

Political Science Mock

Paper I

~ January 2024 ~

QUESTION NO: 02

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Introduction:

Aristotle known as the "founder of political science" has had significant contribution in the matters of state and governance.

His writings and political thought also have great relevancy in the present time despite his ideas being extremely old.

Context:

Aristotle's father was a doctor whose subject matter was the human body. A doctor's methodology is scientific and based on observation. Therefore Aristotle was trained to first observe and then find out the solution through the scientific method.

Aristotle was imagining an ideal state and his

idea was utopic whereas Aristotle was trained by his father on using the scientific method. So his subject matter in Athens was also state but he viewed it from a different lens based on empirical evidence and reasoning.

So the theory of state was given by Aristotle using the scientific method, thus he gave the 'scientific' theory of state and is responsible for the word 'science' attached to political science.

Theory Of State:

Aristotle began his theory of state by explaining human nature.

Human Nature:

According to Aristotle, man is rational by nature and uses logic and reasoning to make choices.

Secondly, he says that man is 'social' in nature, he cannot live in isolation as he is rational and knows that becoming part of society is in his best interest. Also, among all the social institutions, the best community is state which is essential for the progress and growth of an individual.

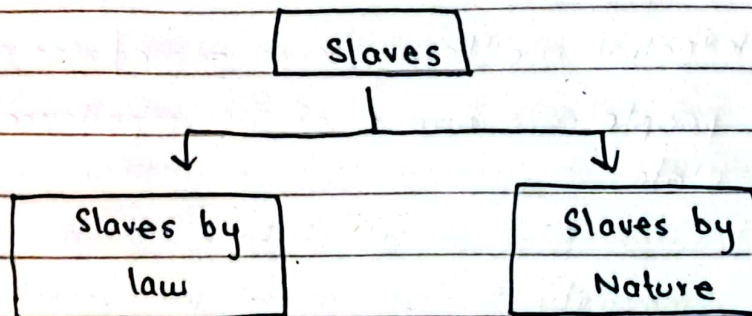
Thirdly, Aristotle gave the 'organic' concept

of state in which he viewed state as a magnified individual. He drew on this analogy to compare man and state.

So according to Aristotle, state is organic and thus its behavior can be compared with humans.

Theory of Slavery:

Aristotle is of the opinion that slavery is important for state. And that there are two types of slaves:



- Slaves by law are prisoners of war who are assigned to masters and can be used according to masters will.
- Slaves by nature are prisoners of war but people with strong bodies and weak intellect.

According to Aristotle, the natural slave's slavery is not only beneficial to state but also to themselves as they learn from their intellectual masters resulting in their

freedom. Also when those slaves will engage in labour the the citizens for whom the slaves work will have free time in which they'll use their intellect to benefit the state.

Concept of Distributive Justice:

Aristotle said that rewards, privileges etc must be given on the basis of individual's contribution to the state.

Aristotle believed that state was a means to achieve the ultimate goal of developing the intellectual wellbeing / civic sense / wisdom so that people are aware of the importance of the state.

So the basic purpose of state is service to the community through moral development of the people.

Classification of State:

Aristotle's classification of state is really important in order to understand his contribution to the governance structure and system in the world.

Aristotle as a student of science was more focused on explaining the existing states

than on what type of state should exist. So he studied more than 150 states and their constitutions and then classified them in the following way:

No. of Rulers	Common Interest	Selfish Interest
One	Monarchy	Tyranny
Few	Aristocracy	Oligarchy
Many	Polity	Democracy

↓
 All are good since they serve the public interest.

↓
 All are corrupt since they serve selfish interests.

According to Aristotle, out of these six classification Monarchy was best but was least practicable due to fears of turning into tyranny (best to worst). This would be a disaster so ideally monarchy is best but practically polity is the workable option despite being least desired.

