

Democracy Vs Totalitarianism in the Political Philosophy

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Nothing then is unchangeable but the inherent and inalienable rights of man.

Thomas Jefferson

Sad is the fate of the state in which the ruler would want to reign according to the prescriptions of Machiavelli

Frederick the Great, King of Prussia (1712-1786)

Abstract

The entire political philosophy of humanity is focused on the antagonism between two political regimes, two basic ideas that explain, argue and legitimize the state power's system, namely, the totalitarian and the democratic political regime. Since Antiquity, the brilliant minds of humanity contemplated about the sense of state power and the political regime of the state. Each epoch analyses this concept from different aspects and some of them are reflected in the actual political regime. We would pay attention to the conversation through the ages between the philosophers of Antiquity, Middle Age, Modernity and Contemporaneity about the most important ideas of the totalitarian and the democratic political regimes. This article is a study dedicated to determining the specific of these political regimes in the background of the idea's history. In this context, we have outlined the following objectives: to identify the specific aspects of totalitarianism in the Antiquity, Middle Age and Contemporaneity, to analyze the concept of democratic political regime developed in the Modernity as philosophical support of The Great French Revolution; to examine the positive and the negative aspects of this doctrines; to determine the causes of the triumph of totalitarianism in the XXth century. As a result of the research, we aimed to determine the psychological reasons that force people to obey the totalitarian regime. This research paper focuses on the antagonism between these important philosophical and political doctrines that is present in the modern doctrine of constitutional law.

Keywords: democracy, totalitarianism, human's rights, social contract, philosophy, freedom

1. Introduction

The history of the totalitarian and democratic political regimes begins many centuries ago in Ancient Greece. Since Antiquity to the modern era, people were contemplated the best way of the social organization that would give to citizens the possibility to live a happy life. In this period of time were developed various theories about the best political regime and social structure. These theories could be grouped into two categories. The first category of theories represents the philosophical base of the totalitarian regime and the other group of theories gives the reasons for the democratic regime.

Plato and Aristotle, the Ancient Greece's philosophers, stated that the monarchy and aristocracy represent the best political regimes because the power is exercised by the most deserving citizens, who merit the exercise of State power. This theory could not be positioned as a component part of the totalitarian or democratic concept because of the specific vision of the forms of government in Ancient Greece.

The Middle Ages comes with another political philosophy. In this period of time begins the "battle of ideas" between the totalitarian and democratic theories. Niccolo Machiavelli and Thomas Hobbes, considered that the powerful totalitarian state represent the best political regime. Niccolo Machiavelli created the "school of Tyranny", arguing that the end justifies the means. According to the point of view of this philosopher the ruler is free to use any methods to stay in power. Thomas Hobbes, the founder of the social contract doctrine, considered that state was founded as a result of the contract between the people that transfer their rights to monarch. As a result, people

do not have any right except of the right to self-defense. These theories represent the nucleus of the totalitarian doctrine that was promoted by all dictators.

On the other hand, John Locke, Jean-Jacques Rousseau, Charles Louis Montesquieu claimed that the person's liberty should be respected by state and the establishment of the democratic regime is the only way to ensure the development of society. Rousseau developed the theory of social contract created initially by Hobbes. According to his point of view, state is created as a result of social contract, the aspect that is common for both philosophers. Rousseau claimed that state should respect the human's right and any violation of human's rights legitimizes the denouncement of the social contract. Locke supported the theory of social contract and considered that people have the fundamental right to rebellion if the state does not represent the interests of citizens and the state power is not legitimate. The most important ideas of these thinkers represent the philosophical and ideological base of The Great French Revolution that triumphed with the adoption of The Declaration of the Rights of Man and of the Citizen in 1789. So, the democratic regime triumphed over the idea of monarchy, totalitarianism and complete disenfranchisement of man. Despite the philosophical basis of the democratic regime and the awareness of the need to regulate basic human rights and freedoms, the ideas of the totalitarian regime, expressed in fascist, Nazi and communist ideology prevailed in the XXth century. This shows the vulnerability of the democracy, on the one hand, and the necessity of understanding the reasons that lead to the primacy of the totalitarian regime, on the other hand.

The psychological basis of the contemporaneous totalitarian regime was analyzed by the Erich Fromm which elaborated the theory of the authoritarian character. This theory explains the psychological causes of totalitarian regime and vulnerability of democracy through the prism of the reality of the XXth century in the Nazi German. Some of the aspects that were analyzed in his book "*Escape from Freedom*" written in 1941 remain relevant for our democracy.

The empirical component of this report represents the research of the main ideas of the philosophers who developed the totalitarian and the democratic theories, the contradictions between these theories. This research will show the importance of these doctrines in the development of the political philosophy.

2. Methodology

This research paper is based on the analysis of various researches, mainly aiming to describe the essence of the political regime from the prism of the totalitarian and the democratic doctrines. In this research, we used the logical method with its operations such as analysis, synthesis, deduction, induction, generalization, abstraction for the consistent study all aspects of the thesis topic. In this paper, we analyzed critically the essence of the most important concepts of the philosopher relevant for our topic. The application of the synthetic method gave us the possibility to identify the philosophical concepts developed by the great thinkers that helped us to support the proposed thesis. The analysis of the theme from the general point of view gave us the possibility to determine the common aspects of the totalitarian and democratic theories that form the actual concepts these regimes. We applied the comparative research method by analyzing the contradictions between theories developed in the one period of time, for example, Plato's and Aristotle's doctrine, Machiavelli's ideas and the counterarguments of the Frederick the Great, the comparison between Thomas Hobbes' and Niccolo Machiavelli's ideas as a foundation of the totalitarian philosophy. Analyzing the subject from the historical point of view, we could determine the dominant tendencies of each epoch and the evolution of the totalitarian and democratic ideology from Antiquity to the contemporary period. The use of the systemic-structural method was manifested by the treatment of political regimes as a dimension, a component part of the entire state structure.

Thus, we started by analyzing the definition of monarchy and democracy from the point of view of Ancient Greece's philosophers because in that period of time there was no distinction between the concept of a political regime and the form of government what led to the confusion of these notions. An important part of this research was dedicated to the question "What is the base of totalitarianism as a philosophy, ideology and practice that make this political regime "attractive" for the majority of population?" In order to find answer to these question, we analyzed the philosophy of this regime, the ideas of the most influential thinkers that founded and argued the idea of totalitarianism and the psychology, specific character that make people to support this regime. Another important part of the study is dedicated to comparative method that gives us possibility to determine advantages and disadvantages of each theory. Thus, we analyzed the specific aspects that came out from the content of the theories that substantiate democracy and totalitarian regime. In addition, this research paper focuses on the forecasting some trends within the actual democratic society that show the vulnerability of democracy.

3. Results and Discussion

3.1 The Concept of the Forms of Government in the Philosophy of the Greece Ancient's Thinkers

Plato (427-347 BC), together with his professor Socrates and his most famous student Aristotle, laid the foundation for Western philosophy and science, exerting a profound influence on Western culture. (Craiovan I., 1998, p.19) Plato was one of the first thinkers that elaborate the whole system of the change of forms of government that showed its practical applicability during humanity's history. His dialogues "Republic" and "Laws" represent the foundation for Western political philosophy, being considered the earliest political treatises written from a philosophical point of view.

