

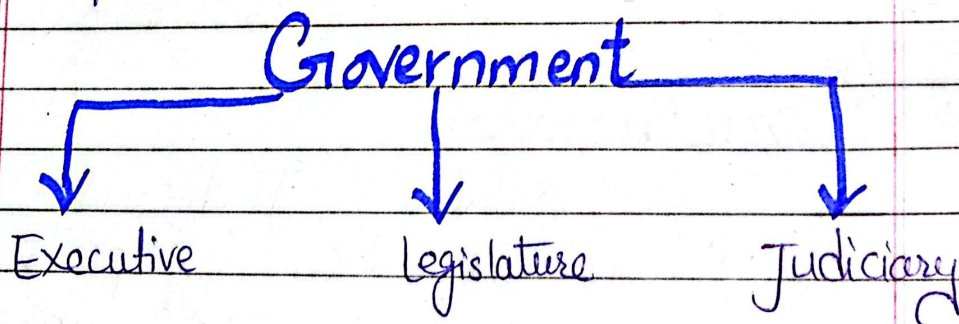
## Part II

### Qno 2:- "The Theory of Separation of Powers"

The separation of power is a fundamental principle of modern political system.

Montesquieu proposed this theory in his book "The Spirit of Laws".

This book postulate that power should be divided into 3 tiers. This separation is ~~designed~~ designed to prevent corruption and promote accountability.



Montesquieu theory impact on development of modern democracy.



## Why Separation of Power?

Montesquieu was of the role of Lord Chancellor. who performed many roles: as a head of judiciary as a member of cabinet, as a head of executive.

In Montesquieu's view that power in one hand may lead to corruption. So, he discovered the theory of separation of power.

Montesquieu is in the reign of ~~King~~ King Louis ~~XIV~~ XIV. Two things influence his writing his stay in England influence his political thoughts while study of Roman literature influence on his writing.

Montesquieu saw two types of government Monarchy and administration (Legislative, executive, Judiciary) therefore, he is in favour of separation of power in these government structure.



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## → Combining Legislature and Executive

When the legislature and Executive the power united in the ~~one~~ one hand and its lead to corruption ~~the~~ Tyranny government formed

## → Combining Legislature & Judiciary

When combine the legislature & Judiciary the Judge have excessive role.

## → Combining Judiciary and Executive

If Judiciary join executive the Judge may be violate

## ⇒ When Combine Judiciary, Executive and Legislature.

There would to be the end of everything All powers will be in one hand and person.

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## System of Check and Balance:

Montesquieu theory further developed the concept of Check and Balance between legislature and executive

### Executive check on Legislature:-

Executive has the power to veto the bill passed by the Congress.

### Legislature check on Executive:-

Legislature can over ride the appointment by a 2/3rd opportunity. The power of impeachment lies in executive.

### Judiciary:-

Montesquieu did not add judiciary in system of Executive and legislative



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# Modern Implementation of Montesquieu theory "Seperation of power"

## United States

The US constitution drafted on Montesquie ideas dividing power between legislative (Congress), Executive (president) and Judiciary.

## Critical Analysis:-

The Seperation of power theory has some problems. It can cause slow decision-making disagreement between branch and unequal power distribution. Despite the issue, this theory remain important for Modern Democracy and guided how government are structured well wide.

## Conclusion:-



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To conclude, The theory of separation of power is a complex and dynamic in nature. It has both strengths and weakness. This theory is important for Modern Democracy. This theory ensure good governance, and promote Accountability.

## Qno 4 "Social Contract" Hobbes Locke, Rousseau.

The Social Contract theory developed by Hobbes, Locke and Rousseau. Thomas Hobbes a 17<sup>th</sup> century English philosopher. He is the victim of English civil War and French scientific Revolution. Locke also an English philosopher. ~~John~~ Locke and Hobbes both are in the same Era John



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Locke at the time of Glorious revolution which is called bloodless revolution.

Lockes was the secretary of whig party founder. on other hand, Rousseau emphasized the important of direct democracy and General will. He present the vision of a equal society.

## Social Contract theory Hobbes, Locke, Rousseau

### State of Nature by Hobbes, Locke, Rousseau.

Thomas Hobbes influenced by Machievili. Hobbes describe state of Nature where men by birth selfish, egoistic and self seeking. ~~According~~ On the other hand, Locke describe the bright picture of Human being wher Human by nature peace loving and cooperative. Locke describe



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the statue of nature as a state of equality and freedom, where individual property right exist.

Rousseau describe state of Nature free, happy and peaceful He believed that human are by nature bad this is the society that corrupt them. He didnot ~~accept~~ recognize the concept of property in state of Nature.

In Hobbes state of Nature Human are driven by Self-Interest.

## Social Contract of Hobbes, Locke, Rousseau

Thomas Hobbes outlined social contract in his book Leviathan. He argue that individual surrend Natural Rights to government for protection and security. According to him, the primary purpose of social contract is to protect individual from violence.



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and "was all against all". On the other hand, Locke, outlined this theory in his book "Second Treatise of Government". Locke argue that individual ~~there~~ surrenders their some rights for protection of their life and property.

## Two Contract of Locke

Between Among Masses → Society Establish  
Between people & Ruler → State Establish

Rousseau outlined this theory in his book "The Social Contract". Rousseau give only one contract where all people send with their ruler submit their rights to popular will. He advocate Democracy where people participat in decision making process.

## Form of Govt In the Result of Social Contract Accord. to Hobbes, Locke, Rousseau.



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**Hobbes** argue that must have Absolute Sovereignty with the power to make laws and enforce laws. Power to maintain order & wage war.

**Locke** give the theory of limited Sovereignty where government is restricted by the laws and institution.

**Rousseau**:- give the idea of popular Sovereignty where all authority lies with the people rather than the monarch, aristocracy, or other elite group.

## Critical Analysis which thinker provide most relevant and practical Legitimacy of political Authority in Modern State

John Locke, Hobbes and Rousseau are three thinkers who provide social Contract theory. relevant



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to political authority in Modern state. Locke emphasize on protection of rights and limited government, on the other hand Rousseau emphasize on direct democracy and General will. Thomas Hobbes influenced by Machiavelli. Some argue that his view on human nature was pessimistic. This Absolute Sovereignty lead to Authoritarianism. Despite these these criticism these thinkers philosophy continue to shape Modern political philosophy.