Cycle of States:

Governments are not static but dynamic

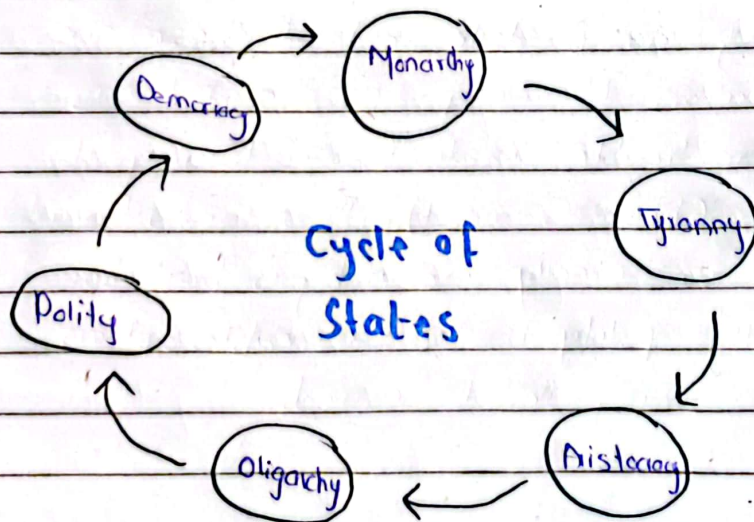
According to Aristotle's cycle of states, the first form of government to come into history was monarchy (one perfect man ruled for interests of all) but he falls prey to greed, selfishness, arrogance and converts into tyranny. Tyranny is succeeded by aristocracy as a few good people overthrow tyranny for the interests of all.

Aristocracy gets perverted into oligarchy where few start ruling for their class interests.

Oligarchy is overthrown by patriotic people who govern for good of all i.e. polity. Polity too in turn becomes corrupt as they start ruling for interest of poor only resulting into democracy.

Democracy continues for some time when a benevolent person rises overthrows democracy establishes monarchy to rule for the good of all.

Thus the cycle of governance goes on.



This change from one form to other is called as revolution by Aristotle which may occur due to general or particular causes.

Relevancy in Present Times:

→ Democratic governance:

Aristotle's ideas on democracy and the importance of citizen participation continue to shape discussions on democratic governance.

Concepts like rule of law and need for a balanced constitution are embedded in modern democratic systems.

→ Mixed government and checks and balances:

Aristotle's idea of a mixed government finds relevance in contemporary political systems that incorporate checks and balances.

Many modern democracies include elements of representative democracy, constitutional monarchy and judicial review to prevent abuse of power.

→ Critique of Extremes:

Aristotle's analysis of different forms of government provides a framework for evaluating and critiquing political systems.

His caution against extremes of tyranny and excessive democracy offer insights into

the challenges faced by contemporary governments.

→ Purpose of state :

The concept that the state should work for the well being of its citizens and facilitate human flourishing remains relevant.

Modern states emphasize importance of human rights, social justice and overall welfare of the population.

→ Civic virtue and public participation:

Aristotle's emphasis on active participation of citizens in political process is echoed in modern political democratic societies where individuals have a responsibility to contribute to common good aligns with civic engagement.

Conclusion:

While some of Aristotle's specific recommendations may not be directly applicable to the complexities of modern state, his philosophical insights continue to contribute to ongoing discussions on governance, citizenship and pursuit of a just society.

QUESTION NO: 03

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Introduction:

Parliamentary sovereignty is an integral feature of the parliamentary system in Pakistan. It is threatened by multiple factors, one of which could be the process of judicial review depending upon the nature of the situation.

Judicial Review:

Judicial review is a particular type of interpretation of law where judiciary has the power to decide upon the compatibility between law and constitution.

If the law is compatible with the constitution, it is kept intact whereas if the law is found to be incompatible with the constitution, it is declared null and void.

This authority of the judiciary is present in most states including Pakistan.