According to Plato, in the State could be established one of the three main forms of the state's government, corresponding to the characteristics of the people (Guceac I., 2004, p.95) who live in this state and those who exercise state power. (Popa N., Dogaru I., 2002, p. 35) Thus, human wisdom corresponds to the monarchy, courage - to the military aristocracy, modesty - to the compromise form that ensures the participation of the masses in power. (Guceac I., 2004, p.95) According to Plato's point of view, all forms of government are divided into just (ideal) and unfair (bad) forms of government. An aristocratic republic and an aristocratic monarchy were considered as fair state's forms. The unjust state's forms included: timocracy, oligarchy, democracy, and tyranny. (Guceac I., 2004, p.95) The "just" forms of government are based on the rule of law, a concept that in the contemporaneous doctrine of constitutional law is known as the "the government of law". This government is characterized by the assent of citizens. On the other hand, the unjust form is based on the arbitrary will of the tyrant and the consent of the citizens. (Georgescu P. A., 2001, p. 55)

Monarchy (one-person's government) and aristocracy (the rule of intellectuals) "the government of the best citizens" represents the best form of government that could be established in the state. An aristocracy is a form of government in which the rulers are neither rich, poor, or famous, but the state is governed by the best by birth, (Diogenes Laertios, 2001, p. 144) according to Diogenes Laertios, who analyzed the philosophy of Plato. The power, during the monarchy and the aristocracy, functions are occupied by a minority of citizens who are worthy of public office. These forms of government are based on justice and equity. The aristocracy includes the equality of the most worthy and intelligent members of the polis in power. (Nechaev, 2018, p.7) Plato, analyzing the monarchy and aristocracy, makes a distinction only by the number of people who are in power. (Diogenes Laertios, 2001, p. 144) Monarchy as a form of government is characterized by the fact that the power is exercised by one person, but, during the aristocracy, power belongs to the privileged majority. During these forms of government, the state is managed wisely for the general benefit of all people. (Nechaev, 2018, p.7)

Timocracy - ("power based on honor") - is a form of government in which state power belongs to a minority. A timocracy is an imperfect form of government in comparison with monarchy and aristocracy. Within the timocracy, people who are respected by ordinary citizens rule, but this is based on injustice. The authorities come to state power because of the circumstances that allow them to move to public positions (Usurpation of state power). The whole construction of state power is not based on particular merit. (Nechaev, 2018, p.7) This form of government is common for states based on honor, in which the highest value represents military success, and human actions are dominated by courage and anger. (Râbca E., Zaharia V. 2016, p. 56) This form of government is common for states based on honor, in which the highest value represents military success, and human actions are dominated by courage and anger. Timocracy and inequality replace the aristocracy based on equality as a result of the predominance of personal interests over the interests of the whole society. (Nechaev, 2018, p.7)

Oligarchy ("rule of the few citizens") represents the form of government in which the state power is exercised by the rich persons. (Nechaev, 2018, p.7) It reprieves the advanced form of timocracy (Cârnaț T., 2010, p.181). This form of government could be characterized by the prism of material inequality, material price, the hatred of the poor people, their tendency to gain power. (Râbca E., 2016, p. 56) During the oligarchy, the magistracies are occupied by categories of wealth (Diogenes Laertios, 2001, p. 144). This is based on the material superiority of rulers over capable people. (Nechaev, 2018, p.7)

Democracy ("people's power") is the fair and unjust form of government at the same time. During the democracy, the power belongs to the majority of citizens of Polis. (Nechaev, 2018, p.7) All state power, legislative and judicial, is exercised by the people. (Diogenes Laertios, 2001, p. 144) This is characterized by the equality of all wealthy men, in which their personal qualities do not influence the possibility to occupy the public function. (Nechaev, 2018, p.7) The state in this case is deprived of proper leadership. The excess of liberty imposes a state of bondage, both to each individual and to the entire polis. (Râbca E., 2016, p. 56)

Tyranny is the most imperfect and unjust form of government in which the power is arbitrary and unipersonal. (Nechaev, 2018, p.7) This is a direct consequence of democracy and the moral decay of society. (Cârnaț T., 2010,

p.181) Tyranny in the time of Plato meant a government against of the aristocratic minority with approval of the Democratic majority. This state could be characterized by bondage, arbitrariness, illegality and lack of any virtue. The tyrant comes to power as a "favorite of the people". (Râbca E., 2016, p. 56)

Plato considered that the aristocratic state is the best form of government. It is based on merit, but not on wealth or birth. His conception of the political regime is thus a noocracy. (Georgescu Ș., 2001, p.17) Aristocracy represents the model of the ideal state that is characterized by the appropriate decision-making process and the existence of vast knowledge in various fields that are used for the prosperity of the state. It is governed by philosophers who, knowing the art of war, science, and arts come to government. Philosophers, having penetrated the nature of absolute good, and beauty, understand the laws of the development of the universe; try to translate these rules into the people's life, to make it closer to the divine ideal, bricking the harmony and balance in the life of the whole society. Philosophers, occupying public offices, are in the constant process of searching for wisdom, truth, justice.

Aristotle is one of the most outstanding philosophers of all time. Aristotle is considered the father of politics (Coroliuc B. Ciobanu I., 2005, p. 30-31) and the author of the first treatise on constitutional law - "Politics", in which is carried out the comparative analysis of the forms of government of the Greek Polices at different stages of their development. Thinker analyzes the process of establishment, maintenance and exercise of state power, the causes of dissatisfaction of people leading to revolution and change of the forms of government. Being a disciple of Plato, Aristotle continued to research existing forms of government both through the prism of their applicability, pointing out the advantages and disadvantages of each mentioned form, and through the prism of theoretical aspects, researching the ideas expressed by other philosophers who referred to the concept of the best form of government. Aristotle analyzed the order of the change of forms of government and legislation within them.

According to this doctrine, the forms of government could be delimited based on three criteria: a) the criterion of the category of citizens, b) the number of governors and c) the purpose of the government's process. Respectively, based on the criteria mentioned above, Aristotle distinguishes the following six forms of government: monarchy, aristocracy, police, tyranny, oligarchy and democracy. (Râbca E., 2016, p. 63-64) One of the main criteria in this classification is the number of people in power. Aristotle classified states by the number of governors – only one, a minority or the majority of citizens.

Monarchy (unipersonal governance) represents the form of government, in which one person exercise state power in the interest of all citizens (Râbca E., 2016, p. 63-64), relying on individual superiority, based on virtue. (Popa N., Dogaru I., 2002, p. 62-63) The monarch, according to the patriarchal theory of the appearance of the state, represents the caring parent; the citizens play the role of his children. The process of delimiting the monarchy from other forms of government requires the use of the material criterion (real concentration of power by one person and the use of this power to materialize the interests of the population of the whole state), and not the formal criterion (name of the head of State). (Râbca E., 2016, p. 63-64) The form of government is constantly developing and changing. If the state is ruled despotically, this leads to the degeneration of royalty into tyranny. (Popa N., Dogaru I., 2002, p.62-63) We should make delimitation between these two forms of government. The king rules in the name of the law and this government is based on the will of the citizens. On the other hand, the despot rules against the will of people. (Aristotel, 2001, p.189-195) Plus to this, the tyrant is a person who gets to the state's government, thanks to the population's support. According to Aristotle's point of view, tyranny was based on popular support: the Greek tyrant began his career as a demagogue. (Coroliuc B. Ciobanu I., 2005, p. 30-31) We observe the cardinal change of this notion, because, during the period in which Aristotle lived, the concept of tyrant referred specifically to people who came to power from among the population, often as a result of the revolution, but this did not necessarily mean a despotic government.

Tyranny is the form of government in which a single person is in power. This person is neither rich nor wise and leads despotically (Popa N., Dogaru I., 2002, p.62-63) to realize own interests. Aristotle considered that tyranny represents the worst form of government due to the political and juridical arbitrary. (Râbca E., 2016, p. 63-64)

Aristocracy is the form of government, in which state power is carried out in the interests of the entire population of the state by a small group of people, elected by merit and possessing high moral and intellectual qualities. Aristocracy is the form of government, in which state power is carried out in the interests of the entire population of the state by a small group of people, elected by merit (Popa N., Dogaru I., 2002, p.62-63) and possessing high moral and intellectual qualities. Aristotle considered that aristocracy is the best form of government in comparison with monarchy because power is exercised by a privileged minority for the common welfare of all society. (Arseni A., Pozneacova V., 2021, P.4)

Oligarchy is the form of the state's organization, during which power in the state is carried out by rich people. So, sovereignty belongs to the rich. (Popa N., Dogaru I., 2002, p.62-63) The oligarchic state is characteristic of the presence of a high material census, through which the category of persons, having access to power, is considered numerically limited. The state is characterized by illegality and inequality, the exercise of state power in the interest of governance. (Râbca E., 2016, p. 63-64)

