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Batch 330

Political Science
Paper I

Qa Examine Charles De Montesquieu's Theory of Trias Politica. Why has been called the Aristotle of 18th Century? Discuss?

Qa Introduction

Charles De Montesquieu's Ideology is based on constitutional politics and the main focus of Montesquieu's philosophy is based on the separation of powers.

In theory of Trias Politica is about the separation of state machinery. He followed

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the Aristotle philosophical approach therefore called as Aristotle 18th Century. Separation of power ~~can~~ can be in strict and loose sense. There are certain checks and balance on it. However, critique is there. Even in modern political system. US constitution is the living example.

Trias Politica or Tripartite Political Model

The term is ascribed to Montesquieu. In the book **Spirit of laws 1748**, the philosopher described the various form of distribution of political power. This division is into three branches legislature, executive and a judiciary.

Separation of power in Strict and loose Separation

Strict Separation

In strict separation there is complete separation of power b/w the three organs of the state.

Example

- ① Presidential Systems
- ② United State Constitution

Loose Separation

In loose separation there judiciary is separated but legislature and executive are not. Montesquieu even specified that independence of judiciary has to be real, and not merely apparent.

Example

- ① Parliamentary Form of Government

② UK and France
system

Checks and Balances

The doctrine of separation of powers meant that the powers of government should be divided between the three. Each function of government must not exercise the power of

another. However, in order to limit the abuse of power the must check each other.

Montesquieu in his book "Spirit of Law" discuss the principle of check and balance.

"When legislative and executive powers are united in the same body there can be no liberty"

Montesquieu

Judiciary:
interpret
of law



Executive

Legis

ST

ST

A government administrative
 duties should be split between
 three powers

- ① An Executive branch: Enforcing the laws
 - ② Legislative: responsible for passing laws
 - ③ Judiciary: interpretation of law
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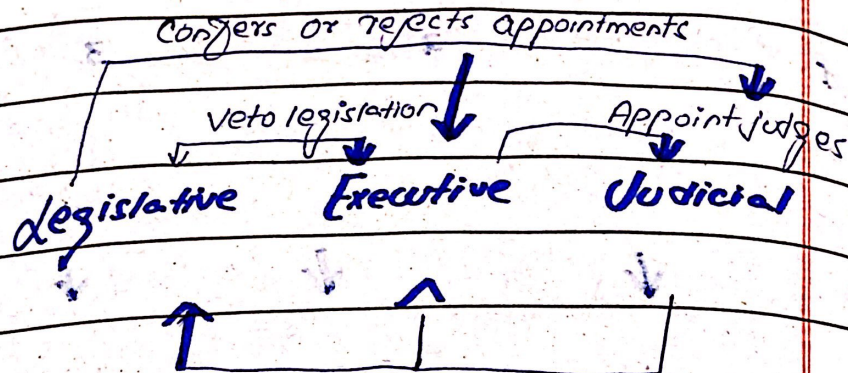
Since these powers are separate from and dependent on one another. The influence of one power cannot exceed that of the other two.

Case Study of US

American system is a perfect example of

separation of power

US System of separation of power & checks and balance



can declare acts of
legislative or executive
branch unconstitutional

Critical Analysis of separation of powers

- ① keeps Abuse of power in check
- ② It prevent Tyranny
- ③ It protect liberty
- ④ Ensures smooth functioning
- ⑤ Bedrock of constitutional

and democratic system
③ Montesquieu called
Aristotle of 18th
century

Most of the philosophy
of Montesquieu is same
as Aristotle's. Montesquieu's
classification of state, deductive
method, cycle of political
change and influence of
physical environment.

Classification of Government

Both classified several
type of government on
the basis of number and
city in which these are
done.

- ① Aristotle's 6 part classification
- ② Montesquieu's Despotism,
Republics, Monarchies

Deductive method of Aristotle

Montesquieu applied the Aristotelian method of deductive and his traditional tradition.

According to Dunning

"The method applied by Montesquieu in the solution of the problem is that of Aristotle."

Influence of physical environment on men

He paid attention to the influence of physical environment or social institution and life of men like Aristotle.

(1) Aristotle: Realist Political theory

(2) Montesquieu: Meteorological climate theory

(3)

Along with that both believed the fundamental types of constitution may vary under the impact of local conditions.

