

M S COLLEGE OF LAW MUMBRA

POLITICAL SCIENCE 1

Political Science



The branch of social sciences that control people, elect leaders, opinion their voters and also help citizens to know their responsibilities in the society is called political science.

ASST.PROF

ROSHAN VARMA

MEANING OF POLITICAL SCIENCE

- **Political science** is the **study of politics** and power from domestic, international, and comparative perspectives. It entails understanding **political** ideas, ideologies, institutions, policies, processes, and behavior, as well as groups, classes, government, diplomacy, law, strategy, and war.

NEED TO STUDY POLITICAL SCIENCE

- The purpose of our major is to deepen knowledge and understanding of one of the most powerful forces operating on people, communities and corporations today, namely government and **politics** in the USA and around the world. This knowledge and understanding is valuable for all citizens.

GOALS OF POLITICAL SCIENCE

- The Department of **Political Science** has two **main** sets of learning **goals**. The first is the acquisition of specialized knowledge in the field of **political science**. The second is the development of general skills that will serve students regardless of their future course of study or employment.

SCOPE OF POLITICAL SCIENCE

- The **scope of political** science also includes a study of the nature of relationship between the individual and the State. It examines how man should adjust himself with the society. Man is the root of **politics**. The process of adjustment of men with the society is an important aspect of **Political Science**.

NATURE OF POLITICAL SCIENCE



- **Political science** is the **science** of state and government. It deals with the **nature** and formation of the state and tries to understand various forms and functions of the government. Scholars like Bluntschli, Garris and others believe that the scope of **political science** is restricted to the study of the state alo

MEANING OF STATE

Meaning of State

- A *state* is a community of persons more or less numerous, permanently occupying a definite portion of territory, having a government of their own to which the great body of inhabitants render obedience, and enjoying freedom from external control.
- The Philippines is a state.

DEFINITION OF STATE



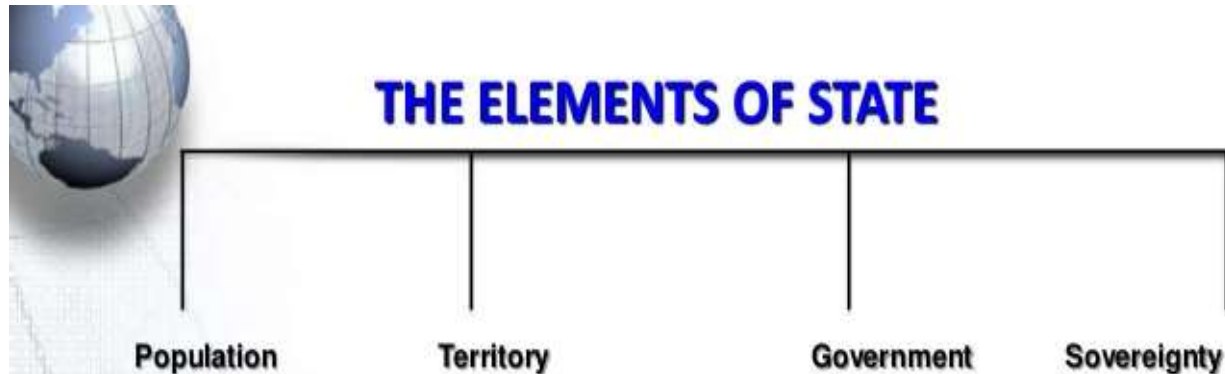
Definitions

The state is the highest form of human association. It is necessary because it comes into existence out of the basic needs of life. It continues to remain for the sake of good life

To **Woodrow Wilson**, “State is a people organized for law within a definite territory.”

Aristotle defined the state as a “union of families and villages having for its end a perfect and self – sufficing life by which it meant a happy and good life”. Burgess defines the state as “a particular portion of mankind viewed as an organized unit.”

ELEMENTS OF STATE



Population

It is the people who make the state. Population is essential for the state. Greek thinkers were of the view that the population should neither be too big nor too small.

According to Plato the ideal number would be 5040.

According to Aristotle, the number should be neither too large nor too small. It should be large enough to be self-sufficing and small enough to be well governed.

SOCIETY

SOCIETY

Meaning of Society:

A society may be defined as a company or an association of persons (generally unincorporated) united together by mutual consent to deliberate, determine and act jointly for same common purpose. As per the Societies Registration Act, 1860, (see Annexure 2, VI), a society can be formed by minimum seven (or more) persons, eligible to enter into a contract.