The politeia (the popular form of government) is the best of all forms of government. The state power is exercised by all citizens or the majority of them, in order to realize the interests of society. Democracy is the form of state organization, in which political power is exercised by the entire population of the polis. "Democracy occurs when in power are those who do not own much and are poor." (Aristotel, 2001, p. 163) Democracy is characterized by freedom and equality. The major difference between politeia and democracy lies in the fact that in the constitutional regime the governance is carried out according to the legislation, while during the democracy people rule despotically, without respecting the laws. We see a parallel between the democratic and despotic government, between legality and illegality, between leadership carried out for the society's benefit and that which is aimed at achieving the particular benefit. The phenomenon present in democracy is manifested in the fact that power belongs to the masses, which are led by demagogues. The positive aspect of this phenomenon is manifested in the fact that demagogues express the grievances of the people; organize them for the achievement of defined goals. However, the demagogues begin to manipulate public opinion in their interests, which leads to ideological propaganda and the usurpation of power that once belonged to the people. The phenomenon present in democracy is manifested in the fact that power belongs to the masses, which are led by demagogues. The positive aspect of this phenomenon is manifested in the fact that demagogues express the grievances of the people, organize them for the achievement of defined goals. However, the demagogues begin to manipulate public opinion in their interests which leads to ideological propaganda and the usurpation of power that once belonged to the people. This idea showed its practical applicability much later when the Communist Party came to power. The people came to state power as a result of the revolution, but it was conducted by the Communist Party, by demagogues. So, Aristotle's theory on the development of democracy has been proven in practice over several centuries, which shows that the functioning of political mechanisms does not change with time. (Arseni A., Pozneacova V., 2021, P.6)

We can conclude that in Antiquity the main concept studied by philosophers was the forms of government. In that period of time, the definition of the form of government included the concept known in the contemporary doctrine as a political regime. Now, the form of government defines the person/ the category of persons who exercise state power and the political regime describes the method by which the persons govern. So, the "war" between democracy and totalitarian regime stands out in the aspects that refer to the method, which is followed by the governance, in the political regime. However, in Aristotle's doctrine, more precisely, in the analysis of the monarchy and tyranny, thinker approached to the notion of political regime. If we interpret Aristotle's ideas from this perspective, we see that he disapproves of the totalitarian regime. According to him, tyranny, the form of government that is closer to totalitarianism in contemporary doctrine, is the worst form of government. Aristotle considered that monarchy is the best form of government because the monarch governs in the interest of all citizens. Although Ancient philosophers, in general, and Aristotle, in particular, could not be included in the group of philosophers who founded the democratic ideology, they cannot be catalogued as supporters of the totalitarian regime.

3.2 The Philosophy of Totalitarian Political Regime from the Point of View of Machiavelli and Hobbes

N. Machiavelli is one of the most important thinkers that created the ideology of the totalitarian regime. The doctrine of the philosopher appears from the ideas promoted by Plato and Aristotle in the aspects that relate to the importance of the personality of the ruler's power and his influence within the state. Establishing the connection between the political philosophy of Antiquity and the Middle Ages, in general, and between the ideas promoted by Plato and Aristotle, in particular, it should be noted that ancient thinkers were adherents of monarchy as the form of government. Plato stated that power should belong to the philosopher, and the purpose of his governance should be the establishment of harmony in the society. Thinker considered that the universal order is the source of harmony. Aristotle positioned the monarchy as a good form of government, noting that power could be exercised unpersonally by a man who surpasses other members of society by virtue. In this case, the exceptional qualities of the ruler legitimize the exercise of state power and people should submit to his will. Some researchers interpret this view using the leadership qualities of genius. Analyzing this opinion, it should be noted that the meaning of the notions of philosopher in Antiquity and genius in the modern and contemporary period could be equated. Respectively, according to the thinkers' point of view, the state should be ruled by the person with outstanding moral qualities, the concept developed by Friedrich Nietzsche as the concept of the superhuman. Neither Plato nor

Aristotle mentions that philosopher should follow any limits in the process of governing. They didn't think that conductor should be guided by the principle of freedom of citizens or should realize their will. Plato uses the concept of "common good", but its interpretation is left to the discretion of the ruler, and the genius is free to choose any methods that he considers necessary in achieving this purpose. In an extreme version, which springs from the interpretation of the ideas of ancient philosophers *lato senso*, we can conclude that the thinkers were adherents of the totalitarian regime, and their ideas are the source of inspiration for Machiavelli and Hobbes. The model of the totalitarian state is especially clear from Plato's work "Laws", in which, on the one hand, laws govern all aspects of life in the ideal state, including those relating to the personal lives of people. The ideas of Plato and Aristotle legitimize the coming to power of man with special qualities, without paying attention to the process of his rising to power. Therefore, Machiavelli developed the ideas of ancient thinkers, stating that the ruler is free to choose methods of government, and he can proceed according to his intimate conviction, and should not pay attention to the attitude of people towards the methods used in the process of government.

The philosopher considered that politics has its own rules. Thinker stated that the prince should not obey the rules of morality or religion if he wants to gain power. To achieve this goal, the person is entitled to take any actions, to remove his opponents. Machiavelli draws up "behavior rules" that should be respected by people who want to usurp state power. The philosopher believed that "the goal excuses the means" and there are no limits in the taken actions. Machiavelli argues that is better for people to afraid of the king than to love him because love is a changing feeling, but fear is a permanent state. Namely, Machiavelli's doctrine represents the foundation of the absolute monarchy, where all power in the state belongs to one person, who, having ambitions and leadership qualities, can change not only the fate of the people he governs but also the fate of the entire human community. (Slusarenco S., Pozneacova V, 2020) Machiavelli's doctrine met with strong opposition among the philosophers of the Enlightenment, who proposed counterarguments to the ideas of the thinker, forming the Anti-Machiavellianism. These ideas were expressed in some books such as "Anti-Machiavel" by Frederick the Great (1712- 1786), "The Dialogue in Hell Between Machiavelli and Montesquieu" by Maurice Joly (1829—1878). In this study, we would analyze parallel Machiavelli's doctrine and the most important ideas of Anti-Machiavellianism to highlight the positive and negative aspects of these theories.

According to Machiavelli the best form of the state's organization is the absolute monarchy, as a form of government, and totalitarianism, as a political regime. Machiavelli considered that the interest of the state prevails over private interests and personal rights. The state's interests are explained by the subjectivity of the prince who is the head of the state. The concept of state's interests represents the justification for the application of violence to the people. It should be noted that Machiavelli personified state power. As a consequence, the monarch's power is absolute. According to the philosopher, the prince embodies the whole state and his will could prevent civil strife and feudal fragmentation. The thinker does not see a difference between the state and the person of the prince. Machiavelli grants to the monarch sovereign power for the realization of state interests. For the philosopher, there is no difference between state power and the person of the prince, between the absolute power of the monarch and state sovereignty.

Machiavelli distinguished 2 forms of government monarchy and republic "All states, all dominions that have held and do hold empire over men have been and are either republics or principalities. The principalities are either hereditary, in which the bloodline of their lord has been their prince for a long time, or they are new." (Machiavelli, 1998, p.5) So, the thinker differentiates 2 types of monarchy, based on the process of coming to power of the ruler. Monarchy could be hereditary when the state power is inherited and belongs to the same royal family. On the other hand, the person could come to power during a state coup. In this situation, this person is not a member of the royal family. As a counterargument to this consideration *Frederick the Great*, King of Prussia the author of the treaty "Anti-Machiavel", noted "Machiavelli would have had the bad grace to say that the people found necessary, for their own good and preservation, to have judges to settle their disputes; guards to protect them and their worldly goods against their enemies; a sovereign power to join together all their varied interests into one common interest: it seems reasonable to assume that they initially chose the ones whom they believed to be the wisest, most equitable and most disinterested, the most valiant and the most human, to control them. It is thus the justice (one would have to say) which must be the main responsibility of a sovereign. Since it is the prime interest of the many people whom they control, they must give it priority over any other interest of their own." (Frederick Der Grosse, p.4) The philosopher highlighted that the state was founded for the people's benefit, as an expression of the human's will. According to Frederick the Great, the process of the state's formation is one of the most important aspects that should be analyzed in the study of forms of government. As a consequence, "the sovereign, far from being the absolute Master of the people which are under his domination, is only the first servant." (Frederick Der Grosse, p.4) We could highlight the important difference between Machiavelli's doctrine and the ideas of Frederick the

Great. Machiavelli considered the prince should govern, should create a strong state and this goal could be achieved using any methods considered necessary by the prince. This philosopher did not consider that the people's status within the state deserves to be investigated or that the state could be created to ensure the welfare of all citizens. On the other hand, Frederick the Great noted that the well-being of the Prince cannot be positioned above the welfare of the people.

