

Section A

(Question No. 2)

1- Introduction:

Different philosophers gave different explanation about creation of state, some considered it organic whether others considered it artificial. Social contract is a concept which explained formation of state as a artificial state. Most prominent philosophers of social contract are Thomas Hobbes, John Lock and J.J. Rousseau. The validity of Social contract in the era of populism is debatable.

2- Social Contract :

The concept of Social Contract explains the creation of state. It is against the notion of organic concept of state and argues that state did not create all by itself. Rather it was an artificial process, which was initiated due to the people living in a specific area.

3- Pioneers of Concept Social Contract :

Thomas Hobbes, John Locke and

J.J. Rousseau are considered the pioneers of Social Contract. The next reason for formulating a separate social contract by all of them is their state of nature and reason of making a contract. They all were agreed on a single notion that:

"State is created by contract among people."

4. Foundations of Social Contract by Hobbes, Locke and Rousseau.

First and foremost concept of giving social contract theory was their reason or context of theory. For instance, conditions of England made Hobbes to give this contract. Similarly, influence of Ashley Cooper on John Locke and oppression of feudals and Monarch over ordinary people compelled Rousseau to give concept of social theory. Following are the foundations of theory of social contract by Hobbes, Locke and Rousseau.

i- State of Human Nature:

a- Hobbes' Human Nature:

Hobbes started his concept by giving a pessimistic view of human nature. He says that human is selfish, brutal,

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violent, aggressive, dishonest, cunning and has lust for power. Nature of human made him an animal who is harmful to every other human.

b- Locke's Human Nature:

In contrast to Hobbes, Locke provided an optimistic view of human nature and said that human by nature is honest, true, sincere, loyal, emotional and humane.

c- Rousseau's Human Nature:

In contrast to Hobbes and Locke, Rousseau says human is neither innocent nor brutal and violent. He is neither good nor bad. He says:

"Man is a noble savage."

ii. State of Nature:

a- State of Nature by Hobbes:

Hobbes said that state of nature was not peaceful at all. Every human was afraid of other human for his life and property. He further said,

"My mother gave birth to twins: myself and fear."

b. State of Nature by Locke:

In contrast to Hobbes's state of nature, Locke says that originally state of nature was peacefully. People were living in harmony with each other. Life was long and there were no fights.

c. State of Nature by Rousseau:

In contrary to Locke and Hobbes, Rousseau said that state of nature was solitary good. People were not aware of good and bad but they did not ^{still} do any wrong things.

iii- Need of Social Contract:

a. By Hobbes:

Hobbes said that due to turbulence in state of nature, life was uncertain and short. People were afraid of life and property. They wanted to have someone which could protect their lives and property. This need compelled him to say a contract among each other.

"We surrender all our rights to this one man."

So, they surrendered all their rights to one powerful man for which Hobbes used a term "Leviathan."

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By Locke :

With the growth of population, struggle and competition for resource were increased and this made conflict among the people. To resolve disputes, they wanted to have a contract with each other.

"I surrender all my rights to the condition, if you do the same. I surrender all my rights to community as a whole on the condition if you do the same."

By Rousseau :