ASSOCIATION

- Main **characteristics of Association. Association:** An **association** is formed or created by people. It is a social group. ... Common interest: An **association** is not merely a collection of individuals. It consists of those individuals who have more or less the same interests.

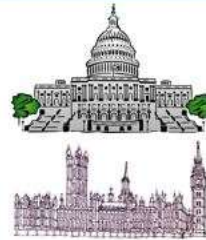
GOVERNMENT

- A group of people that governs a community or unit. It sets and administers public policy and exercises executive, political and sovereign power through customs, institutions, and laws within a state.

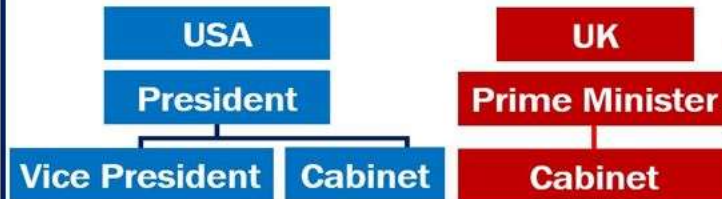
What is Government?

Legislature

A deliberative assembly with the authority to create new laws, alter existing ones, and terminate old ones. In democracies, members are elected by the people.



Executive



Judiciary

The system of courts that interprets and applies the law in the name of the state.



SOVEREIGNTY

- **Concepts**
- Domestic **sovereignty** – actual control over a state exercised by an authority organized within this state,
- Interdependence **sovereignty** – actual control of movement across state's borders, assuming the borders exist,
- International legal **sovereignty** – formal recognition by other **sovereign** states,

PLURALISTIC SOVEREIGNTY

- **Pluralism** (political **theory**) ...
Classical **pluralism** is the view that politics and decision making are located mostly in the framework of government, but that many non-governmental groups use their resources to exert influence.

PLATO

- Plato (427?–347 B.C.E.) was a prominent Athenian philosopher who posed fundamental questions about education, human nature, and justice.
- A student of the famous philosopher Socrates, Plato left Athens upon his mentor's death in 399 B.C.E. After traveling to other parts of Greece, Italy, and Sicily, Plato returned to Athens in 387 B.C.E. and founded a school of mathematics and philosophy called the Academy, which became the most prominent intellectual institution in all of ancient Greece. Plato authored a number of dialogues that often depicted Socrates engaging in the educational mode of dialectic. Like his mentor, Plato suspected that most people did not know what they claimed to know, and hence wondered why rigorous qualifications for rulers did not exist. Challenging the Sophists' claims that knowledge and truth were relative to the perspective of each individual, Plato developed an epistemology and metaphysics that suggested an absolute truth that could only be gleaned through rigorous self-examination and the development of reason—skills crucial for enlightened political leaders.

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- **Features of an Ideal State**

1.Rule of Philosophy

Plato was of the view that in an ideal state the philosopher-ruler should be prominent. He should have a broad vision of unity of knowledge. Philosopher-kings are immune from the provisions of law and public opinion.

2.No unqualified absolutism

Though, neither, there is any restraint of law nor of public opinion over philosopher-rulers but that is not an unqualified absolutism. It is not all despotism, because rule of philosophy is not free from the basic articles of the constitution.

3.Control over the education system

Philosopher ruler should control the education system in an ideal state.

4.Justice in ideal state

Justice is the main feature of Plato's Republic and it is also present in his ideal state. Justice is the bond which binds every member of society together. It forms a harmonious union of individuals.

5.Censorship of art and literature

In ideal state, there should be a complete censorship of art and literature. It is necessary so that nothing immoral things might fall into the hands of the young individuals.

6.System of Communism

Plato was of the view that guardian class should live under the system of communism of property and family. The rulers and soldiers do not possess any property of their own.

7.Equality among men and women

According to Plato, equal opportunities should be given to both men and women for their economic, social, intellectual and political uplift. We can say that Plato was the first feminist of his time.

8.Principle of Functional Specialization

Plato was of the view that due to multiple wants, an individual could not fulfill all his desires by himself alone due to lack of capacity. Thus co-operation among individuals should be necessary to satisfy their mutual desires. Some people are specialized in performing some certain tasks.

CRITICISM

- **Criticism**

1.Plato built his ideal state on the analogy of individual and this identification leads to confusion. He failed to distinguish ethics from politics. His ideal state is based not merely on analogy but almost identification between the individual and the state, which is quite wrong.

2.Plato fails to condemn the institution of slavery and regard it as fundamental evil.

3.Plato's system of communism of women and temporary marriage is detestable and unethical.