Machiavelli analyzed the process of the usurpation of state power. Thinker noted that "states are acquired either with the arms of others or with one's own, either by fortune or by virtue." (Machiavelli, 1998, p.5) According to Frederick the Great "There are only three legitimate ways to become Master of a country: succession; choice of the people which have the capacity; or conquest as a result of war." (Frederick Der Grosse, p.4)

Machiavelli highlighted that "in hereditary states accustomed to the bloodline of their prince the difficulties in maintaining them are much less than in new states because it is enough only not to depart from the order of his ancestors, and then to temporize in the face of accidents." (Machiavelli, 1998, p.6) Frederick the Great agreed with this statement adding that "Content people will not think of revolting; happy people fear losing a prince who is at the same time their benefactor. Such a sovereign cannot be afraid of losing his power." (Frederick Der Grosse, p.6) Analyzing this consideration we can conclude that the state power in Machiavelli's doctrine is based on force, but according to the ideas of Frederick the Great state's power is based on the happiness of people.

Machiavelli highlighted "natural and ordinary necessity which requires that one must always offend those over whom he becomes a new prince, both with men-at-arms and with infinite other injuries that the new acquisition brings in its wake." (Machiavelli, 1998, p.8) Frederick the Great deny the methods proposed by Machiavelli to maintain conquered lands, for example, Machiavelli's idea the "It is enough to extinguish the line of the defeated Prince." "It is to stomp on all that is saintly and regal in the world; it is to permit those who have the interest to take the path of all crimes. But this same conqueror, acting as Machiavelli recommends, introduces a precedent into the world which can lead only to ruin: another more ambitious and more "skillful" than him, will use it in retaliation, will invade his States, and will kill him and all of his own "line" with the same kind of cruelty with which he killed his predecessors." (Frederick Der Grosse, p.7) We could note that the method mentioned above was used very often beginning with the Middle Ages and finished at the beginning of the contemporary era. This method was followed by the Communist party when at night of July 16-17, 1918 the Russian Emperor Nicholas II and his family were shot on the orders of the party's government. This demonstrates that Machiavelli's methods show practical viability during humanity's history.

Contemplating about the methods of Machiavelli, Frederick the Great concluded "thus that those who use the methods of the usurper never deserve glory, that assassination is always detested by at least some people, that the prince who uses injustice and violence to rule their new subjects, drains any potential loyalty to him on the part of these subjects. There is no gain; it is not possible to profit by the crime - and all those who would defend "ethical" usurpation, argue more badly than Machiavelli. To turn the art of reasoning against the good of humanity is to be wounded, or die, by the sword which is given to us only for self-defence." (Frederick Der Grosse, p.7)

Machiavelli distinguishes between the absolute monarchy characteristic of the Ottoman Empire and the feudal system of medieval France. According to him, "that principalities of which memory remains have been governed in two diverse modes: either by one prince and all the others servants who as ministers help govern the kingdom by his favor and appointment; or by a prince and by barons who hold that rank not by favor of the lord but by the antiquity of bloodline. Such barons have their own states and subjects who recognize them as lords and hold them in natural affection. States that are governed by one prince and his servants hold their prince in greater authority because in all his province there is no one recognized as superior but himself; and if they obey someone else, they do so as a minister and official, and do not bear him any particular love." (Machiavelli, 1998, p.17) The model of the Ottoman Empire that embodies the idea of absolute monarchy represents the best form of government because this state is almost impossible to conquer. Machiavelli considered that despotism without restriction, established well, is the surest means that a prince has to ensure reign without disorder, and resist its enemies vigorously. (Frederick Der Grosse, p.10) Frederick the Great considered that the difference of the climates, the peoples' diets, and their level of education, establish a total difference between their way of living and of thinking (Frederick Der Grosse, p.10) and this difference justifies the assimilation of various forms of State organization.

According to Machiavelli, there are three modes to hold the conquered state: "first, ruin them; second, go there to live personally; third, let them live by their laws, taking tribute from them and creating within them an oligarchical state which keeps them friendly to you. For in truth there is no secure mode to possess them other than to ruin them." (Machiavelli, 1998, p.20) Thinkers begin an imaginary dialogue. Frederick the Great deny the ideas of Machiavelli by the following retort "You say, Machiavelli, that a prince must destroy a newly-conquered free

country, to secure it; but I reply, why was this conquest undertaken in the first place? You will say to me that it is to increase the conqueror's power and to make himself more formidable. It is what I wanted to hear, to prove to you that following your maxims achieves the opposite - because of the costs of this conquest, and the ruin of the country which could compensate for the losses. You will acknowledge that a ransacked country, deprived of inhabitants, could not by its possession make a prince powerful." (Frederick Der Grosse, p.12)

Machiavelli highlighted 2 methods that could help to person to usurp state power. "These are when one ascends to a principality by some criminal and nefarious path or when a private citizen becomes prince of his fatherland by the support of his fellow citizens." (Machiavelli, 1998, p.34) According to him, cruelties could be used badly or well. "Those can be called well used (if it is permissible to speak well of evil) that a redone at a stroke, out of the necessity to secure oneself, and then are not persisted in but are turned to as much utility for the subjects as one can. Those cruelties are badly used which, though few in the beginning, rather grow with time than are eliminated." (Machiavelli, 1998, p.37) So, Machiavelli approves actions similar to Sicilian vespers, with their frightening massacres like St Bartholomew's. According to Frederick the Great's affirmations: "This monster does not dismiss out of hand the horror of these crimes provided one executes them in a manner which disciplines and pacifies the people, which frightens at the time the new prince's honeymoon period. It gives this advice for the reason that the ideas which are refuted by successive and continuous cruelties, during this brief period, disappear more easily from the public mind. Machiavel considers it not that bad to kill a thousand people in one day, or to assassinate by intervals during this brief period". (Frederick Der Grosse, p.20)

So, we could conclude that in Machiavelli's lessons, "the life of the men is counted for nothing; interest is counted for all. He prefers cruelty to leniency, and he advises young men, fresh into adulthood, to be more callous than all others: the trophy they are told to seek is the reputation of being cruel". (Frederick Der Grosse, p.38) The principles developed by Machiavelli summarize the creation of a powerful despotic state in which the Prince's power to action cannot be limited by law, religion or morals. Prince is free to take any actions to maintain state power. Machiavelli's state is characterized by stability, but it relies on blood, repression, fear and usurpation of power. For many dictators, this state is an ideal that had been translated into practice. Within this state formation, the life of man has no price, and people's role is limited to absolute and unconditional submission. We should highlight that in Machiavelli's doctrine is stood out the difference between the form of government and political regime. Thinker defined monarchy and republic as forms of government. On the other hand, philosopher did not mention democracy as a political regime but described the totalitarian regime. So, Machiavelli is one of the most important founders of a totalitarian ideology that triumphed in XXth century.

Thomas Hobbes was another political thinker that sustained the concept of the totalitarian political regime, which in the treatise «Leviathan or The Matter, Form and Power of a Common Wealth Ecclesiastical and Civil" studied the process of state's formation and the people's role in this state. The ideas of Thomas Hobbes represent a logical continuation of the Machiavelli's doctrine, because these philosophers founded the ideology of totalitarianism and unlimited power of the ruler, giving them a deep philosophical foundation, which would legitimize any arbitrary actions of the Prince. Both Machiavelli and Thomas Hobbes argued for the concept of the right of force. However, Thomas Hobbes examines the concept of human rights, but Machiavelli denies the idea that people may have some rights. The prince's right to act and usurp state power, according to Machiavelli's vision, is based on his thirst for power, but Thomas Hobbes, on the contrary, try to fundament the unlimited power of the ruler in the theory of the social contract, in the imaginary benefits granted to people by the establishment of arbitral power.

To understand the fullness and complexity of the ideas of Thomas Hobbes, we should analyze the political context of Thomas Hobbes' ideas. English philosopher lived in the period of great political and social transformations (Popa N., Dogaru I., 2002, p. 152, 155), which manifested in the outbreak of the civil war waged by Parliament against the partisans of the King, Cromwell's victory, the abolition of the monarchy and the beheading of King Charles I Stuart. These events meant the unleashing of uncontrollable anarchy, which suggested the idea of a return to the "natural state of humanity". (Georgescu Ș.,2001 p. 53) Political problems were for the philosopher of great actuality and even urgency because of the events that prepared the bourgeois revolution of 1648. (Popa N., Dogaru I., 2002, p. 152, 155) The central problem of this author's politico-legal research is the possibility of overcoming social violence and saving (preserving) the state. (Râbca E., 2016, p. 92)

Thomas Hobbes started from the consideration that man is not sociable from nature, he is naturally selfish, seeks only his good, is insensitive to that of others (G. Del Vecchio,1993, p. 85) in elaborating his theory, which is also called the theory of "moral liberalism". (Arseni A., 2019, p.173) Each person strives only for his own benefit, without considering the advantages of others and recognizing no restrictions on his rights. (Bădescu M., 2002, p. 47) If a man was to be governed only by his nature, it would have to be recognized as inevitable a permanent war between each individual and his fellows, because each seeks to have a benefit to the detriment of the others (G.

