

(Part - II)
(Section - A)

(QUESTION: 02)

Ans 1) Introduction

"Liberty is right of doing whatever
the laws permit"

(- Montesquieu)

Montesquieu was a French political philosopher. He was best known for the spirit of laws, one of greatest works in the history of political history and jurisprudence. He was born in Bordeaux. The title Montesquieu came from his uncle. He introduced separation of powers in his philosophy. In the spirit of laws he described the various forms of distribution of political power among a legislature, an executive, and judiciary. He also called Aristotle of 18th century because both were realist and practical.

2) What is term Trias Politica mean?

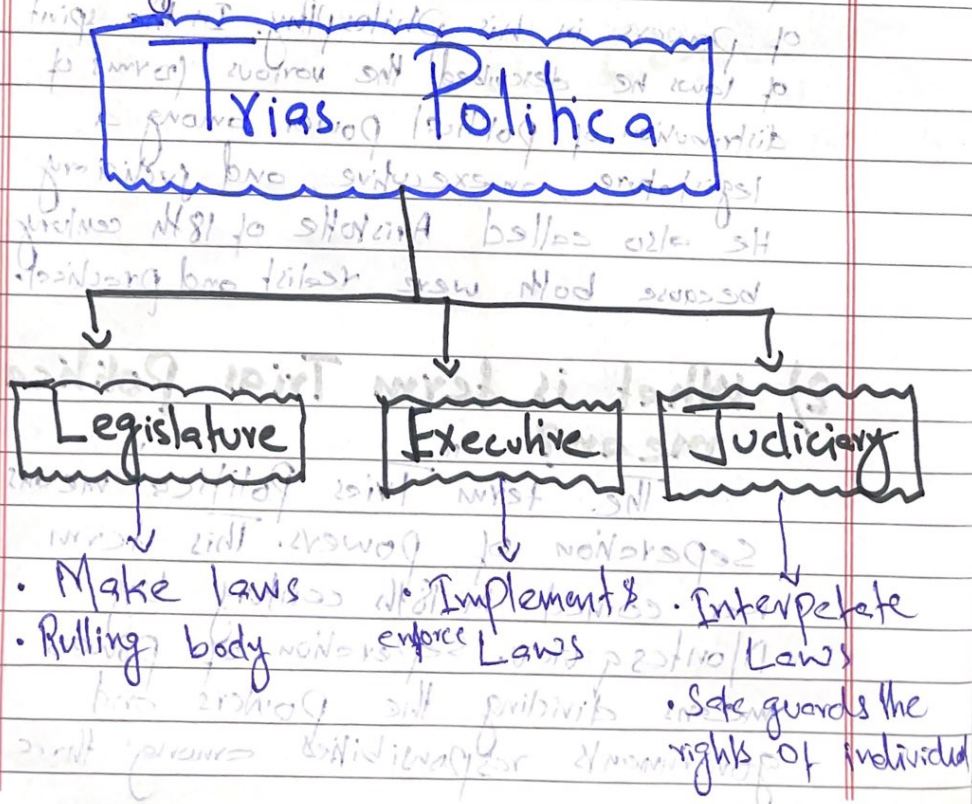
The term Trias Politica means separation of powers. This term was coined in 18th century by Montesquieu. Separation of powers means dividing the powers and governments responsibilities among three

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Three branches.

3) Trias Politica by Montesquieu

Montesquieu's approach was to present and defend a form of government whose powers were not excessively centralized in a single monarch or aristocrats. He introduced his famous trias politica model in which introduced separation of powers among three branches namely legislature, the executive, and Judiciary. His aim was these branches perform their functions independently without any interference.



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4) Aims of Separation of Powers:

The major aims of separation of powers enlisted below:

(i) Tries to terminate arbitrariness and despotism.

(ii) Aim to promote a responsible and self-governing form of government.

(iii) It prevents the abuse of authority in the organs of the government.

(iv) empowers all the branches to specialize in their particular field to enhance the performance of government.

5) Why Montesquieu has been called Aristotle of 18th century?

There are many similarities in both of political philosophers that's why he has been called Aristotle of 18th century. Some of them discussed below:

1) Realist and Practical:

Both were realist and

Date: _____

and practical, like Aristotle, Montesquieu also based his approach to the problems of realism.

"The methods followed by Montesquieu for the solution of problems are like those of Aristotle" (- Dunning)

(ii) Influence of physical environment on institution:

like Aristotle, he also paid attention to the influence of the physical environment and institutions and the life of men.

(iii) Historical Methods:

like Aristotle, Montesquieu also looked back to history for the inquiry into subject matter.

(iv) Classification of govt:

Both were classified several types of government on the basis of the number and way in which these ruled. He like Aristotle believes that each form of government has its own nature and principle.

(v) Laws, the product of collective wisdom:

He borrowed from

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Aristotle the idea that laws are produced by the collective wisdom of society and that laws should suit the existing circumstances

vii) Both were Moderate:

Both presented moderate theory of government and did not go to any extreme or idealistic end.

vii) Both were Constitutionalists:

Aristotle who saw security in a constitutional form of government and Montesquieu also emphasized the constitutional separation of power into three branches of

6) Conclusion:

Montesquieu was sincerely attached to the principle of political liberty. He introduced his "Trias Politica" model in his famous book "Spirit of Law" to prevent absolute control of power in one hand. He also called Aristotle of the 18th century because he has many similarities with Aristotle. Both were constitutionalists and moderate.

