SOVEREIGNTY: CONCEPT, FEATURES, TYPES AND THEORIES — सम्प्रभुता: अवधारणा, विशेषताएं, प्रकार और सिद्धान्त.

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CONCEPT : अवधारणा

- SOVEREIGNTY IS DERIVED FROM TWO GREEC TERMS SUPER & ANUS WHICH MEANS IN ENGLISH SUPREME POWER.
- AS SUPREME POWER STATE WAS EXIST IN ANCIENT AND MEDIEVAL PERIOD AS WELL. BUT THAT STATE CAN NOT BE CALLED A SOVEREIGN STATE. BECAUSE AS POLITICAL CONCEPT SOVEREIGNTY IS A RESULT OF NATION STATE IN 15TH CENTURY WHEN ABSOLUTE COMMAND OF STATE WAS EMERGING OVER OTHER SOCIAL ECONOMIC INSTITUTIONS LIKE CHURCH AND GUILDS.
- JEAN BODIN WAS THE FIRST PHILOSOPHER WHO COINED AND THEORISE THIS TERM BUT IN THE PHILOSOPHY OF THOMAS HOBBES AND JOHN AUSTIN IT COMPLITED AS LEGAL SOVEREIGNTY.

DEFINITIONS परिभाषाएं

- BODIN "सम्प्रभुता नागरिको तथा प्रजाजनो पर विधि द्वारा अमर्यादित राज्य की सर्वोच्च शक्ति है SOVEREIGNTY IS THE SUPREME COMMAND OF STATE OVER CITIZENS AND PEOPLE WHICH IS NOT RISTRICTED BY LAW "
- JOHN AUSTIN –यदि कोई उच्च सत्ताधारी व्यक्ति या निश्चित व्यक्तियों का समूह, किसी अन्य उच्चसत्ताधारी व्यक्ति की अज्ञापालन का अभ्यस्त न हो तथा किसी मानव समाज के बड़े भाग से आदतन अपनी आज्ञापालन करा सकने की स्थिति में हो तो वह उच्चसत्ताधारी व्यक्ति उस समाज का सम्प्रभु है और वह समाज राजनीतिक रूप से स्वतंत्र समाज है IF ANY PERSON OR DETERMINED BODY OF PERSONS WHO RECIEVES HABITUAL OBEDIENCE FROM THE BULK OF POPULATION, BUT WHO DOES NOT HABITUALLY OBEY ANY OTHER PERSON OR INSTITUTION, IS SOVEREIGN AND THAT SOCIETY IS POLITICALLY FREE.

TYPES - प्रकार

- DE JURE SOVEREIGN तथ्येन सम्प्रभु
- DE FACTO SOVEREIGN विध्येन सम्प्रभु
- LEGAL SOVEREIGN वैधानिक सम्प्रभु
- POLITICAL SOVEREIGN राजनीतिक सम्प्रभु
- FORMAL SOVEREIGN नाम मात्र का सम्प्रभु
- ORIGINAL SOVEREIGN वास्तविक सम्प्रभु

FEATURES विशेषताएं

- SUPREME सर्वोच्चता
- UNDIVIDABLE अविभाज्यता
- UNTRANSFERABLE अदेयता
- OMNIPRESENCE सर्वव्यापकता
- OMNIPOTANCE सर्वशक्तिमता
- PERMANANCY स्थायित्व

THEORIES सिद्धान्त

MONOLISTIC OR LEGAL THEORY — एकलवादी या वैधानिक सिद्धान्त — बोदां , हाब्स, बेन्थम, आस्टिन इसके समर्थक है । JEAN BODIN, THOMAS HOBES, BENTHAM AND JOHN AUSTIN ARE RELATED TO IT. "LAW IS THE COMMAND OF SOVEREIGN "

POLITICAL SOVEREIGNTY – राजनीतिक या मर्यादित सिद्धान्त - जान लाक इसके जन्मदाता है । संसदीय सम्प्रभुता । JOHN LICK IS PROPOUNDER AND HE HAS ADVOCTED THE PARLIAMENTARY SOVEREIGNTY.

POPULAR SOVETEGNTY – जन सम्प्रभुता का सिद्धान्त – रूसो इसके जनक है । RUSSEAOU IS PROPOUNDER.