Del Vecchio, 1993, p. 85) The man, who is by nature eviler, worse than animals, full of aggression becomes a wolf for Man. Thomas Hobbes takes the Old Latin adage formulated by Plaut: "homo homini lupus" (Georgescu Ș., 2001 p. 54) to describe this situation. The condition of man is a war of all count all "bellum omnium conta omnes". (G. Del Vecchio, 1993, p. 85)

According to the social contract theory, all people are equal, both physically and intellectually. The philosopher calls equality the cause of the permanent war of all against all because equality in capabilities creates equality, hoping to acquire the goal of all people manifested by the desire to preserve life and gain pleasures. Referring to social relations within the respective society, we note the state of mutual distrust that generates the appearance of war. The thinker formulated 3 premises of war's occurrence, among which are called rivalry, distrust, and thirst for glory. Some people attack others to get rich, because of the people's rivalry. The distrust causes the struggle to ensure personal security. As a result, the competition between people for goods in the natural state is the source of the war of all against all, in which everyone has the right to everything. (Manet P.,1992, p. 72) In the natural state, a thirst for power and a relentless struggle for power are born, which ceases only after death. All other benefits-wealth, friendship can be reduced to power. (Georgescu Ș., 2001 p. 54)

In this period, characterized by Thomas Hobbes as the period of the permanent war of all against all, people live with no guarantee of security, apart from that given to them by their physical strength. During this time, people had the right to do anything, even kill the other person (Hobbes T. 2001, p.90) because there were no ones to impose limits, separate or assign. (Georgescu Ș.,2001 p. 54) In that period, there was only a permanent fear and danger of violent death. In this period, nothing can be right or unjust; there is no private property because there is no state power, no law, and no justice. However, there are certain conditions of peace based on which people can conclude the social contract. These conditions represent the natural laws existing in the pre-state era. The first of these conditions is expressed in the necessity to create and respect peace, do everything possible to ensure one's security, and the next natural law proclaims that the person should give up his rights if others do the same. (Hobbes T. 2001, p.90-96)

The desire, sustained through language, makes possible the interhuman relationship and the establishment of society as a purely human predisposition, which makes man differentiate himself from the animal world. Because of these skills, it is possible to establish a civil society. A double concern characterizes the human being in his presocial state: on the one hand, people concern that nature does not provide them everything necessary to preserve their existence, and on the other hand, they concern about the other person's intention, which introduces a factor of uncertainty that doubles the concern of man in his solitary state. (Capcelea V., 2004, p. 118) The state of War represents a condition where people, divided inwardly between the fear of death and the search for glory, inevitably fall into relations of animosity. Because of these states, each one feels the need to establish a political power that will introduce the principles of peace and civil concord. (Zorka I. CH.,1994, p.311) So, isolated people enter into a relationship, draft a contract by which a person passes from natural stare to society, from anarchy to order and justice (Georgescu Ș.,2001 p. 55). Thomas Hobbes highlights that the state results from the tacit contract of people, for ensuring peace between them. (Arseni A., 2019, p.174)

Therefore, the philosopher argues that the state is founded by a voluntary act. Each person consents in front of each other to invest in a third party (the future of the sovereign) to the right of the government. People should adopt several cumulative decisions: a) the refusal of each person to unrestricted freedom, which is specific to man in the natural state; b) the full and unconditional refusal of each man to the status specific to the natural state and unlimited subjective rights; c) the transfer of the rights of individuals to the state; d) establishment for the head of state of the exclusive right to issue laws. (Râbca E., 2016, p. 92-93)

We should note that the contract is not concluded by people with the sovereign who is created by contract, by the contractors. The sovereign or the Sovereign Assembly does not take part in the contract's drafting but takes advantage of its conditions. So, people create, by contract, the sovereign, giving him a colossal power by which he intimidates the will of individuals, stopping them from revenge. (Georgescu Ș.,2001 p. 55) Thus, the essence of the social contract comes down to the fact that people transfer their natural rights to those who govern (in favor of one man, or one Assembly), promising them unconditional submission. (Bădescu M., 2002, p. 47)

According to the theory of the social contract elaborated by Thomas Hobbes, all state power belongs to the monarch, the philosopher being a theorist of absolutism (Charmont J., 1927, p. 21). All state power is concentrated in one person's hands. The law, according to Hobbes, represents the will of the state. No force could be higher than the absolute power of the state. Plus, his doctrine implies the absolute denial of the idea of law. According to Hobbes, the law is founded on Force and submission to the state's law is mandatory, even when positive law opposes divine laws. By concluding the social contract, people express their consent to submit to a master and to

establish an authority over which there is nothing. The sovereign imposes the laws and establishes what is unjust and just, lawful and illegal. (Avornic G., 2010, p. 410)

3.3 Comparison between Thomas Hobbes and Niccolo Machiavelli

Thomas Hobbes' ideas could be catalogued as a continuation of Niccolo Machiavelli's doctrine expressed two centuries ago. Both philosophers are adherents of monarchical absolutism but approach it differently. Machiavelli is a political practitioner; he gives recipes of acquiring and keeping power in the state, outside or against religion and morality. Hobbes, as a philosophical and legal theorist, is the author of rational constructions, about the state and law, legitimizing the absolute power of the sovereign and the total submission of citizens through the social pact: the enslaved willed and obliged to be enslaved by the fear of Anarchy. Therefore, the foundation of absolute monarchy is the central axis on which is based the entire philosophical doctrine of Niccolò Machiavelli and Thomas Hobbes. However, the argumentation of unlimited power and the mechanisms of prince's government are different. According to the ideas of Niccolò Machiavelli, the concept of legality could not apply to the state power. It can be usurped by corruption, terror, violence and blood. The thinker justified the use of violence to achieve the goal—the unity of Italy. As a continuation of Plato's ideas, the process of government should be directed towards achieving a determined goal—absolute good, in the Plato's concept, and the unity of Italy, in Machiavelli's theory. Both doctrines are characteristic by absolute freedom of action of the ruler. Thomas Hobbes, on the contrary, shows that the unconditional submission of people originates from their free will, from the desire to the society's association. Therefore, for the first time, is analyzed the will of citizens, which corresponds to the totalitarian regime. In the Thomas Hobbes' doctrine appears the concept of human rights, one artificial, of some limited rights, which, however, must be respected. This incipient concept of human rights represents the foundations of the future constitutional regime and democracy. We could interpret both the doctrine of Thomas Hobbes and that of Niccolo Machiavelli as the affirmation of democratic ideas and practice. Niccolo Machiavelli showed what arbitrary actions that could be committed by the ruler if he is not limited by law, public opinion, religion, morality or human rights. The work "Prince" can be interpreted as anti-utopia, which, showing all the crimes that can be committed by an authoritarian ruler. Starting from the fact that Thomas Hobbes affirms the existence of human rights, we cannot deny the importance of his ideas on the foundation of the democratic political regime, especially in John Locke and Jean-Jacques Rousseau's interpretation. However, despite the possibility of interpreting the ideas of these philosophers through the prism of democratic ideas, Nicolo Machiavelli and Thomas Hobbes contributed to the foundation of the absolute monarchy, one by developing methods that help usurp and maintain state power, and another founded the absolute monarchy from the philosophical and legal point of view. (Arseni A., 2019, p.174) As a result, Machiavelli founded the so-called "School of tyranny" (Slusarenco S., Pozneacova V, 2020) and Thomas Hobbes founded a "science of totalitarian power". (Arseni A., 2019, p.174)

Plus, both start from an alleged antisocial, evil nature of man, which must be repressed, sanctioned, (Arseni A., 2019, p.174) by the establishment of the dictatorial regime. It follows paradoxically that the praised absolute monarchy is a punishment, (Georgescu Ș., 2001, p. 97) what is manifested by the attempt to limit the evil manifestations of Man's nature by an institution of strong leadership. As a result, philosophers in the desire to ground the absolute monarchy come to absolutely opposite conclusions, showing this form of government as a punishment, a sanction.

