

# Section "D"

Question: 2

Critically examine Montesquieu's Theory of separation of powers. On what ground he is compared with Aristotle of eighteenth century?

## Introduction:-

Montesquieu put forward the theory of separation of power. As he think that inequalities or instability of government was due to the interference in function of government. He is known as the Aristotle of 18th century, as he also presented the emphasis on middle class for best kind of government.

## 2. Biography:-

Montesquieu was born in Italy. There was political instability. And all the conflicts were there among the ruling elites. He emphasized that those inequalities and conflicts are due to the interference. So, he presented the

Theory of separation of power

Power corrupts man, And  
Absolute power corrupts absolutely.

### 3- Theory of Separation of Power:-

Stability and progress of society depends on laws they make. And if the laws are good, the stability will prevail. And good laws can be made by the moderate government.

a- Organs of Moderate Government

i- Legislature:-

Montesquieu argue that legislature shall be given with duty of law making.

ii- Executive:-

Executive have to execute the laws made by the ~~legislature~~ legislature.

### iii- Judiciary:-

Judiciary has to perform the function of interpretation of laws.

## 4-② Division of Society:-

The divided the society into 2 groups like that of Aristotle.

### a- Quality:-

They are from the elite class and less in number. In their nature, a sense of authoritarianism is present.

### b- Quantity:-

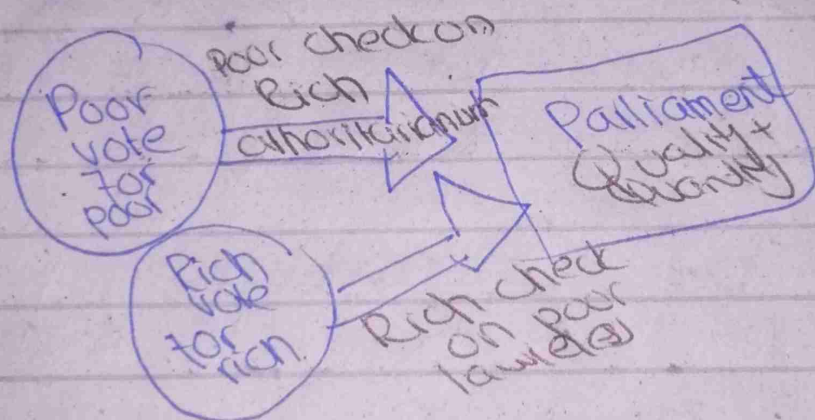
Quantity is the majority in the society. Middle class people are placed in this group. Anarchy is the key characteristic present in their nature.

### c- Middle Class:-

Middle class is the group of people present in society to keep the check on the authorities of quality and quantity.

# 5- Aristotle of 19th Century

Due to division of society, as that of Aristotle, he is also known as Aristotle of 19th century. He presented that quality or rich people vote, for rich and poor will vote for the poor. They both quality and quantity shall come to parliament.



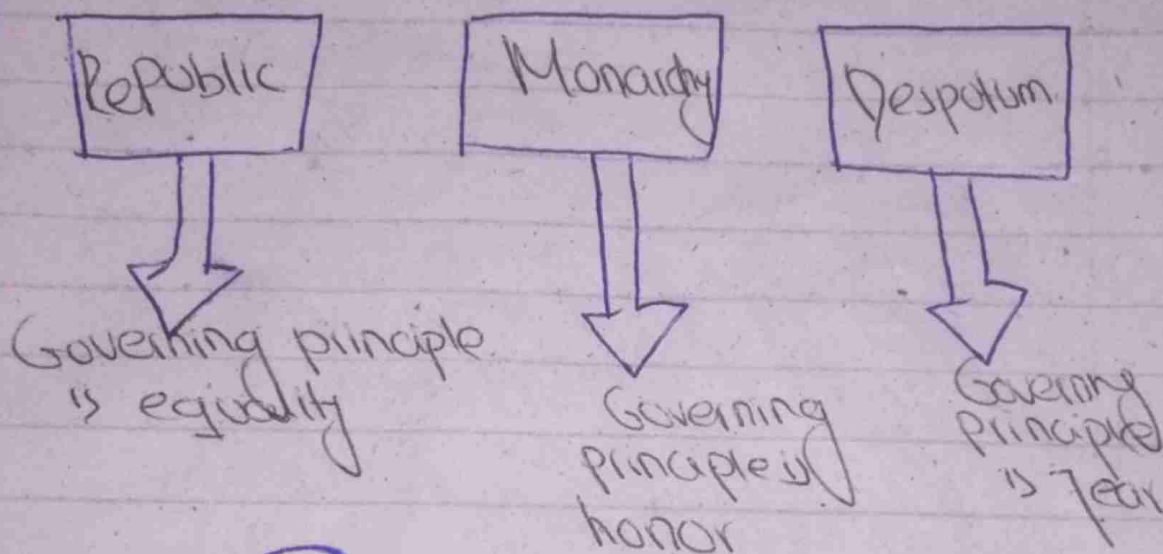
a- **Quality check on Quantity**  
Quality will make a check on quantity, to restrain the lawlessness of their nature.