Judicial Review and Parliamentary Sovereignty:

The relationship between judicial review and parliamentary sovereignty in Pakistan,

as in many other countries is a complex and nuanced issue. Both concepts are crucial components of a constitutional democracy and their interaction requires an intricate balance to ensure the effective functioning of the legal and political system.

I believe that the judicial review in Pakistan is clearly at the expense of parliamentary sovereignty and supremacy. as **Supremacy of Parliament** means that the legislature is supreme as compared to the executive and judiciary as it controls the executive through vote of no confidence, vote of confidence, collective responsibility of Cabinet members and Prime Minister etc. But judicial review encroaches upon this sovereignty in Pakistan.

→ **Arguments against Judicial Review at the expense of parliamentary sovereignty:**

- **Democratic Legitimacy and Popular Mandate:**
Elected representatives in the parliament derive their authority from the people, reflecting their democratic mandate.

Judicial interference may be perceived as undermining the legitimacy of decisions made by those who are directly elected by citizens.

For example, in situations where the judiciary annuls laws or decisions made by elected officials, it can be argued that this may contradict the will of the people who voted for the representatives.

- **Constitutional Amendment Challenges:**

If the judiciary has the authority to strike down or review constitutional amendments, it can be seen as an undue constraint on the power of parliament to amend the constitution according to changing circumstances.

In the past, there have been instances where the judiciary in Pakistan intervened in constitutional amendments. e.g. in 2016, the Supreme Court took up the case challenging the 18th and 21st constitutional amendments which dealt with issues like the formation of military courts and changes in the procedure for the appointment of judges.

This undermined the parliamentary's sovereignty.

Risk of undermining Separation of Powers:

Excessive judicial intervention upsets the delicate balance of separation of powers leading to a situation where the judiciary dictates policy decisions, blurring the lines between the three branches of the government.

e.g- the Panama Paper case involved allegations of financial impropriety against the then Prime Minister Nawaz Sharif and his family. The case led to disqualification of Nawaz Sharif by the Supreme Court. While many celebrated the court's decision as a move against corruption, it can be argued that the judiciary should not be involved in the determination of disqualification of a sitting Prime Minister.

Delayed Justice:

Judiciary when actively engaged in reviewing legislative actions diverts its attention and resources from its primary role of ensuring timely justice.

For example, in the Noor Mukaddom case, there was an extreme delay in the resolution of case despite it being a popular case in the eyes of the civil society and media which goes to show what

must happen to victims of injustice who nobody gets to hear about. Thus, the judiciary's involvement in high profile political matters has ~~to~~ impacted the overall efficiency of the justice system.

• Judicial Activism:

When judges encroach upon the domain of executive or legislature or let their personal opinion prevail over legalities, they are said to be exercising judicial activism.

There are certain manifestations of judicial activism which have occurred repeatedly in Pakistan recently. These include:

- excessive use of suo moto
- deviation from precedence
- deviation from judicial norms.
- judicial review of legislation
- interference in policy matters.

Judiciary in Pakistan has been accused in engaging in all of the above and overstepping its bounds by making decisions that have significant policy implications potentially infringing on the legislative domain.

However all of this occurs at the expense of parliamentary supremacy which leads to distortion of balance of power because judiciary deviates from its domain of interpreting law and enters into the legislature's domain.

This interference by judiciary in parliament however leads to **inter institutional conflicts** as the parliament starts passing resolutions against the judiciary.

Judicialization of politics by judges starting to settle political matters instead of parliaments or political parties is not a good omen as it is further proof of undermining the parliament's sovereignty.

There is also no remedy against wrong decisions by judiciary nor any accountability which is a drawback of judicial review.

Conclusion:

Thus, in conclusion, this is a complex and evolving issue and striking the right balance between judiciary and parliament is very important where both perform in their own domain and play their role effectively so that there is no reason to intervene and undermine each other's authority.

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SECTION - B

QUESTION NO: 06

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Introduction:

There have been twenty-five amendments in the Pakistan's constitution so far. The 18th amendment on 19th April 2010 is by far the most comprehensive, bringing about change in the political system and altering the structure of federation in Pakistan.