Rousseau gave a very different reason for entering into a contract. He says,

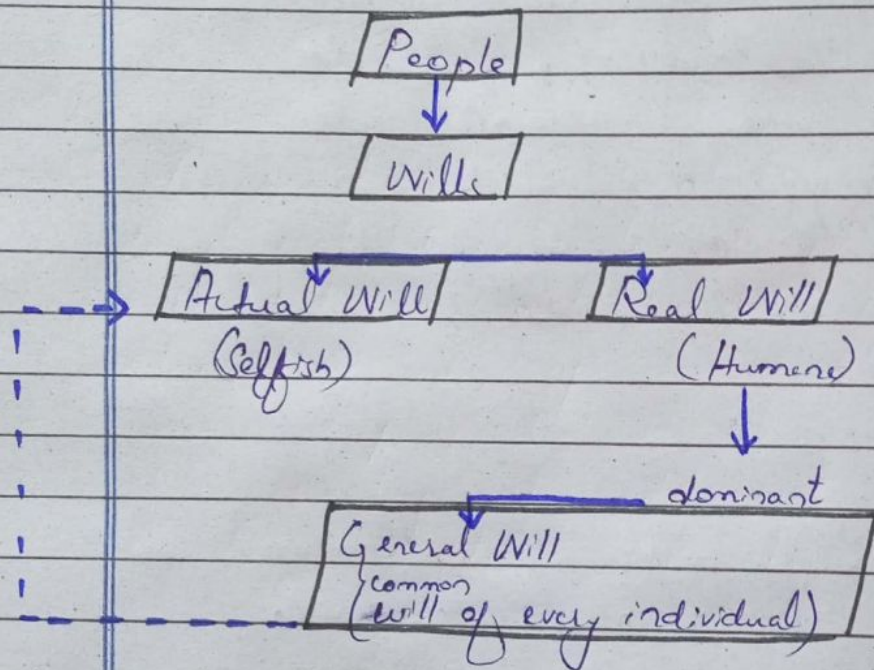
When the very first man pointed at piece of land and said, "that is mine and that is thine." This created sense of good and bad among people."

This sense of good and bad put chains on the liberty of individual like what he was doing before was restrained by good and bad.

"Man is born free, but everywhere he is in chains."

To achieve liberty, people decided to enter

into a contract with each other and every person said to other person that,
 "We surrender all our right not any men or assembly of men but to the general will of community."



iv. Implications of the Contract :

Hobbes	Locke	Rousseau
<ul style="list-style-type: none"> - State - King was sovereign - Unilateral - Non-revokable 	<ul style="list-style-type: none"> - State - Parliament was sovereign. - Bilateral - Revokable 	<ul style="list-style-type: none"> - State - General Will was sovereign - Liberty - Revokable

5- Relevance of Social Contract in Era of Populism:

In the face of populism, the social contract faces scrutiny as populist leaders often claim to represent the voice of people against corrupt elites. This challenges the traditional authority structures outlined in the social contract theory. The tension arises from populist movements questioning the legitimacy of established institutions, which are key components of social contract.

a. Recent Elections in Turkey and Winning of Tayyip Erdogan!

The recent elections in May 2023 in Turkey is biggest example of populism and relevancy of social contract. The existing President promised people to save their interests and in elections he got 52.5% votes in second round and re-elected again.

b. Contract of Two-Nation Theory in Sub-Continent

Another relevant example given under the context of social contract and populism is

contract of Two-Nation theory which was put forward by Muslim leaders to revive the spirit among Muslims. As a result, under the leadership of Quaid-e-Azam Muhammad Ali Jinnah, state of Pakistan was created.

6- Important Point in Relevancy of Social Contract and Populism:-

Though, it is pertinent to say that social contract is relevant upto some extent but we cannot consider it fully relevant as idea of revokeable is not considered appropriate. A strong civic state usually follows its contract and try to avoid ~~to~~ revoke it.

7- Conclusion :

In a nutshell, the concept of social contract rejected the idea of organic concept of state which was given by Aristotle. Locke, Hobbes and Rousseau gave their own social contract but the point of similarity among their contracts was that state is created artificially. Moreover, the relevancy of populism and social contract is debatable.

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Question No. 4:

1- Introduction:

After the downfall of Mughal Empire in the sub-continent, Muslims were oppressed and were dejected in all walks of life. During that time different political thinkers like Sir Syed Ahmed Khan, Allama Muhammad Iqbal and Quaid-e-Azam played their part. However, Allama Iqbal is considered as champion of Muslim Nationalism and it also became reason for creation of Pakistan. The political system of Pakistan, despite the challenges, is observing Islamic principles and has preserved their cultural identity.

a- A Brief History of Muslim Nationalism in Sub-continent:

It all started after the war of independence when Muslims were falling apart. Even before the downfall of Muslims, religious reformers like Sheikh Ahmad Sirhindi and Shah-Waliullah tried to revive the spirit of nationalism in Muslims. Nehru wrote about this event in his book "Discovery of India" and argues that:

“There had been no concept of nation and there had not been Pakistan. It was Ahmed Raza Khan which gave idea of Muslim nationalism.”