b- **Quantity check on Quality**  
When power given to the Quality, they want to become the king. So, there is need of check on them.

quantity. In this way there will be balance of power in the state.

## 6- Classification of Government:-

He classified the government into three types.



### a- Republic:-

Republic is form of government in which people take part in policy making. The principle of equality is at the core of republic.

### b- Monarchy:-

In monarchy a single head run the government. He implements

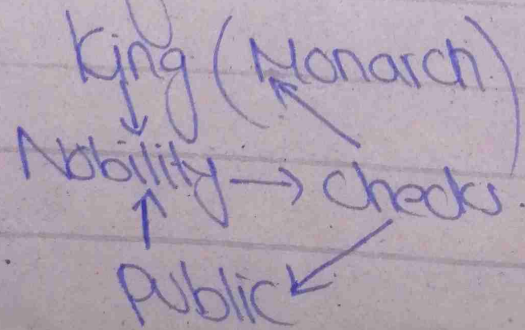
The law, formulated by the nobility,  
The governing principles honor and  
respect, which comes through the  
deliverance.

## C- Despotism:-

In despotism, a single despot  
run the government. He himself  
make the law and implement them.  
Governing principle of the despotism  
is the fear.

## 7. Best Form of Government:-

According to him best form  
of government is monarchy. As,  
not the king is free for all  
policy making or execution, nor the  
public is free to implement their  
interest. Rather, check of nobility  
on both of them is withheld.



"If king makes and implement the law, then cruel king will give cruel punishment."

## 8-6 Benefits of Separation of Power:-

- efficient of government
- limited government
- prevent abuse of power
- No way to dictator
- protection of individual liberty and rights.

## 9- Conclusion:-

In a nutshell, Montesquieu put forward the theory of separation of powers to improve the efficiency of government. He present same classification of government as Aristotle, so known as Aristotle of 18th century.

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Question: 2

Draw the differences b/w Thomas Hobbes  
Locke and Rousseau's notion of state  
of nature.

## Introduction:-

Thomas Hobbes, John Locke and Jean-Jacques Rousseau have contrasting views about state of nature. Hobbes state of nature was like war of all against all. While in Locke and Rousseau, state of nature peace and equality was there. People in state of nature enter into contract to protect their life and property.

## 2- Biography of Locke, Hobbes and Rousseau:-

### 1- Locke

Locke was from England. When he was born complete peace was there. There was the peaceful and bloodless revolution, where king had surrendered all rights to the parliament.

### ii- Thomas Hobbes:-

When Thomas Hobbes was born Spain was at war with England. He had seen the turbulent era of



Charles I, Charles II and James I.  
He said that "Me and fear born  
together." As he was ban. premature in  
1648.

### iii - Rousseau:-

Rousseau was born at time when  
industrialization was at peak. There were  
three classes, poor, ruling and feudals.  
Feudals and Ruling were exempted from  
the tax, and poor were exploited by  
both of them.

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

## 3- Views About Human Nature:-

### a- Thomas Hobbes:-

According to him Human is  
selfish, cunning, nasty, combative.  
He is pessimistic about human nature.

### b- John Locke:-

He presented human nature as  
simple, good, selfless, co-operative.

He is optimistic about the human nature.

### iii- Jacques Rousseau:-

According to him man is simple, naive and noble savage.

He also presented the image of man as innocent.

## 4- State of Nature:-

### a- Similarities:-

Similarities in state of nature was that, all need sovereign to protect their rights of life and property. Natural law exist there.

### b- Differences:-

In Hobbes, state of nature, there was war of all against all. There was no safety to life and property of person. War of all, and might is right was the law.

In Locke and Rousseau, state of nature, there was natural law. In which everyone was equal.

No one interfere in the rights of the others.

### 3- Need for Contract:-

#### a- Thomas Hobbes:-

People are rational. They negotiated that how long their life and property will be insecure. For to secure them, they enter into contract & make sovereign.