We can conclude that the importance of the Hobbs' doctrine is manifested by the fact that thinker legitimize the absolute monarchy, which establishes the totalitarian political regime and disenfranchised position of citizens during this political regime. Philosopher created the contract social theory that was developed by Rousseau, Locke, and Montesquieu as a foundation of the philosophy of democratic political regime. Hobbes' role in arguing for the idea of absolute monarchy cannot be overestimated, and he is rightly considered one of the main founders of the ideology of totalitarianism.

3.4 The Philosophy of Democratic Political Regime from the Point of View of the Philosophers of the Enlightenment John Locke, Jean-Jacques Rousseau

The philosophy of the Enlightenment represents, on the one hand, a reaction to the substantiation of the monarchical absolutism founded by Niccolò Machiavelli and Thomas Hobbes, and, on the other hand, the logical development of their ideas, which sometimes justify, sometimes allow the development of democratic ideology. John Locke and Jean-Jacques Rousseau developed the idea of the social contract created by Thomas Hobbes and fought with the absolute monarchy described by Niccolò Machiavelli. The specificity of the theories of John Locke and Jean-Jacques Rousseau is manifested in the positioning of man in the center of the political and social life of the state, in the foundation of national and popular sovereignty. In the philosophical thought of the Enlightenment, man represents the pinnacle of divine creation, which determines the reevaluation of human potential and the role

of man within society. This determines the development of the volitional conception of the appearance of the state and the positioning of the entire human society, in general, and the life of each man, in particular, as the holders of supreme power in the state. We observe the transition from absolute monarchy to liberalism and democracy, from the sovereignty of the monarch to popular and national sovereignty, from the superiority of the interests of the state to the superiority of the individual interests.

We should analyze the political-social context in which the brilliant thinkers such as Voltaire, Charles Louis Montesquieu, Jean-Jacques Rousseau, Denis Diderot lived for a better understanding of their ideas. These philosophers lived in the Enlightenment epoch. For this intensive period of humanity's thinking is characteristic the appeal to reason as the major criterion of understanding the world and society, popularization of knowledge, which should bring benefit to the entire society. In addition, we could note the tendency presented in the Enlightenment to systematize the knowledge accumulated during the humanity's development. In this period, France becomes the cultural center of the world. Thinkers wanted to find the principles of man's natural life, searching for the natural religion and law. We should mention the criticism and denial of positive law, formed during the historical development of humanity, in favor of natural law. French philosophers such as Voltaire, Charles Louis Montesquieu, Jean-Jacques Rousseau, Denis Diderot argued the ideas of rationalism, the development of political-social ideas and religious tolerance. Their primary goal was the progressive development of humanity and the creation of rational society. Indeed, these considerations highlight a link between the ideas that dominated the political thought of the Enlightenment and those promoted by the great thinkers, who founded the concept of natural and inalienable human rights, perfectly blend into the context of the French Enlightenment Society of the XVIII century.

Certainly, *John Locke* is one of the most important thinkers of Enlightenment whose doctrine represents the base of the actual democratic regime. In his writings, John Locke expressed the social and political aspirations of the English bourgeoisie of his time. The "Two Treatises of Government" written by the great thinker is considered as the basic texts of modern democratic doctrine (of constitutionalism, parliamentarianism, the supremacy of law) and the main foreshadowing of modern liberalism. The capital significance of John Locke's work for modern political thought and will is connected with the ideal of eliminating arbitrariness and establishing a rule-based civilization. (Popa N., Dogaru I., 2002, p. 162)

The great thinker started from the consideration that freedom and equality are part of human nature in developing of the theory of "political liberalism". Human nature comprises freedom. However, in the pre-state period, relations between people based on force, because there was no positive right. The concept of law implies the regulation of relations between two free being that realizes in equality. As a result, social relations between people are naturally formed before any convention leading to the formation of civil society. There was a natural society before any civil society. Locke goes in continuation of the Aristotelian idea that man is a social being. If man did not have in himself the call to association with other people, as a natural gift, civil society would not have been made up. Based on these ideas, the great philosopher asserted that there was a natural right before civil law.

John Locke used to say, partly repeating Hobbes's arguments about the natural state of people (Arseni A., 2019, p.174), that the transition from the natural state to civil society was possible because the natural state has some characteristics that bring it closer to civil society and make this transition possible. Thus, it substantiates the concept of the natural state, which represents a rational, natural and prelegal state. In this state, dominate freedom and equality. It is natural because people possess some rights according to the natural law. (Popa N., Dogaru I., 2002, p.166) So, there is no social order regulated by laws other than natural laws, which preceded the emergence of positive law. Private justice prevails in this state and brings its validity to the right of each individual to his defense and the reciprocity of behaviors. (Brimo A., 1978, p.117) The concept of positive natural law at this period is incipient, exercised spontaneously, being more moral, unlike civil law that is implemented by those who govern. The basic characteristic of the natural state is the state of Social Peace, (Popa N., Dogaru I., 2002, p. 167) which manifests in the reign of natural laws based on the freedom and equality, order and well-being of all people. (Râbca E., 2016, p. 97)

Definitely, the basis for the doctrinal affirmation of a natural state is: a) the tendency of each man to establish peace and security between people; B) the actions of people find foundations in rationality; c) wishing to achieve safety and peace in relations with other people, each man is necessarily "condemned" to confuse his own interests with the interests of others people. (Râbca E., 2016, p. 97)

According to Locke's doctrine, the emergence of the state finds its basis in the theory of social contract. So, the author also imposes the conceptualization of political power as the right to legislate and the right to exercise the applicative-legal activity. (Râbca E., 2016, p. 97) The state represents a product of the social contract, which results

from the expression of the will of the people. (Râbca E., 2016, p.98) From Locke's point of view, "social contract" is not an act of alienation, but the compromise, which makes the people true depositary of the general interest. (Locke J., 1999, p. 54)

As a result, the transition to civil society took place, following a consensus by which people wanted maximum security and freedom. The essence of his theory Locke expressed thus: "man in the natural state is a reasonable and free being, eager to live well. For this, he voluntarily renounces, by contract, of some of his claims and prerogatives in favor of the state, which owes him respect and protection." (Locke J., 1999, p.54) Philosopher observes that people gave up their natural state and made up civil society in order to get maximum protection. It transitioned from the natural state to the civil State based on a contract. People could denounce the contract underlying this agreement if those who hold the power do not fulfill the obligation assumed. As a result, people making up the state keep the freedom to end the contract if the state leadership does not respect their rights and cannot grant them the security, violating the obligations assumed by concluding this contract. Definitely, the principle of any association can only be common consent. As a result, the state relies on the free consent of each, being concluded in the absence of any constraint. (Georgescu Ș., 2001, p. 58) People consent to go out of the natural state in order to find in the state legal security, prosperity and welfare. People agree with others to unite in society in order to enjoy each one, in safety and peace, of what belongs to them—life health, freedom, wealth—in order to be more safe from harm and insult.

We should highlight Locke's insistence on the ideas of "consent" of each one, of "trust" that each place in those to whom he confers power, that expresses the individualistic and liberalist orientation, peculiar to his political and legal philosophy. In contrast to the passive submission promoted by Hobbes, Locke opposes free-will acceptance of the social contract. Man enters society to live freely; a law is not made to constrain, but to make an intelligent and free agent to act according to his own interests. At the same time, law should prescribe the behavior that would help to attend to the general happiness of the entire society. The purpose of the law is not to abolish or limit freedom, but to preserve and enhance it. (Georgescu Ș., 2001, p. 58-59)

So, we can conclude that the object of the contract is the guarantee of natural rights, not their suppression in favor of the sovereign, as Hobbes thought. The only right that associations make available to civil society is to punish and make justice. (Popa N., Dogaru I., 2002, p. 167) The primary purpose of the emergence of the state is to ensure the security and freedom of people by establishing the judicial power. This power represents the politically organized coercive apparatus, the existence of which is a distinct feature of political power that manifests through legislative and executive activity (Râbca E., 2016, p. 97), which guarantees compliance with the positive laws established by the state.