After the independence of India, Ahmed Khan tried to change educational status of Muslim. Still then, there was no proper concept of Muslim nationalism.

3. How Concept of Muslim Nationalism got Support of Masses?

While looking at political struggle for creation of Pakistan, it will be no wrong to say that Allama Iqbal was champion of Muslim nation. His concept of Muslim Nationalism is divided into three phases:-

i. Phase I of Muslim Nationalism:

During phase I of Muslim Nationalism, Allama Iqbal was under influence of Western thinkers, teachers and education system. He believed in Adam Smith's concept of Nation state that people living in one territory are the nation. He used to say that:

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کہ سارے جہاں سے ہے اجماعاً ہندوستان ہمارا
ہم ہیں بلکہ اس کی ہے ہندوستان ہمارا

He has praised sub-continent but saying all the people of sub-continent are one nation.

ii- Phase II of Muslim Nationalism:

After going to Europe for his PhD, his concept of Muslim Nationalism was changed. He studied Metaphysics in Persia for which he has to study Quran in detail. While doing so, he realized that Muslim Nationalism is a distinct concept, there he started saying.

کہ چین و عرب ہمارا، ہندوستان ہمارا
مسلم ہیں ہم وطن ہے سارا جہاں ہمارا
ایک ہیں مسلم موم کی ہامانی کے لہ
پہلو کے ساحل سے ہے ہوتا جہاں کاشغر

At this point, he understood that Muslim Nationalism is not restricted to boundaries.

iii- Phase III of Muslim Nationalism:

Iqbal returned to India, and there he started preaching Muslim nationalism and he used to say that:

کہ اپنی ملت پر قیاس اقوام و عرب سے نہ کر
فاصل ہے ترکیب میں قوم رسولِ ہامانی

It means that don't compare yourselves with Western nations. Muslims have their distinct identity.

4. Allahabad Address: Concept of Two-Nation

Theory

The concept of Two-Nation theory at Allahabad address further instigated the concept of Muslim nationalism. Allama Iqbal in 1930, while addressing annual session of All India Muslim League ^{said} that,

“Muslims and Hindus are separate nations with distinct identity, culture and religion. While living together for 1000 years they did not mix up. How come they live together in one state freely.”

5- Efforts of Quaid-e-Azam:

Jinnah originally joined Congress as he was supporter of united India but with the passage of time, he realized the conspiracies of Hindus. He left Congress and joined Muslim League in 1913. From then onwards, his efforts for creation of Pakistan.

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were countless. When Iqbal gave concept of Muslim nationalism at Allahabad address, the idea was put into its practical form by Quaid-e-Azam. At Lahore Resolution on 23rd March, 1940, he said that,

“Muslims are a nation according to any definition of a nation, and they must have their own homeland, their territory and their state.”

Jinnah's persistent advocacy for the rights and representation of Muslims in the political landscape of British India is evident in his numerous speeches and interactions with political leaders of his life. His leadership and dedication to the cause of the Muslim nationalism played a crucial role in shaping the political destiny of sub-continent.

6- Impact of "Muslim Nationalism" on Political System of Pakistan:

The shaping of Pakistan's political ideology was influenced by this ideology. The Two-Nation Theory asserted that Hindus and Muslims are two

separate nations, formed the basis of Pakistan.

a. Creation of Independent State for Muslims:

Idea of Muslim Nationalism led to formation of an independent state where Muslims could practice freely. As, living together with Hindus and to fight for their rights was not a easy task.

b. Practicing Islam in New State:

Muslim Nationalism is based on the principles of Islam and Muslims were not allowed to practice their religion freely. They were oppressed and different Hindu movements were organizing for their forcible conversions into Hindus.

c. Preserving Cultural Identity:

Muslim Nationalism gave the sense of preserving cultural identity to Muslims. Muslims have their distinct cultures and if compares it with Hindu culture, they are poles apart. Living with Hindus posed a threat to loss of cultural identity of Muslims so they "(could)"

struggle for new states.