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(QUESTION : 03)

i) Rousseau's theory of General Will

Ans:

1) Introduction

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

(- Rousseau)

The philosophy of general will aims at the common good. The idea of general will is central to the political philosophy of J.J. Rousseau. In the social contract Rousseau argued that freedom and authority are not contradictory, since legitimate laws are founded on the general will of the citizens. He was this philosophical ideology was based on Republicanism and his focus was on the general will.

2) Theory of General Will:

For Rousseau the intervention of property constitutes humanity's "fall from grace" out of the state of Nature. For this purpose, they surrendered their rights not to a single individual but to the community as a whole, which

Rousseau termed as "General will."

The essence of the Rousseau's theory of General will is that state and law were the product

of General will of the people.

Rousseau said laws and state made by the people then they decided what to do. The "General will"

therefore for all purposes was the will of majority. A citizen to which blind obedience was to be given.

The will of majority was accepted on the belief that majority view is right than minority view.

Rousseau favoured people's sovereignty, for him state, law, sovereignty, general will etc are

interchangeable terms.

3) Legacy of Rousseau's theory:

Rousseau's theory inspired French and American revolutions and given impetus to nationalism.

4) Conclusion

J.J. Rousseau was a French philosopher. He introduced his theory of "General will". In his famous theory he emphasized the will of general people or majority rather than the minority.

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11 ii) Marxism

Ans

1) Introduction

"The history of all hitherto existing society is the history of class struggles." (-Karl Marx)

Marxism is one of the most significant theories and a philosophy given by Karl Marx. He was a German philosopher. The major purpose of his theory was to help working class to question the injustice enforced upon them through their wages, life style and oppression.

2) What is Marxism?

Marxism is a social, economic and political philosophy that analyses the impact of ruling class on the laborers, leading to uneven distribution of wealth and privileges in the society. It stimulates the workers to protest the injustice. The theory was formulated by Karl Marx and Friedrich in their work "The Communist Manifesto". According to Marx, history demonstrates the existence of class struggle centuries earlier.

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3) Key Principles of Marxism:

According to Marxism, there are two divisions of the ~~the~~ capitalist society and ~~to~~ the capitalist society. The capitalist ~~is~~ also ~~called~~ the Bourgeoisie class and the proletariat. The exploitation of proletariat is the essence of Marxist ideology.

4) Conclusion

Marxism is the social, economic and political philosophy given by Karl Marx and Friedrich Engels. The aim of this philosophy is to stimulate the working class to protest against the ruling class.

3) Definition of Liberty

The term 'liberty' has two different definitions according to political philosophers: positive and negative meaning.

(i) Negative meaning: The term 'liberty' is derived from the Latin word 'liber' which means free or uncontrolled.

(ii) Positive meaning: In its positive meaning, liberty is not only the absence

(Section-B)

(QUESTION: 07)

1) Introduction

Liberty is the essence of human rights. It is the basic right of every individual. Every political philosopher gave its views on the notion of liberty. Different interpretations of liberty led to different conclusion. There are various kinds of liberty, political liberty, Economic liberty, civil liberty etc. Moreover, liberty has multiple of safeguards such as Rule of law, independence of judiciary, Democracy, Economic equality etc.

2) Definition of Liberty:

The term Liberty has two different definitions according to political philosophers: Positive and negative meaning.

i) It's negative meaning:

The term "liberty" is derived from the latin word "Liber" which means free or unrestrained.

ii) ~~Nego~~ Positive meaning:

In its positive meaning, liberty is not only the absence

of restraint but also the presence of opportunity to do or achieve something. Laski says "The eager maintenance of that atmosphere in which men have the opportunity to be their best selves."

3) Constitutional Safeguards of liberty.

Safeguards of liberty

i) Rule of Law

ii) Independence of judiciary

iii) Democracy

iv) Fundamental Rights

v) Local self-governing institutions

vi) Eternal vigilance

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i) **Rule of Law:** The rule of law means the supremacy of law. Everyone must be equal before law. No person should be deprived of his liberty unless he has violated a law.

ii) **Independence of Judiciary:** The other main safe guard of liberty is independence of judiciary. Which means judiciary must be independent without anybody's influence.

iii) **Democracy:** Democratic forms of governments assures greater liberty to the individual. In democracy political power rests with people.

iv) **Fundamental Rights:** Basic rights of the citizens which are declared by the constitution and they cannot be denied from their basic rights.

v) **Local Self-governing institutions:** Local self-governing institutions are the bedrock for individual's liberty. Where these institutions work properly the liberty of people is more secure.

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4) Causes of decline of liberty in recent times:

Some major causes are enlisted below:

Causes of Decline of Liberty

Growth of Modern Science and Tech industry

Decline in social position and value of individual

Growth of Mass Propaganda

International Tensions

Growth of Centralization

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5) Conclusion:

Liberty is the essence of fundamental rights of individual. It is the freedom for individual to do what he/she wants according to the constitutional law. Safeguards of the liberty is essential for its protection, for its smoothly flourishing its safeguards such as rule of law, democracy and Fundamental rights also be protected.

QUESTION: 08 (ii)

(ii)

Merits of Confederation

There are multiple merits of confederation given below:

- i) confederation protects countries that shelter under the arrangement from foreign invasion. weak states can enjoy better defence militarily against foreign powers or aggression.
- ii) Has economic utility, states can help each other in

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economic matters.

iii) It saves minority nationalist ethnic groups from domination by majority ethnic groups.