4.Plato is a moralist rather than a political idealist. His assumption that the state should control the entire lives of its citizens is false and contrary to human liberty.

5.By the system of functional specialization, Plato tends to dwarf the personality of the individual. There is no possibility of any full development of human personality in his ideal state.

6.Plato completely ignores the lower class in his ideal state which forms the great bulk of population. Such negligence may divide the society into two hostile groups.

ARISTOTLE

- The ideal forms in the **Aristotelian** scheme are monarchy, aristocracy, and polity (a term conveying some of the meaning of the modern concept of “constitutional democracy”); when perverted by the selfish abuse of power, they are transformed respectively into tyranny, oligarchy, and ochlocracy (or the mob rule of lawless .

MACHIAVELLI

- **Niccolò di Bernardo dei Machiavelli** ; 3 May 1469 – 21 June 1527) was an [Italian](#) diplomat, politician, historian, philosopher, writer, playwright and poet of the [Renaissance](#) period. He has often been called the father of modern [political philosophy](#) and [political science](#). For many years he served as a senior official in the [Florentine Republic](#) with responsibilities in diplomatic and military affairs. He wrote comedies, carnival songs, and poetry. His personal correspondence is of high importance to historians and scholars. He worked as secretary to the Second [Chancery](#) of the Republic of Florence from 1498 to 1512, when the [Medici](#) were out of power. He wrote his best-known work [The Prince](#) (*Il Principe*) in 1513, having been exiled from city affairs.

MACHIAVELLI'S VIEW


- **Machiavelli** desperately wanted to return to politics. One of his goals in writing **The Prince** was to win the favor of Lorenzo de' Medici, then-governor of Florence and the person to whom the book is dedicated; **Machiavelli** hoped to land an advisory position within the Florentine government.

MACHIAVELLI'S ARGUMENT

- **Virtue.** **Machiavelli** defines virtues as qualities that are praised by others, such as generosity, compassion, and piety. He **argues** that a **prince** should always try to appear virtuous, but that acting virtuously for virtue's sake can prove detrimental to the principality.

JUDICIARY





Importance of the judiciary.

- 1.) Confidence in the certain and even administration of justice.
- 2.) Preservation of the government.
- 3.) Respect for law and order.

Independence of the judiciary.

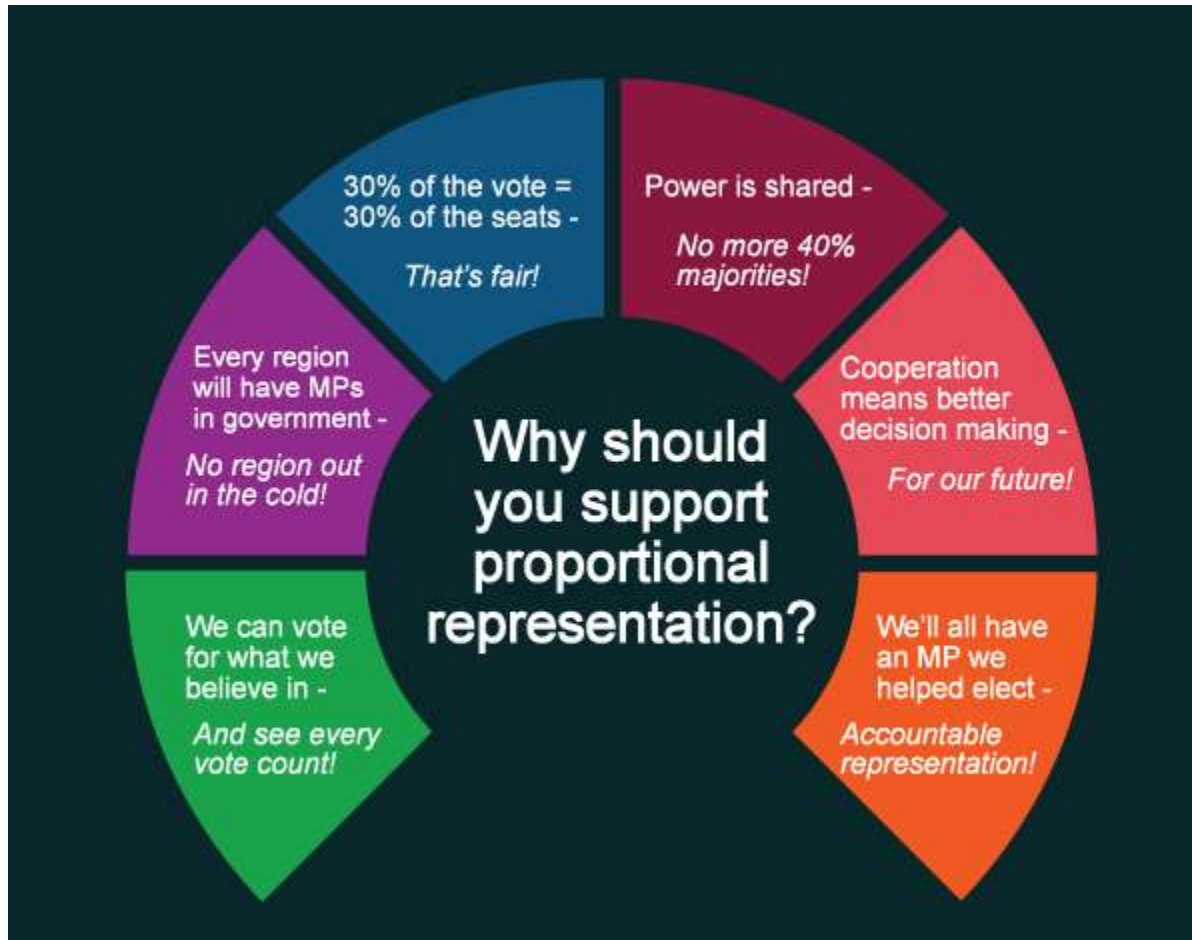
- 1.) Congress may not deprive the Supreme Court of the constitutional powers granted to it;
- 2.) Congress cannot prescribe the manner in which the Supreme Court should sit, and determine the number of Justices composing the court;
- 3.) The Supreme Court is given the authority to appoint all officials and employees of the judiciary;
- 4.) The members of the Supreme Court and judges of lower courts enjoy security of tenure.
- 5.) Their salaries cannot be decreased during their continuance in office;
- 6.) The members of the Supreme Court can only be removed through the difficult process of impeachment;
- 7.) The judiciary enjoys fiscal autonomy