d- Pakistan ^{initially} envisioned as Secular State: Islam as State Religion:

The political system of Pakistan, initially envisioned as a secular state. As there are different religions and different minority groups, but with the passage of time, it was realized that Pakistan was created under the concept of Muslim Nationalism. The roots of Muslim Nationalism are based on principles of Islam, so Islam should be the state religion.

e. Balancing Islamic Principles with Democratic principles:

The Constitution of 1973 of Pakistan declared Islam as the state religion. However, it did not neglect the rights of minorities as its citizens. Article 8-28, fundamental rights are applicable for all citizens of Pakistan.

Conclusion:

In a nutshell, Pakistan was established under the idea of Two-Nation theory which was put forward by concept of Muslim Nationalism. Therefore,

it is crucial to acknowledge the fact that Muslim nationalism played an important role in reviving the spirit in Muslims of sub-continent. Furthermore, it has led to creation of an independent political system in an independent state.

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1- Introduction :

In political system of every state, there are three main organs of government: executive, legislature and judiciary. Parliament is the legislative body of a state and political system of every state puts some restrictions on Parliament which are unique in context of every state. For instance, conventions in case of UK, systems of checks and balances in USA and similarly other states have unique constraints on Parliament's sovereignty.

2- Defining Parliamentary Sovereignty :

Parliamentary sovereignty is a constitutional principle that asserts the supreme legal authority of a nation's parliament. In a system with parliamentary sovereignty, the legislative body has the power to create, amend and repeal laws without being overruled by other branches of government. This means that laws

enacted by parliament take precedence over legal sources and there is no higher legal authority. However, the extent of parliamentary sovereignty can vary between the countries based on their constitutional frameworks. Some nations like UK (United Kingdom), adhere strongly to parliamentary sovereignty. Similarly, US (United States) has system of checks and balances that limit legislative powers.

3. Political and legal constraints on Political Sovereignty of :

a. UK (United Kingdom):

The Parliament of UK is bicameral: Lower house is "House of Commons" while the upper house is "House of Lords."

The sovereignty of UK Parliament is a fundamental principle, but it faces constraints from political and legal dimension.

Leslie Stephen while highlighting the sovereignty of Parliament stated that,

"if legislature decides to kill all blue-eyed babies then prevention of those babies will be illegal. However,

They must first be made before formulating such legislation."

i- Political Constraints on UK Parliament:

In UK, most of the constitution is in the form of convention. However, party dynamics and public opinion can influence the decision-making. They observe public opinion before formulating a new law.

ii- Legal Constraints on UK' Parliament:

Legal constraints include "Human Right Act" and membership in the European Union or Human Right which limit parliamentary actions deemed incompatible with human rights.



6- US (United States)

The legislature of US is also bicameral. Lower house is "House of Representatives" while upper house is "Senate." The Parliament of US is called Congress. Political system of US works under Presidential system.

i- Political Constraints on Congress:

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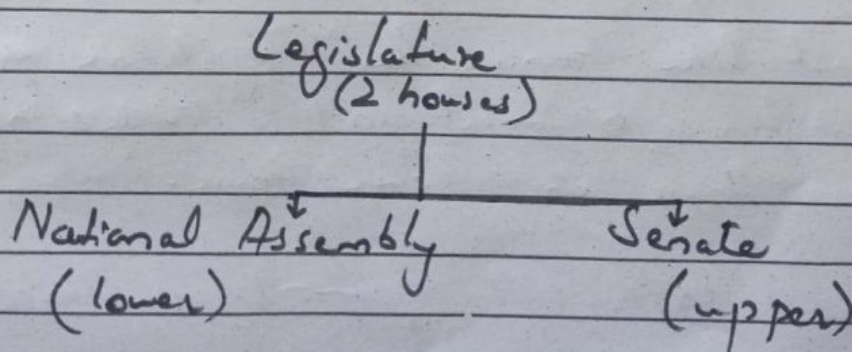
To ensure the transparency in the political institutions, US has introduced system of checks and balances. In that system, both judiciary and executive has the power to keep an eye over Parliament. Executive (the President) has the power to veto the bills. On the other hand, judiciary can declare a law null and void on reasonable grounds.

ii- Legal Constraints on Congress:

The Constitution of US serves as a supreme law, limit Congress authority to actions within its enumerated powers. Similarly, Supreme Court has the power of "Judicial Review" which was used for the first time in case of *Madison-Maryland*.

c- France :

The Parliament of France is also bicameral.



