were its pioneer. According to them, for a stable government, it is necessary that an absolute sovereign should be given all the powers to run the state.

1) Reasons for its abandonment:

i) Period of Renaissance in Europe:
Renaissance

proved to be a turning point for this kind of sovereignty because of the rise of ^{idea of} classical liberalism, natural rights theory and reason.

ii) Enlightenment period:

During the enlightenment in Europe, science, rationality, and liberalism spread across the Europe and awakened many societies asking for equality and rejecting the idea of "Divine right of King"

iii) Glorious Revolution:

The Glorious revolution overturned the British monarch and paved way for the parliament to become the actual sovereign. This was the fatal point to Monist sovereignty.

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iv) The declaration of American Independence and the French revolution:

Enlightenment philosopher, Montesquieu, John Locke, and John Jacques Rousseau, gave the idea of popular sovereignty, liberation, equality, and separation of powers which in turn leads to successful revolution against monarch and open the doors for pluralistic concept of sovereignty.

v) Harms of the Monist Sovereign:

The monist concept of sovereignty was an authoritarian rule in disguise. It gave monarch the power to oppress the populace. Statement like "I am the state" by King Louis XVI really show how much harmful this concept was.

vi) Rise of pluralistic view of sovereignty

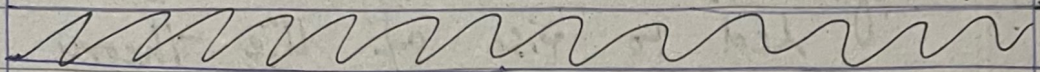
The rise of pluralistic concept of sovereignty, with state institutions having the authority and the "people are the actual sovereign" concept was the final blow to the monist view which lead to its abandonment.

4.

Conclusion:

Sovereignty means absolute authority. This concept emerged in Europe

and has become a model of authority worldwide. It, in the past resided with monarchs and now reside within the state institutions such as parliament with people acting the actual sovereign, who elect their representatives to form and implement the laws.



Q no: 03:

Examine Montesquieu's theory of separation of powers. Why has he been called the "Aristotle" of the eighteenth century? Discuss.

Answer:

A. Introduction:

Montesquieu, a prominent French philosopher of the Enlightenment period, has also been called as the "Aristotle of the 18th century" because of his work and influence. Montesquieu gave his famous theory of separation of powers in his prominent work "The Spirit of Law". Montesquieu's theory of separation of power was so much potential that it has become part of the political systems of most of the countries. Montesquieu believed that power should never be consolidated

in a single organ; rather, it should be divided among the three main institutions of the state for better functioning of the state.

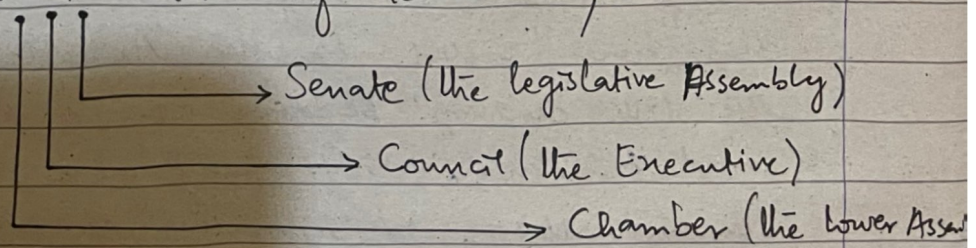
B Influences on Montesquieu that led to rise of the theory of "Separation of Power"

Montesquieu had a profound impact of the events of enlightenment that led him to propose his famous theory of separation of Power:

1) Roman Empire's political Structure.

Montesquieu was deeply influenced by the Roman Empire's political structure, for its structure was divided among three who had different yet countering powers on one another.

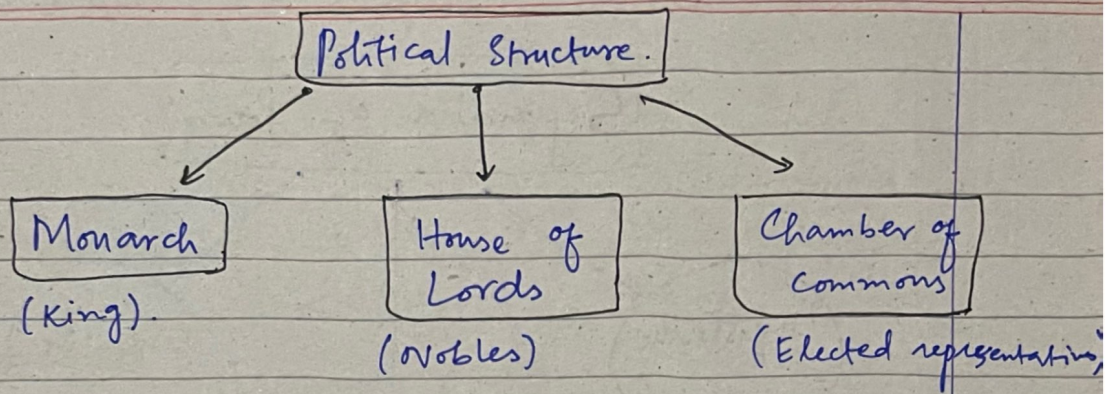
Political Structure of Roman Empire:



2) Political Structure of British Empire:

Montesquieu was also wary of the political structure of British Empire which was also divided among three for better functioning of the state

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3) Lord Chancellor of France:

Montesquieu was specially wary of the role of the Lord Chancellor in France, as this one person was holding three key positions within the state that led to chaos within the state and bad governance.

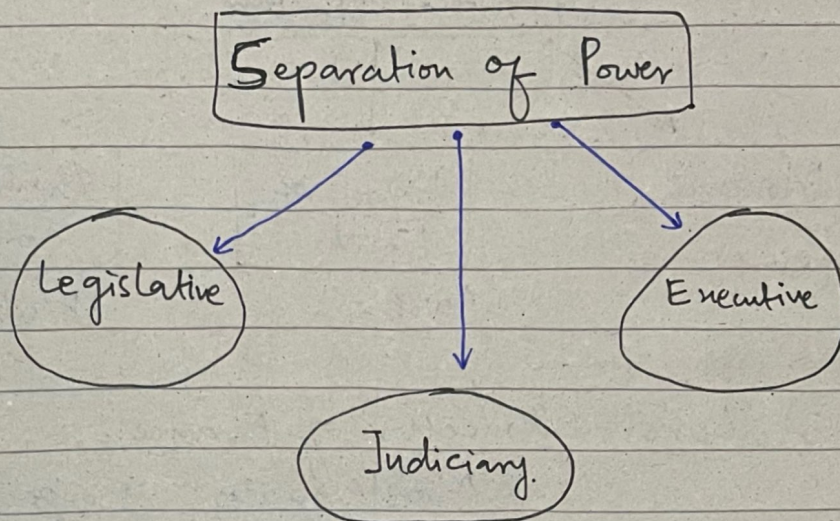
4) John Locke's theory of Separation of Powers:

Montesquieu had a deep impact of John Locke's theory of separation of powers who had divided state's structure into three branches:

- The Legislative Branch: Law-making body.
- The Executive Branch: Law-executing body.
- The Federative Council: Foreign affairs council.

☞ MONTESQUIEU TRIPARTITE MODEL OF STATE: SEPARATION OF POWER THEORY

Montesquieu's theory of separation of powers divided power among the three institutes of the state so that each institute can perform its function effectively.



1) The Legislative branch of the state:
According to Montesquieu,
the sole function of the legislative branch
was to make laws according to the needs
and wishes of the people.

2) The Executive branch:
Its function was to
execute the laws made by the legislative
branch.

3) The Judiciary,
According to Montesquieu,
Judiciary is "the most important" branch among
the three, and its impartiality is "the most necessary".
Its function is to interpret and apply the
laws.

If we were to be angels, there was no need
of governments. If angels were to govern us,
there were no need of checks internal or

external. But, in a situation where men is to govern men, it is necessary that the government should first control the governed, and then it should be obliged to control itself- James Madison.

D ■ System of Checks and Balances:

Montesquieu believed that certain checks should be placed on each state institutions so that these institutions do not trespass on the liberties of the people.

"Ambitions must be counteracted by Ambitions"

Montesquieu

According to Montesquieu, It should be Law that govern all the three institutions of the state, and it should be "written and clear."

E Critical Analysis:

1) Pros of Montesquieu's theory:

a) Montesquieu gave a very efficient, practical and functioning model of state.

b) almost all the state in the contemporary world follow Montesquieu model of separation of power among the

c) Montesquieu was first to give the idea of constitutionalism and rule by law.

d) Separation of power has secured liberties of individuals by dividing power among them and then by putting checks on those powers.

2) ~~Controversies~~ Cons of the theory:

a) It is not the original work of Montesquieu, it was first proposed by John Locke.

b) The term "Function" would better suit the theory as "Power" resides with the people ^{and} not with the institutions.

c) Montesquieu believed in strict separation of power, but states like UK, Switzerland have performed well despite loose separation.

d) Strict separation is not possible as all the three institutes depend on each other for better functioning.

"Montesquieu is the intellectual father of United States of America."

James Madison.

F "Aristotle of the 18th Century"

Montesquieu has been referred as the Aristotle of the 18th century, because of the profound impact he had on the people of his time, and also because of his work's similarity with Aristotle's work:

1) Deductive Reasoning:

Montesquieu and Aristotle both used deductive reasoning, applying broader conclusions to specific ideas.