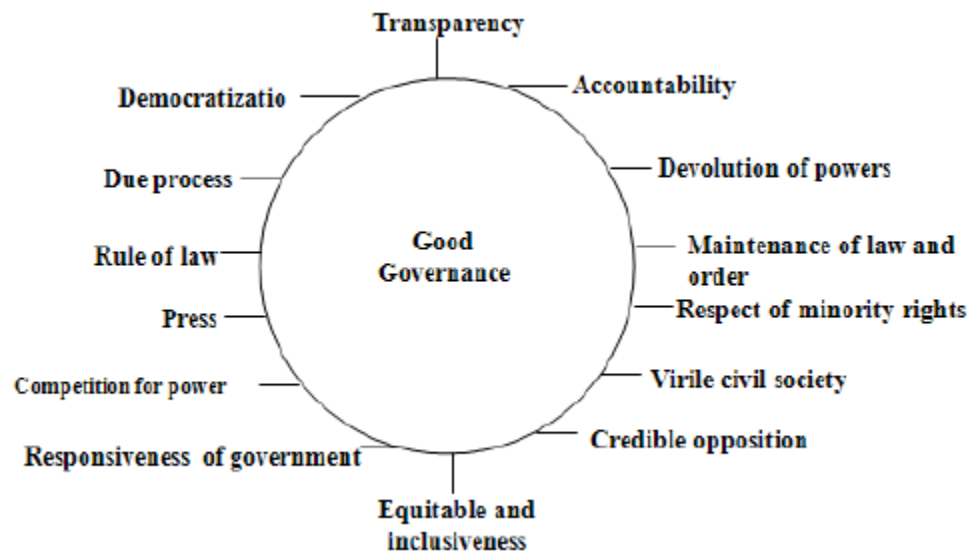
JUDICIAL REVIEW

JUDICIAL REVIEW

- Judicial Review is the power of the Courts to determine the constitutionality of Legislative act in a case instituted by aggrieved person.
- It is the power of the Court to declare a legislative Act void on the grounds of unconstitutionality.
- Edward S. Corwin also says that Judicial Review is the power and duty of the courts to disallow all legislative or executive acts of either the central or the State governments, which in the Court's opinion transgresses the Constitution