The political system of France works

in the domain of Semi-Presidential system.

i- Political Constraints on France Parliament:

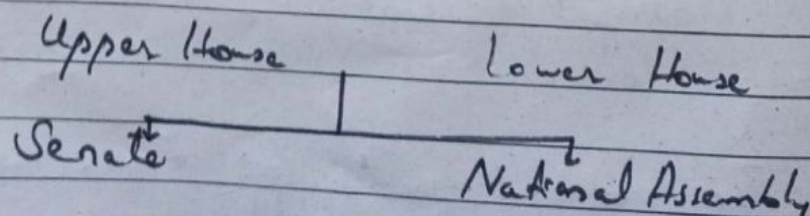
As in ^{Semi} Presidential system the power is divided between President and Prime Minister. The dynamics between executive and legislative branches, as well as political party influence parliamentary decisions.

ii- Legal Constraints on French Parliament:

Legally, French Constitution delineates parliamentary powers. The Constitutional Council acts as a legal check, reviewing laws for constitutionality. France's commitment to international treaties also affect legislative decisions. Rights of Man and Citizen sets fundamental rights limit parliamentary actions.

d. Pakistan:

Just like France, the legislature of Pakistan is bicameral and is divided into Upper House and Lower House.



i- Political Constraints on Parliament of Pakistan :

Pakistan is a federation, there are four provinces. Each province has its own legislative assembly and power is distributed between center and states. Balancing diverse regional interests becomes crucial in parliamentary decision-making. Kite-Flying Punjab Ordinance is applicable within the territory of Punjab and not in Islamabad.

ii. Legal Constraints on Parliament of Pakistan :

The "Constitution of 1973" defines the power of Parliament. Parliament has powers and functions according to the Constitution of Pakistan. Similarly, Supreme Court of Pakistan has authority of judicial review as a check to keep check on parliamentary action. It ensures adherence to constitutional provisions. Furthermore, the fundamental rights are given in the Constitution from Article 8-28.

e-Turkey:

The Parliament of Turkey is unicameral: GNA (Grand National Assembly) as the only house. Political system of Turkey works in accordance with Presidential system.

i- Political Constraints Over GNA:

Presidential system puts power in hands of President, creating a dynamics where the executive and legislative branches are closely intertwined. The dominance of single political party on influence parliamentary decisions.

ii- Legal Constraints over GNA:

Legal constraints include the oversight by the Constitutional Court, which has the authority to review laws and actions for their constitutionality. The protection of fundamental rights and freedoms sets limit on parliamentary actions to ensure individual liberty.

Conclusion:

In a nutshell, The constraints of political and legal nature on

Sovereignty of Parliamentary basically serve the purpose of checks. It ensures transparency and reduce misuse of power.

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Question No. 7

1- Introduction :

In Federation like Pakistan, it is important to analyze issues at grass root levels to ensure democracy. This could simply be achieved through establish self-government. In case of Pakistan, the local government system have gone through certain changes and is still faces few challenges. By overcoming these challenges, democracy will be ensured.