#### b- John Locke:-

Equality was there in state of nature of Locke, but there was no specific authority like legislative, executive and judiciary for the people. For this reason make a sovereign.

#### c- Rousseau:-

He wanted to free the man from clutches of society. He wanted complete freedom as in history. It was not possible to go back, so people gather and make contract.

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

### 4- Sovereign:-

#### a- Thomas Hobbes:-

Absolute authority, was given

b. sovereign. He can make any law. He has no check upon him. He has just to ensure the safety of life and property.

### b. John Locke:-

Responsible sovereign, was made by the people. They surrender some of their rights and can revolt against sovereign if he will not implement them. Law making by people, execution by sovereign.

### c. Rousseau:-

General will was the sovereign in Rousseau contract. People gather together and surrender their rights to the community.

## 5. Nature of Contract:-

### a. Hobbes:-

It was irrevocable. It was unilateral. People can not revolt against the sovereign, if he didn't work for the interest of people.

### b. Locke:-

Nature of contract is bilateral. It can be reversed. If the sovereign is unable to protect life and property, people can replace him.

### C- Rousseau:-

Nature of contract is on mutual consensus. People will make the law and also will implement it.

## 6- Type of Government:

### a- Hobbes:-

He is advocating the authoritarianism. In this government he is favoring monarch with absolute authority.

### b- Locke:-

He is the supporter of the Parliamentary Democracies. People will have a say in the policy making of state.

### C- Direct Democracy:-

Jacques Rousseau advocate.

The direct Democracy. It is applicable in state with small population and highly educated class.

## 7- Conclusion:-

Conclusively, Thomas Hobbes, John Locke and Jacques Rousseau presented the state of nature and contract on the eve of prevailing condition of society at that time.

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Question: 3

Do Fascism flourishes in state where democratic principle are weaker than nationalism. Discuss the enabling condition for phenomenon in India.

## 9 Introduction:-

Fascism is the ultranationalist ideology, which promote the superiority of a single race. It always flourishes in state with weak democratic principle. India is, also promoting the superiority of single race and is a land of fascism.

## 2- Fascism:-

"It is the ultranationalist ideology for the superiority of single race under the rule of single leader organised under single party."

Fascism is the ruling principle, that how Mussolini govern the Germany.

## 2- History of Fascism:-

- Adolf Hitler in Germany
- Mussolini in Italy
- Lenin in Soviet Union
- Mao Zedong of China
- Kim Dynasty of North Korea

## 3- Flourishment of Fascism:-

There are the following conditions due to which the Fascism flourished in the states of Italy and Germany.

- a- Sense of Betrayal
- b- Humiliation
- c- Threat of Communism
- d- Weak Government

### a- Sense of Betrayal:-

Italy was betrayed, as it was not given the territories which was promised by Triple Entente alliance. Germany was betrayed, as all the brunt of the war was put on the shoulder of Germany and it was held responsible.

### b- Sense of Humiliation:-

It was humiliation of Italy, and was against the sentiments of people. The promised territories were not given. On the other hand, Germany was divided and strict restrictions on it. No freedom, military or weapon were allowed to them.

### c- Threat of Communism:-

There was threat of communism. As communism was flourished after the Russian Revolution. For Germany, Italy.



and France had made the alliance to counter it and signed a pact in 1936.

### d- Weak and Inefficient Government:-

Government was weak and inefficient. After the WWI, the economic crisis sprang and government was not able to cope with these crises and people were thrown in pitiable and miser conditions.

## 4- Principles of Fascism:-

- Nationalism
- Dictatorship
- No liberties
- Anti-Democratic
- Single party

### a- Nationalism:-

Fascist party govern the state

On the principle of the nationalism. Every one has to support the nationalist ideology. Even life can be sacrifice for the state.

### b- Dictatorship:-

Fascism is the worst kind of dictatorship. Single person holds all the authorities of state and impose his rule and regulation on the whole nation.

### c- No Personal liberties and Rights:-

Fascism do not grant the liberties and rights of individual. It just promote the the interest of the state in best possible manner.

### d- Anti-Democratic as it is collective Ideology:-

The principle of fascism is anti-democratic. As it is a collective ideology not the individualism concept. Collective interest of state is paying attention.

## e- Single party, no opposition.

Fascism is the rule of the single party. There is no room for the opposition. Just one ideology promotion which is done by the single fascist party.

## 5- Factors Behind Fascism Flourishment

Factors behind fascism rise are:

### a- Weak Democratic principles.

Fascism rises in the state with weak democratic principles. Government not delivering promotion of self interest of government. No accountability in the state.