REPRESENTATION





Party List

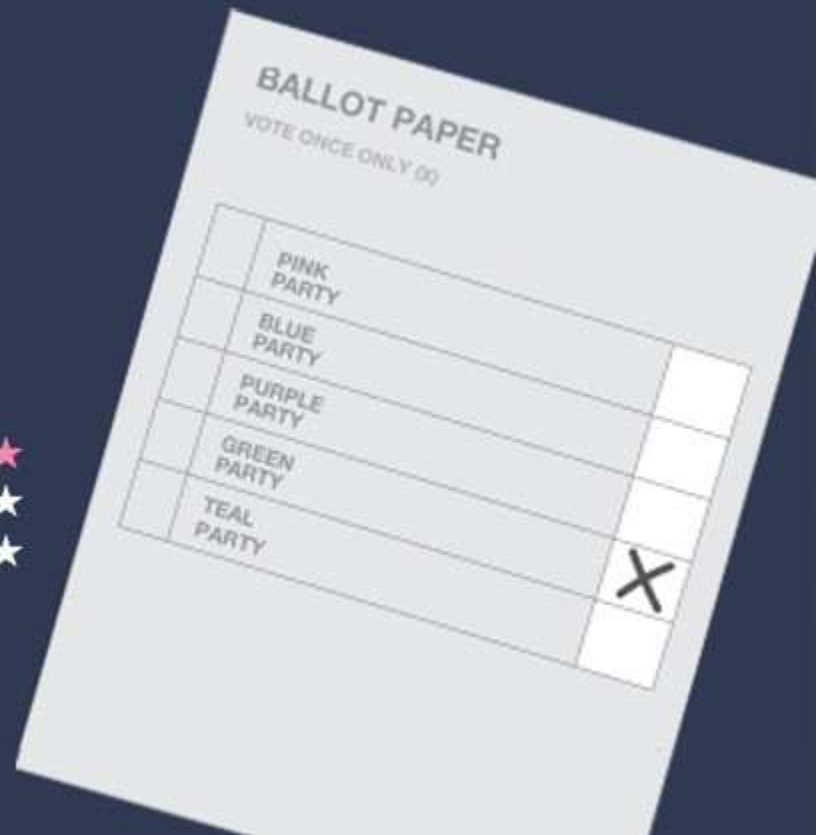
PROPORTIONALITY:



VOTER CHOICE:



LOCAL REPRESENTATION:



MONTESQUIEU THEORY

MONTESQUIEU'S THEORY OF SEPARATION OF POWERS

- Though the history of the doctrine of separation of powers is traceable to the ancient times of Aristotle, and subsequently 16th and 17th century philosophers such as John Bodin and Locke.
- It was the French Jurist, Montesquieu who gave it a systematic and scientific formulation. In his book 'Esprit de Lois' (The spirit of laws), Montesquieu, for the first time, extensively discussed the doctrine and its form.
- According to Montesquieu's theory, it means that no one person or body should be vested with all three types of powers.
- In every state there are three kinds of powers, the legislative power, the power executing the matters falling with the law of nations, and the power executing the matters which fall within the civil law.

IMPORTANCE OF THE THEORY OF SEPARATION OF POWERS

- It aims at individual liberty. It is a safeguard against despotism.
- Its basic principle that concentration of powers leads to dictatorship is true for all time and ages.
- The separation of powers saves the people from the arbitrary rule of the executive .
- This theory lays down the principle that governments should act according to certain well established rules or law.
- Each organ acts as a check upon the others.
- It is desirable for maintaining the efficiency in the administration.

Theory

Montesquieu, the noted political philosopher of France is regarded as the chief architect of the principles of Separation of powers. He in his book "The Spirit of Laws" published in 1748 gave the classic exposition of the idea of separation of powers. During his days the Bourbon monarchy in France had established despotism and the people enjoyed no freedom. The monarch was the chief law giver, executor and the adjudicator. The statement by Louis XIV that 'I am the state' outlined the character and nature of monarchical authority.

Montesquieu, a great advocate of human dignity, developed the theory of separation of powers as a weapon to uphold the liberty of the people. He believed that the application of this theory would prevent the overgrowth of a particular organ which spells danger for political liberty. According to him every man entrusted with some power is bound to misuse it. When the executive and the legislative powers are given to the same person there can be no liberty.

Because it is apprehended that the same person may enact oppressive laws to execute them whimsically. Again there is no liberty, if the judicial power is not separated from the legislature and executive.

CRITICISM

CRITICISM

- It is not desirable because if there is complete separation of powers, the different organs of the government will not be able to work in co-operation and harmony. As a result, there would be frequently deadlocks which may bring the governmental machinery to a standstill.
- According to Mill, "the separation of powers will result in a clash between the three organs of government, as each one will take interest only in its own powers".
- If all branches are made separate and independent of each other, each branch will try to safeguard its powers and will not protect the powers of other branches. In such case administrative efficiency cannot be attained.