The concept of the social contract is summarized in the state's creation, that's major functions is the judicial one. The role of judicial power is to make up for the freedom and prosperity of everyone, to guarantee people's natural freedom, equality and independence. As a result, political power should not be absolute, it should have limits. The purpose of any political power should be the preservation of life, freedom, property. The government will come into conflict with civil society, if this goal is not respected. People could return to the natural state. As in any contract, if one party violates it, the contract cannot longer bind the other. (Popa N., Dogaru I., 2002, p. 167) We note that civil society plays the crucial role in the eventual termination of the social contract. It should control over the governors who actually exercise state power. In particular, civil society should identify possible violations of the government's obligations and put pressure on the government, so that it does not deviate from the purpose of establishing the state—the safety and respect of citizens' rights and freedoms - and does not shirk from the obligations assumed. State sovereignty belongs to people and they do not give up their share of sovereignty by establishing legislative and executive power. If these powers limit people's rights, citizens can resort to force (the right to revolution) to replace governance. By this conception, the great thinker legitimizes the revolution, (Popa N., Dogaru I., 2002, p. 168) which represents that method by which civil society can end the social contract.

According to Locke, the natural human rights represent another limit of political power. (Popa N., Dogaru I., 2002, p. 168) In contrast to Thomas Hobbes opinion, John Locke shows that the natural state is not a state of war, but the pre-state epoch is the stare of natural society in which man has imprescriptible rights, that should be defended by society. In the category of natural rights enter: 1. Ownership; 2. The right of personal freedom, 3. The right to self-defense, which is licked with the right to punish. People cede the right to punishment by entering the society substituting revenge for justice. (Georgescu Ș. , 2001, p. 58)

We should highlight that Lock considered the liberty one of the most important characteristics of the pre-state era. Freedom represents the first fundamental natural right. (Capcelea V., 2004, p. 108) Based on this natural right, people "built" the remaining part of the "pyramid" of natural rights. At the same time, freedom requires compliance

with laws, thus excluding the possibility of freedom as a practice of free will and chaos. (Râbca E., 2016, p. 97-98) So, the person keeps certain freedom in relation to the state. This freedom represents the result of the precise determination of the state's power. The governance could not extend the state's activity beyond the limits imposed by legislation. Social relations, which go beyond the powers of the state, constitute the sphere of manifestation of citizens' freedoms. (Râbca E., 2016, p. 98)

The possibility of people to preserve freedom is based on several principles: a) the state must should respect humans' rights; b) the principle of separation of powers in the state in legislative power, executive power and Federative power, which refers to the work of the state in international relations, should be defined, c) the principle of legality. (Râbca E., 2016, p. 98) The thinker is the founder of the concept knowing as rule of law. Locke positioned laws above state power, which can act within the law's limits.

In conclusion, the Locke's idea of democracy is based on the fact that people's will is defining in the state's construction and the benefit of citizens' should be the governance's aim. The state exists until the people desire it. If the state leadership derogates from the will of most citizens, they may end the contract, invoking the right to revolution. So, the state's benefit could not be positioned as more important that people's well-being. The most important Locke's idea summarize in the consideration that people have gained security and justice by forming the state and have not lost autonomy and natural and inalienable rights presented in the pre-state epoch. In this way, state does not become the Leviathan omnipotent that should be catered by people, on the contrary, the entire state construction is created to satisfy the people's needs .

In is a well-known fact that *Jean-Jacques Rousseau* was the great thinker that ended the conceptual development of Democratic ideology, which is the main philosophical base of the Great French Revolution, American Revolution, the revolution legislation of France, theories that followed these revolutions and modern constitutionalism. Jean-Jacques Rousseau finished the formation of the social contract theory, giving to this theory a conceptual finality. On the one hand, the philosopher's ideas represent the continuation of Thomas Hobbes and John Locke's theories. On the other hand, the originality of Jean-Jacques Rousseau's doctrine manifests in the finality of this theory and in the analysis performed. Only this philosopher described the modern society as a degradation of the pre-state's order.

Jean-Jacques Rousseau started with the Thomas Hobbes' ideas of the natural state and the social contract, but gave them an entirely original interpretation.(Georgescu Ș., 2001, p. 53) The theory of the social contract of Jean-Jacques Rousseau departs from the individual and seeks to base the entire state order of rights that concern the individual. So, the philosopher elaborated and developed the concept of the rights inherent in human being. (Stere C., 2016, p.25)

Jean-Jacques Rousseau's political thinking is based on two assumptions: a) civil society has corrupted the natural state; b) civil society is not acceptable unless it is based on "a social pact". (Negru B., Negru A.,2006, p. 68) Jean-Jacques Rousseau starts from the opposition between being and appearance, between the "natural man" and the "social man" in elaborating the theory of the social contract. (Popa N., Dogaru I., 2002, p. 172) So, the philosopher believes that the first is free and independent, the other is a prisoner in a world of appearances, in a factitious and oppressive society. In a modern society the man is badly governed, artificial needs are superimposed on natural needs; each individual is not longer himself, but plays a role and wears a mask. (Pascal O., 1989, p. 110) In Jean-Jacques Rousseau's opinion, the first source of evil is the inequality from which comes wealthiness. According to this idea, the words poor and rich are relative and because where people are equal, there will be neither rich nor poor. (Popa N., Dogaru I., 2002, p. 171)

In contrast to the person who lives in modern society, the natural man is superior to the one who lives in civilized society. For finding the man in his true hypostasis, the philosopher constructed a theoretical model of the being of primitive man, and then applied it to concrete society. In his natural state people are free and independent, (Popa N., Dogaru I., 2002, p. 172-178) being born free and equal. (Avornic G., 2010, p. 414) The philosopher describes primitive man as a kind of animal dominated by physical instincts. (Popa N., Dogaru I., 2002, p. 172-178) The human essence is defined by certain necessities, prior to reason: individual preservation, rejection of suffering and death. These causes represent the basis of natural law and determine the person to act according to his essential needs, his natural passions and desires. (Goergescu D.,1995, p. 122)

Compared to the modern society, Jean-Jacques Rousseau created the concept, according to which in pre-state period people lived isolated from each other in the forests, knowing neither family, nor property, nor prohibition. Man could do whatever he wanted, and in this he was free, being neither moral nor immoral, but pre-moral. The start of the human was characterized by self-love, indifferent to good and evil. (Popa N., Dogaru I., 2002, p. 172-178) According to Jean-Jacques Rousseau's point of view, people lived in isolation in the pre-state period, but not

because of their fear, as Hobbes asserts, but because man simply had not needed of other people. Rousseau considered that man is good from nature, (J. J. Rousseau, 1958, p. 169) he cannot be a wolf to other people. The person's life in the pre-social period is not a fratricidal war, but a peaceful life. (Georgescu Ş., 2001, p. 74) However, the natural state is governed by a natural law, the philosopher considering that there is no freedom outside the law, no place where ones can escape of the rule of law. Even in the natural state man is free only through the intercession of the natural laws that govern everything. (Philippe M., 1997, p. 139)

The pre-statal period is followed by the transitional period. People got into an intermediate situation between the wild state and the classical society because of two faculties: freedom to accept or resist free will and / or the faculty to perfect themselves. These faculties make people to approach each other to make family and access a minimum of morality. The rapprochement of relations between people led with time to the emergence of society which, in the perspective of Jean-Jacques Rousseau, was the source of Man's decay. Thinker considered that the establishment of wealth inequality is being the key to the mechanism of society's formation. (J.-J. Rousseau, 1958, p. 127) The philosopher believed that the emergence of private property is the first factor of human unhappiness, that along with the political domination, generated by an artificial regime of inequality. (Georgescu Ş., 2001, p. 74)

Therefore, the natural state in which people are free, equal and independent is followed by the emergence of political institutions that had the role of socializing people. (Popa N., Dogaru I., 2002, p. 172-178) According to Jean-Jacques Rousseau, man is born free, but everywhere he is in chains. The principle of the philosopher's anthropology is the belief in the natural goodness of man, which society, civilization perverted, made him evil and unhappy. Civilization is for Jean-Jacques Rousseau, a wandering, a degradation of the situation of man from the natural state. The major consequences of this degradation are considered as comprising the loss of initial freedom and equality.