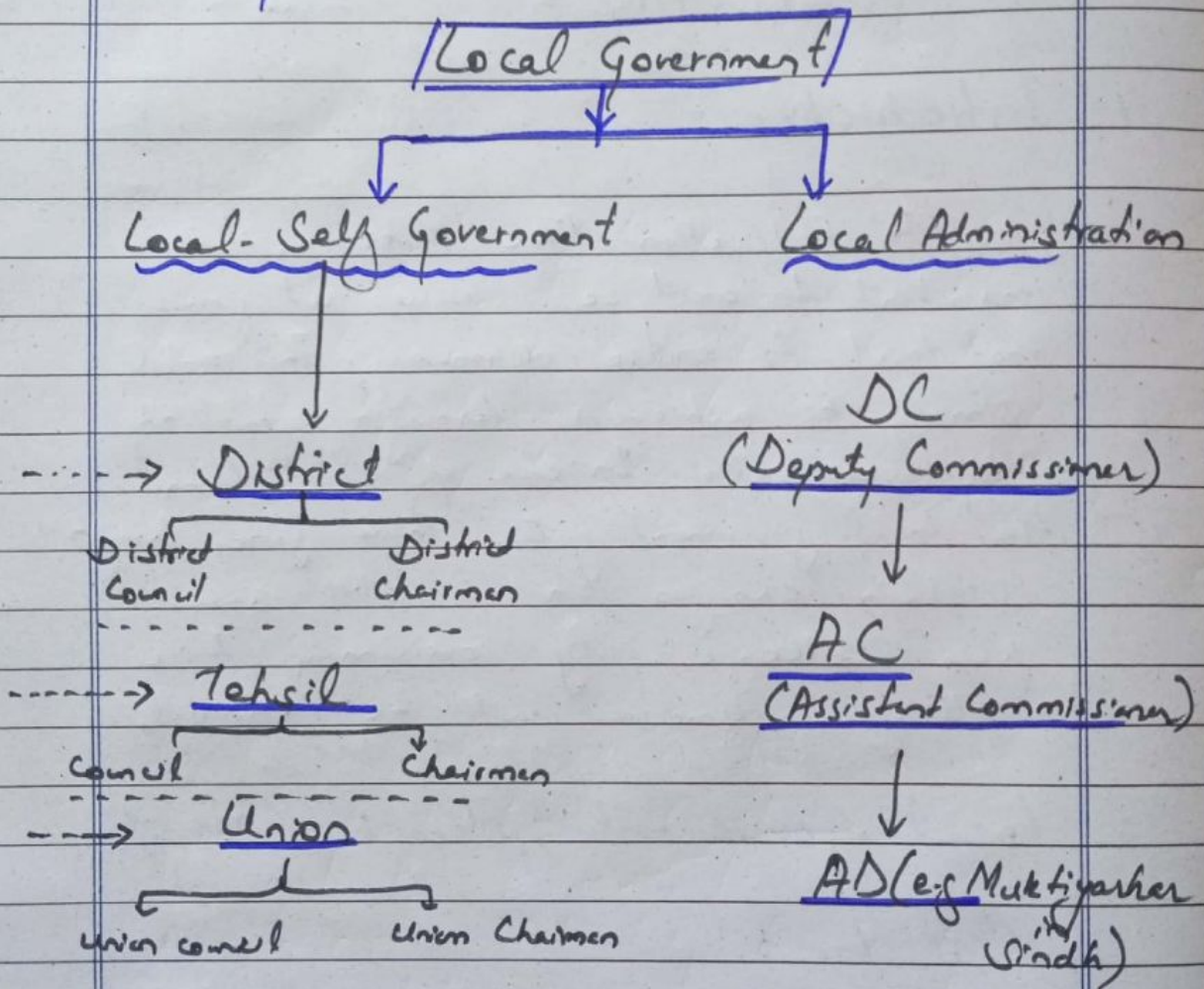
2. Local Government System: Case of Pakistan :

Local Government became the provincial subject after 18th amendment where article 140-A was added,

“Every provincial government shall establish two parallel system of local government.”

Under this article, it is mandatory for every province to establish local government.