Affect of 18th amendment on federation:

Following changes were brought as a result of the 18th amendment in Pakistan:

→ Abolition of concurrent list:

Concurrent list was abolished and its subjects were transferred to the provinces except one subject i.e. water resources which remained with the federal government.

This increased the power of provinces significantly in sectors such as health, education, finance, environment, food, agriculture, local government, social welfare etc.

→ Federal list was divided:

The federal list was divided into two lists i.e.

- i) Federal list I
- ii) Federal list II

The federal list I contain subjects over which the federal government has exclusive power to legislate.

Whereas, the federal list II contain subjects on which the federal government can legislate but only after

approval from CCI (Council of Common Interest). So therefore provinces have a role in legislation of subjects in federal lists I.

In 1956, there were three lists and residuary powers ~~over~~ out of which the federal government had power over 3 while the provinces only had the unit/provincial list.

In 1973, the federal government is only left with one list after the 18th amendment in the constitution.

So we have moved from a highly centralized federation to a highly decentralized federation.

→ Changes to CCI:

The purpose of Council of Common Interest was conflict resolution of political issues at vertical (between federal government and provinces) and horizontal (between provinces) level.

The meetings of CCI were more frequently held after the 18th amendment as they were required to meet within 90 days as opposed to twice a year in the past. But in reality, it was never practiced by any government.

→ National Finance Commission:

In 2010, the 7th NFC had been enforced and share of provinces was 57.5%. so future NFCs could not reduce the share of provinces.

This ensured provincial financial autonomy.

→ Governor's power:

The governor's power to dismiss the provincial assembly was taken away. If a provincial assembly passes a resolution, only then the governor could rule on it.

This ensured the freedom of people of provinces from the federal government representatives.

→ Role of Senate in the appointment of judges:

Senate's role was made mandatory in the appointment of judges. There is a Judicial commission from where the matter goes to the Parliamentary Committee.

Parliamentary Committee consist of eight members, four from Senate and four from national assembly and it was made for the first time in 18th amendment.

The matter then goes from the Parliamentary committee to the Prime Minister

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and then to the President. This is how Senate (i.e. the provinces) got some role in the appointment of judges.

Impact of 18th amendment on federation in Pakistan:

The major feature of the 18th amendment was devolution of power to the provinces. However, it can be criticized to have brought about two major problems in the structure of existing federation in Pakistan.

A detailed evaluation of these problems will be provided below.

a) A loose federation:

A loose federation implies that the national integrity of Pakistan is challenged and threatened. This is because the provinces received too much powers and they don't have the capacity to take up that responsibility.

This eventually leads to problems in national harmony and threatens the national security.

b) Financial implications:

The provision in the 18th amendment which rules that the provincial share cannot be decreased more than 57.5% provides limited space to the federal government as the federal government is only left with 42.5%.

This reduced fiscal space for the federal government would lead to compromise on national security and would also impact other federal departments like foreign affairs, debt payment etc.

c) Increased provincialism:

Even though the 18th amendment was generally celebrated for addressing historical imbalances, but there are concerns that certain amendments might lead to increased provincialism and undermine the unity of the country.

For example, the amendment abolished the Concurrent legislative list which raised concerns about uniformity of laws across the country.

d) Impact on National Institutions:

The amendment also impacted national institutions such as the Higher Education Commission (HEC) by devolving powers to the provinces. However, this decentralization can result in varying standards of education across provinces and there will also be difficulty in maintaining the quality and uniformity of certain national institutions.

Conclusion:

In conclusion, while the 18th amendment brought about significant changes in distribution of power and resources, the long term success of the amendment depended on effective governance, financial management and coordination among the provinces to ensure a balanced and cohesive federation. Which however was not the case and the existing structure of federation in Pakistan was altered in the name of devolution of powers to provinces.