Both were influential in that era

Aristotle : Aristotle considered final word for over 1000 years

Montesquieu check and balance theory enshrined in all constitutional democracies.

Conclusion

The theory of Trias Politica is the theory which is enshrined in all the constitution in modern times. That's why he is called as the modern political scientist. Similarly,

he derived his ideas from
the Aristotle's philosophy.
Therefore, called as Aristotle
of 18th century.

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Question 2

Rousseau's theory of General will

Introduction Rousseau philosophy is
based on Republicanism
the focus of his philosophy
on the "General will".

The state of nature before
the social contract according
to him was good. The
idea of social contract
or the power must be
based on general will.

French and American
revolution are also inspired
by his theory.

State of Nature

Prior to the social contract the life of the men was happy. As population increased the people slowly began to live together. Similarly, division of labour was introduced. Concept of private property also introduced which destroyed the essence of the nature.

Social Contract and General Will

People surrendered their rights not to a single individual but to a community as a whole which he termed as "General Will".

The original freedom

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happiness, equality and liberty which existed in primitive societies prior to social contract was lost in the modern civilization

Essence of the theory

- ① State and the law were the product of General will of the people. State is product of General will.
- ② If they do not conform to the "General Will" they would be discarded.
- ③ General will therefore for all purpose was the will of majority citizens to which blind obedience was to be given.
- ④ Majority was accepted on the belief that majority view is right than minority view.

Marxism

Karl Marx ideology is based on the communism. The focus of ideology is alienation of labour.

Political Context

Made one of the most ambitious analysis of capitalism.

How the rise of industrial capitalism affected living conditions and society moral health.

Theory of alienation

Under capitalism it is capitalists motivated by the desire for profit rather than the desire to meet real human needs.

Workers cannot purchase the

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products they have created
From the Act of Production
Breaking down of the
production process into an
endless sequence of
simple repetitive and boring
tasks which give no
opportunity for worker creativity

**Alienation of worker from
their Gattungswesen (species
essence)**

Marx considered man not
as an isolated entity
or individual with all
social life

Alienation from other workers

Capitalism reduces the
labor of the worker to
a commercial commodity
that can be traded in
the competitive labor
market

Karl Marx Historical Materialism

On Stages of Economic Development

Human civilization has manifested itself in a series of organizational structures each determined by its primary mode of production, particularly division of labor

The tribal form

A further extension of natural division of labor existing in the family.

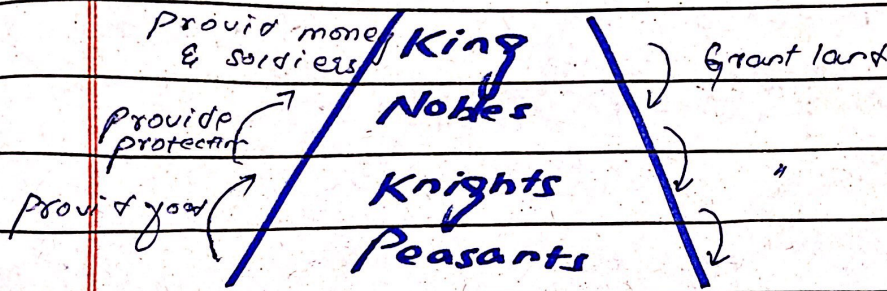
Primitive Communism

Union of several tribes
this led to private property
thus the first antagonistic
classes slaves and slave
owners appeared.

Feudalism

Feudalism based on the aristocratic land owners.

European Feudalism



Industrial Capitalism

They are free in the sense that they can go to work for any capitalist but they are not free from bourgeois class as a whole.

Social classes formed on the basis of relationship with "means of production".

Basic Principles

The basis of human society is how human work on nature to produce the subsistence

There is a division of labor into social classes

Society moves from stage to stage when the dominant class is displaced by a new emerging class

Classless Communism

① Crisis of Capitalism

↓
workers revolution

↓
overthrow of capitalism

↓
Dictatorship of the proletariat

↓
classless communism.

Legacy

China 1949

Cuba 1961

North Korea 1948

Critical Analysis

Changing dynamics of
labor

flexible classes identity
in postmodern
work

communism never succeeded