3. Two Parallel System of Local Government :



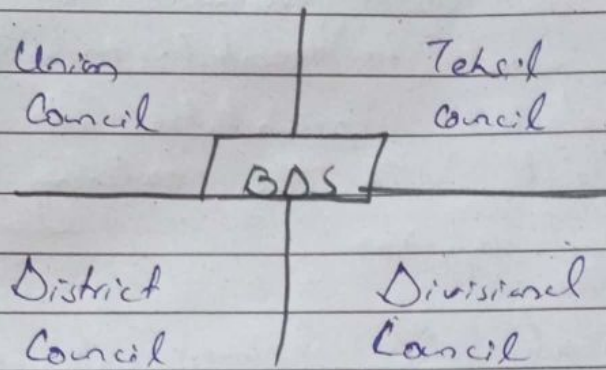
4. History of Local-Self Government of Pakistan :

→ Era of Ayub Khan :

Ayub Khan introduced the system of Basic Democracy (BDS) and recruited

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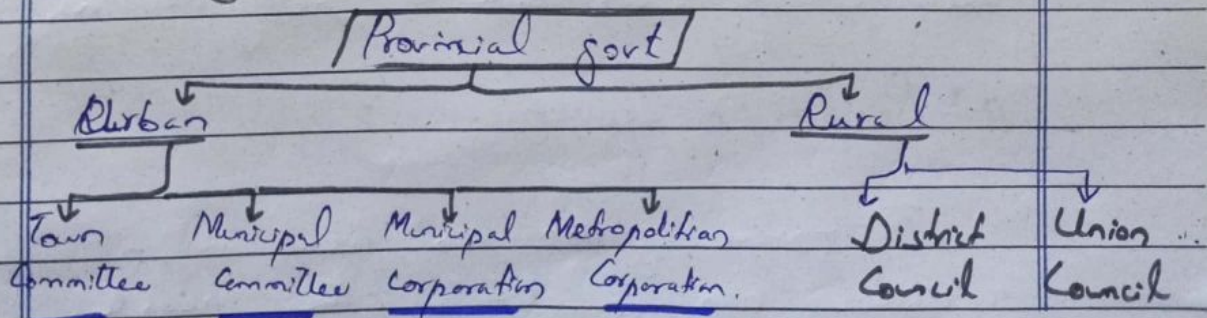
around 80,000 locals which constitute local self-government and which also became his electoral college.



Era of Zulfikar Bhutto :

Zulfikar Bhutto reorganised the system and accommodated the local councils. During his era, Constitution of 1973 was enforced under which Article 40 states that the state will ensure the independence of local government units to guarantee their complete improvement as an independent network. The provincial administrative reorganisation implemented 3 layered Dehi Councils, Talqa and Zilla Council.

Era of Zia-ul-Haq



→ Local Government Ordinance 2001:

In Pakistan, the devolution of power to local government gained momentum with introduction of local government ordinance 2001. This aimed to decentralized authority, providing elected representatives at the grassroots levels with the autonomy to manage local affairs.

5- How Local Self-Government can Ensure Democracy in Pakistan?

Local self-government can play a crucial role in ensuring democracy in Pakistan through following ways:

i- Citizens Participation:

According to Global Democracy Index in 2023, Pakistan was placed at 150th out of 180 countries. Local self-government can encourage direct participation of citizens in decision making process. Residents of areas will have opportunity to voice their concerns, contribute to policy decisions.

ii- Responsive Governance:

To improve governance, local self-government can facilitate the people

of its locality by addressing their grievances. Their responsiveness ensure that policies and services align with the preferences and requirements of local population.

iii. Accountability :

Elected local self government officials are accountable for their actions to people. For example, Union Nazim is elected by local people of that area. Therefore, this proximity fosters a sense of accountability as citizens can evaluate the performance of their representatives.

iv. Empowerment of People :

In Pakistan, there are 4 provinces and in each province there are different local governments. This gives sense of ownership to people, and responsibility as well. As a result, the democratic fabric of society is strengthened.

v. Inclusivity :

Local self-government provides opportunity for diverse representation, allowing marginalized groups and minorities to participate in decision-

making

vi. Policy Innovation:

When Federal government announce different governmental projects which are developmental in nature. Local self-government can identify the needs and expectations of a given area, contributing to overall development and adaptability of local system which ensures democracy.

6- Conclusion:

In a nutshell, local self-governments are playing a vital role in ensuring democracy in Pakistan though they are facing few challenges as well. However, they have the potential to improve democracy.

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