Question no: 07

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Introduction:

Recent trends have undoubtedly showed that facism generally flourishes in countries with strong nationalism and democracies. We will discuss in detail about the enabling conditions of facism in Asia and Europe below with explanation of facism beforehand.

Facism:

The word facism is derived from an Italian word "fascia" which literally means 'band or group.'

The fascist theory was pioneered by Benito Mussolini who said that it couldn't be defined, rather it was an action.

facism is an ultra-nationalist ideology through which the fascist party governs the state using authoritarianism (there is only one centralized authority)

Basically, facism can be called as an authoritarian nationalist ideology.

Enabling conditions for facism in past:

There are a number of conditions which fuel facism in various regions of Asia and Europe. Following are a few of them:

1) Nationalism:

Nationalism was and still is the core principle of facism. For fascists, state

is the end and people are the means.

People can only benefit if they are loyal to the state, and to show their loyalty they must sacrifice their lives for the state. This spirit of nationalism is found in Asia and Europe which breeds facism.

→ Authoritarianism:

In authoritarianism, all authority is concentrated in one man or a body of persons of the top brass i.e. the ruling elite. There is no concept of devolution of power. As can be seen in Germany and Italy examples.

→ Anti-Democracy:

Facism is a collective ideology, not an individualistic ideology, so it does not support individual choice and freedom as apparant in Germany ~~restoration~~. It only focuses on collective interest of community and choices are made by the authoritarian leader for everybody. Elections are considered weak, useless and banned in fascist states.

These are the conventional enabling conditions for facism however recently we we witnessed a unique change in trend, where facism was found

to be emerging in countries with nationalism and DEMOCRACY.

This is surprising as fascist ideologies are usually enabled by anti democratic and authoritarian sentiments as explained above.

Let us take the example India to figure out how fascist ideology emerged in a democratic country with nationalism in **Asia**

→ Rise of Hindutva Ideology:

Hindutva, associated with the broader Hindu nationalist movement emphasizes the cultural and religious identity of Hindus. The elements of this ideology exhibit authoritarian tendencies, especially in terms of minority rights and dissent.

→ Concern of Authoritarianism:

Certain political actions, restrictions on dissent and centralization of authority like the Modi Party becoming vigilante of India, is indicative of authoritarian tendencies in a weak democratic structure.

→ Nationalism and Populism:

Nationalism has been a significant theme in Indian politics. While a strong sense of nationalism, is not inherently fascist, it

is entirely possible for popular leaders like Modi to exploit nationalist sentiments to consolidate power.

Similarly, there are also similar enabling conditions that are promoting facism in democratic European states such as Hungary, Greece, Poland etc.

Hungary saw the rise of Prime Minister Victor Orban and his Fidesz Party which exhibited nationalist and authoritarian tendencies. The enabling factors are below:-

→ Nationalism and authoritarianism:

Orban's government has been criticized for emphasizing a strong nationalist agenda and adopting policies perceived as challenging the democratic norms. There have also been concerns about the centralization of power, weakening of checks and balances and restrictions on media freedom.

→ Erosion of democratic institutions:

Hungary has experienced a weakening of democratic institutions under Orban's leadership. Changes to the constitution, electoral laws and judiciary have raised concerns about the erosion of democratic norms.

→ Media Control and Propoganda:

The government's influence over the media landscape has been criticized because of concentration of media ownership and promotion of government friendly narratives while suppressing dissenting voices.

→ Populist Rhetoric:

Orban has employed 'populist rhetoric, presenting himself as a defender of national values against perceived external threats

→ Anti-Immigrant policies:

The fidesz government has implemented strict anti-immigration policies, particularly during the European migration crisis, framing immigration as a threat to national security and identity.

Conclusion:

As apporant from the discussion above on facism in Asia and Europe, it is clear that facism also flourishes in countries with strong nationalism and democires. Even though different social, cultural, and political/historical factors contribute to manifestation of facism in differest regions.