### b- Ineffective rule of law.

Rule of law prevent any major setbacks in the society. when rule of law begins to diminish in society, everyone then takes law in their hand and promote their ideology.

### c- Rise of nationalist sentiments.

Nationalism is the key

principle behind Fascism, whenever, the ultranationalist sentiments prevail in the public it lead to the disintegratory state completely.

## 6- Fascism In India:-

Indian parties, like BJP and RSS are also the Fascist. They promote only the interest of Hindus. They don't care about the Muslims. They also mobilize the public for provoking nationalism among them.

### a- Rise of Hindutwa Ideology

Hindutwa ideology is on the rise in India. They consider all other religions and people as alien. Their mission is to convert all them. Therefore, they used the force against the Muslims and other communities.

### b- Negative Role of Media

Media in India overemphasize and telecast the news about the

Ultrationalism. Indian media sensitized the ethnic conflicts and present as it is the only way to solve the issues.

## 7- Conclusion:-

In a nutshell, Fascism is another name of ultrationalism. It always prevail in societies where democratic norms are weaken.

Question: 4

Discuss the possibilities of Modern Islamic state in the prevailing democratic state. State your opinions with arguments.

## Introduction:-

Islamic concept of state is also a democratic ideology. Islamic government also form through consultation. But the main difference is that in Islamic state sovereignty belong to Allah and law is shariat. All the authorities exercise their powers as a good trust.

## 2 Characteristics of Islamic State

- Sovereignty belongs to Allah
- Khilafat
- Fundamental rights
- Justice
- Amr - bil - Ma'ruf
- Obedience to leader
- Shariah law.

### a- Sovereignty belongs to Allah:-

In Islamic state sovereignty belongs to Allah. He is the creator. All the creatures are obeying his orders.

### b- Muslim Delegating rights as Sacred Trust Khilafat:-

All Muslims, especially the rulers, exercise power, as a sacred trust taken from God. They will take the guidance from Quran and Sunnah of Prophet (S.A.W). Ruler will not promote self interest.

## C- Observance of fundamental rights:-

Islamic state safeguard the rights of individual. Every citizen of Islamic state is provided with equality, freedom and justice. Each citizen can profess and practice his religion. Life and property is also being protected by the state.

## D Provision of Justice:-

Justice is the key principle of Islamic state. No country can make progress unless it depends on speedy justice. Free from biased and transparency in judicial procedure is the key determinant of the justice. Justice should be provided to everyone in Islamic state, without discrimination of cast and creed.

## e- Obedience to leader:-

Every citizen of Islamic state has to obey the ruler unless the ruler is corrupt or involve in immoral behaviour. Decisions taken by the ruler for the welfare of public has to be obeyed in the state. Ruler is the "Nabi" of Allah on earth.

## f- Imposition of Shariah law:-

The law in Islamic state is Shariah. And the source of law is Quran and Sunnah. All the punishment mentioned in Had crime should be imposed. And Shariah law has to implement in its true spirit.

## g- Amar-bil-Ma'roof, Waq-nahl-Anil-Munkar:

It is the foremost duty of the ruler in Islamic state to promote the good deeds and forbade the bad ones. All wicked practices has no place in Islamic state. Islamic state promote the peace and prosperity for everyone in the state. No



harm is allowed to be inflicted on the innocent people. All the rights are preserved in Islamic state.

### 3- Possibilities of Modern Islamic State:

There is possibility of the modern Islamic state. To demand and to compliance with the modern times, Islamic injunctions interpreted through Ijmaah needed to implement.

#### a- Moving of world from Traditional to Advance level:

As the societies are moving from traditional to advance level. There is a need to address the new issues. To address these new issues, Ulama has to do consensus, Ijmaah, so these issues can be tackled. And Islamic state not fall in the violation from the world.

#### b- Interpretation of Islamic principles to meet the current

## Issues:-

Islam is a complete code of life. It is not for specific people. It is for whole humanity. It is for all times. So a lot of problems are present at the time, which were not present before. So, to sort of these problems, Ulama will take support from Quran and Sunnah and will address the issues.

## C- Advancement of technology and new method of learning:-

Islamic state are also raising their standards to remain in the race with the other countries. Technological advancement occur all across the globe. Islamic state also take opportunity, to best possible use it. It can be use as potential method of learning in the modern society.

## 4- Conclusion:-

Islam is for whole humanity. For all the time. It can be adjusted

To meet the needs of modern time without compromising its basic principles. So, Islamic society still can progress in the changing democratic values, if Islamic injunctions are strictly followed.

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