2) Constitutionalism and Rule of Law:

Both, Montesquieu and Aristotle believed in governments which function according to written rules which applied equally to all.

3) The Principle of "Moderation":

Montesquieu and Aristotle both had the same belief of moderation in governance. Montesquieu was in favour of a moderate, mixed form of government, neither too centralized nor too liberative. According to Aristotle "Justice is moderation in all the things".

4) Both proposed "Government models":

Montesquieu proposed a government model divided into Monarchy, Democracy, and Despotism. While Aristotle's model consisted of Kingship, aristocracy, and polity.

5) Impact of Climate on political System:

The theory of climate proposed by both in different way was groundbreaking and ahead of their times. Both believed that the climate of an area has a profound impact on the political structure of the area with "cold climates preferring republican models and hot climates preferring

monarchy".

Q. Conclusion:

Montesquieu's theory of separation of power has influenced the political structures of almost all the states of the world.

His ideas were so profound and innovative that he was entitled Aristotle of the 18th century.

Q no: 06:

Critically examine the basic principles of Fascism:

Answer:

A. Introduction:

The word "Fascism" originates from the word "fascio", first used by Italian dictator Mussolini, which means unity and strength. Fascism was a far-right, authoritarian, cult personality obeying ideology of the 20th century Europe, which arose after Mussolini took control of Italy. Fascism has a hypernationalistic core which means that the state of Italy

is above all as described by Mussolini himself: "All within the state, nothing outside the state, nothing against the state."

This ideology had an inimical impact on the 20th century Europe - led to WWII and destruction of social, political, and economic fabric of Europe. The principles of hypernationalism, imperialism, and totalitarianism of this ideology are morally corruptive and are against the law of natural right of every individualism.

B. Rise of Fascism:

Fascism rose because of the instability, disintegration, and faulty governance in Europe. WWI had destroyed most of the Europe; economies of the states were plundering, especially Italy; and the incompetence of King Emmanuel III led Mussolini to "March on Rome" ~~and~~ which led to him becoming the PM of Italy.

C. Fascism and its basic principles:

Fascism indicates a symbol of 'wood' and 'axe' which indicate strength and unity. It became the symbol of Mussolini's flag. Its basic principles are:

1) Hypernationalism:

Mussolini believed that Italy had lost its glory because of foreign influences, and because of disintegration within the Italians. He famously quoted "All within the state, nothing outside the state, nothing against the state" to show his hypernationalistic views.

2) Imperialism:

Mussolini believed to bring back the glory of Roman Empire, it is necessary to expand and increase the living space for Italians. For this, he attacked Ethiopians and conquered it.

3) Suppression of dissent:

To unify Italians, Mussolini suppressed all any kind of political dissent. Although, some cultural and religious pluralism was allowed.

4) Collectivism over Individualism:

To bring back Italy's glory, Mussolini believed collective efforts were necessary, and individual's freedom could be sacrificed.

5) Propaganda:

Media and education

were used as a tool to instill fascist values among the Italians.

6) Cult personality:

Every kind of tool was used to spread misinformation and show that the rule was a "suprahuman" person, sent by God to bring Italy's golden days back.

7) Responsibility, Obedience, and collectivism:

Fascism believed in total obedience to the state and its policies without any dissent.

8) Corporatist Economy:

Fascism rejected both Capitalism and Communism and believed in a state controlled model ~~where~~ where state was the intermediary between modes of production and producers.

□ Strengths of Fascism:

a) Fascism was successful in unifying the people of Italy under a single banner.

b) It led to economic rise of Italy and funded the conquests that Mussolini did ^{under} his leadership.

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c) Centralization led to efficient governance.

d) Fascism brought order and stability to Italy.

e) Italy's political standing rose in Europe and the world.

E Weakness of Fascism:

a) The Imperialist ideology became a scourge to its neighbours ^{as} and Mussolini did many unprovoked attacks on them.

b) The hypernationalist ideology is against the law of natural rights and is inimical to the principles of liberty.

c) The ideology was propaganda based just like 'Nazism' with no real value.

d) The authoritarian regime is against the principles of democracy, rule of law, and equality, incompatible with modern-day state structure.

e) Collectivism led to loss of individual identity.

f) Fascism totally suppressed voices and freedoms.

g) Fascism, although initially rose Italy's standing, but, eventually led to its downfall.

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G. Critical Examination of Fascism:

Although, Fascism led to the rise of Italy, economically and politically, in its initial period; It eventually led to Italy's decline too, dragging it into a major War which destroyed its structure, political and economic, and led to its conquest by the allied powers.

H. Conclusion:

Fascism, a far-right, hypernationalistic, totalitarian, suppressive ideology, was a political experiment done by Mussolini in the 20th century Europe. It eventually dragged ~~the~~ Europe in War and destroyed itself too.