Moreover, the purpose of the creation of the theory of the social contract is the search for the way to restore to the current civilized man his fundamental natural rights- freedom and equality - and to protect them by appropriate means. (Georgescu Ş., 2001, p. 74-75) We should note that the ideas of freedom and equality are one of the most important ideas of this thinker. In contrast to these ideas is positioned the inequality existence in society. We should highlight the conflict between the ideal world and the material one, between the tendency towards equality and the struggle against inequality. (Popa N., Dogaru I., 2002, p. 171)

The theory of the social contract represents an ideal form of association, in which belonging to a political body does not destroy the individuals' freedom. According to this theory, individuals entrust for a moment their rights to the state, which then renders them to all with changed names (not as natural rights, but as civil rights). So, this procedure guaranty people's equality. Everyone keeps his freedom, because the individual submits only to the face of the state, which represents the synthesis of individual freedom. By transforming natural rights into civil ones, the state provides citizens with those rights that they already possessed by them from nature. After the drafting the social contract, people remain free and equal as in the natural state, while their rights gain a protective guarantee. (Avornic G., 2010, p. 410) Thus, referring to Jean-Jacques Rousseau's concept of the inalienable rights of man, we note that it differs cardinally from that elaborated by Thomas Hobbes, who considered that the single inalienable right is the right to self-defense. (Hobbes T. 2001, p. 96)

In total, the idea of the social contract represents the reconstruction of the society, as it was based on a contract entered between people. This theory created the foundation that allows the society's establishment that ensures the security of every person without renouncing the original freedom and equality, (Georgescu Ş., 2001, p. 74-75) because the man entering the contract reserved certain individual rights, prior to the state. (Stere C., 2016, p. 26) The "social contract" should be based on the free people's will who have agreed to submit to a common will charged in the state. (Arseni A., 2019, p. 174)

We can conclude that thinker solves the fundamental dilemma related to the emergence of the state- the problem of human freedom and the necessity of submission to state power. In contrast to Thomas Hobbes ideas, Jean-Jacques Rousseau's state does not submit human's freedom. On the contrary, the people's liberty represents the base of state, its foundation. People are no longer forced to choose between freedom and the minimum guarantees provided by a totalitarian state. The most important contribution of this thinker is the foundation of the concept of human rights, popular sovereignty and the social contract as the foundation of state, which must be strictly respected. So, the philosophical and juridical vision of Jean-Jacques Rousseau is rightfully included in the group of theories that substantiate democracy as a political regime and that represent the foundation of modern constitutionalism.

3.5 *The Theory of Social Contract as a Philosophical and Ideological base of the Great French Revolution and The United States Declaration of Independence*

The actuality of the theory of the social contract, in general, and the Jean-Jacques Rousseau's ideas, in particular, has been expressed by the great Romanian constitutionalist Constantin Stere. According to him, "*The Great French Revolution formulated these principles, these rights, which man reserved, entering the state, in the great Declaration of the Rights of Man and of the Citizen. This declaration of human and civil rights in various forms represent the component part of a majority of written constitutions of our time ... Thus, we can say that modern positive law is permeated with this concept of the foundations of the state and rights, born from the individualistic concept, the concept of individual rights.*" (Stere C., 2016, p. 26)

Correspondingly, the most important contribution of Jean-Jacques Rousseau's for the modern doctrine of law is manifested in the justifying, substantiating the concept of the rights of man, founded on the belief that every human being is sacred and inviolable by its existence, because men are born and remain free and equal in rights. The great thinker attempted to protect us from absolutist power, from the totalitarian regime, from the situation in which the existence of a state becomes more important than the good of citizens, from the times when people sacrifice their lives to ensure the existence of the great, almighty, but cruel and ruthless Leviathan. The exhortation of Jean-Jacques Rousseau was legally embodied The Constitution of the Commonwealth of Massachusetts, which had preceded the Constitution of the United States of America by seven years, being the first written Constitution in the world. According to the Article I of The Constitution of the Commonwealth of Massachusetts: "*All men are born free and equal and have certain natural, essential, and unalienable rights; among which may be reckoned the right of enjoying and defending their lives and liberties; that of acquiring, possessing, and protecting property; in fine, that of seeking and obtaining their safety and happiness.*" (Massachusetts Constitution 1780) The same idea triumphed on July 4, 1776, being enshrined in The United States Declaration of Independence, representing one of the most important pylons of American democracy: "*We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness*". (Declaration of Independence, 1776) Later this idea was enshrined in The Universal Declaration of Human Rights of December 10, 1948 proclaimed by the General Assembly of the UN which in art. 1 proclaim: "*All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.*" (Universal Declaration of Human Rights, 1948) This article represents an echo of the French Revolution which proclaimed as national motto "*Liberté, Egalité, Fraternité*", that was included in art. 1 of The Declaration of the Rights of Man and of the Citizen (August 26, 1789): "*Men are born and remain free and equal in rights. Social distinctions can be founded only on the common good.*" (Declaration of the Rights of Man and of the Citizen 1789) So, the ideas of the great French philosopher Jean-Jacques Rousseau triumphed the political and legal thinking of humanity, being proclaimed, respected and guaranteed at local and worldwide level, giving people rights, protection and equality, representing at the same time a Triumph against absolutism and contempt for human dignity.

3.6 *The Psychology of the Totalitarian Regime*

Starting from those exposed above, we could affirm that democratic ideas triumphed above the totalitarian unhuman practice of the Middle Ages. Starting from the Great French Revolution, the concept of the human's right became the constitutional practice generally accepted and founded by the most important acts of those times. We should note that modern European and American history is centered around the effort to gain freedom from the political, economic, and spiritual shackles that have bound men. The battles for freedom were fought by the oppressed, those who wanted new liberties, against those who had privileges to defend. The full expression of man's potentialities seemed to be the goal toward which social development was rapidly approaching. The principles of economic liberalism, political democracy, religious autonomy, and individualism in personal life, gave expression to the longing for freedom, and at the same time seemed to bring mankind nearer to its realization. Man had overthrown the domination of nature and made himself her master; he had overthrown the domination of the Church and the domination of the absolutist state. The abolition of external domination seemed to be not only a necessary but also a sufficient condition to attain the cherished goal: freedom of the individual. The First World War was regarded by many as the final struggle and its conclusion the ultimate victory for freedom. Existing democracies appeared strengthened, and new ones replaced old monarchies. But only a few years elapsed before new systems emerged which denied everything that men believed they had won in centuries of struggle. For the essence of these new systems, which effectively took command of man's entire social and personal life, was the submission of all but a handful of men to an authority over which they had no control. (Fromm, 1969, p.17-18)

So, the continuous development of democratic theory and practice was ended in XX century with... establishment of the totalitarian regime. The history of the twentieth century determines the appearance of several questions,

such as: Why does the development of democracy lead to the establishment of the totalitarian regime? Why this regime is more “attractive” than democracy? What are the vulnerable aspects of democracy that allow the sudden restoration of the totalitarian regime? Coming to power of the rulers who are the adherents of the totalitarian doctrine could not be considered the single cause of the development of the totalitarian regime, because these rulers were supported by majority of the population. The answer to these questions could be found in social physiology, which investigates the causes of major changes in society, the most important aspirations, desires, that are common to the majority of the population or to some social groups in the one period. Erich Fromm investigated the psychology of people who wish or accept the establishment of the totalitarian regime in the book “Escape from Freedom” written in 1941. Psychologist considered that for these people is characteristic authoritarian character, which is manifested by a specific attitude toward authority. These people admire authority and tend to submit to it, but at the same time they want to be an authority themselves and have others submit to them. (Fromm, 1969, p.168) So, in this character we could detect two tendencies, two specific aspects of their personality’s. In the Erich Fromm’s words, “for the authoritarian character there exist, so to speak, two sexes: the powerful ones and the powerless ones. His love, admiration and readiness for submission are automatically aroused by power, whether of a person or of an institution. Power fascinates him not for any values for which a specific power may stand, but just because it is power.” (Fromm, 1969, p.190-191) We could conclude that all the feelings, sympathies of the authorial man are determined by the social-economic position of other people with which he is in relationships. “Just as his ‘love’ is automatically aroused by power, so powerless people or institutions automatically arouse his contempt. The very sight of a powerless person makes him want to attack, dominate, humiliate him. Whereas a different kind of character is appalled by the idea of attacking one who is helpless, the authoritarian character feels the more aroused the more helpless his object has become”. (Fromm, 1969, p.190-191) These people do not feel empathy towards the weaker ones, being dominated by the desire to rule over them.

We should highlight the specific attitude of the man with the authoritarian character to freedom and equality. Analyzing the democratic political regime, we noted that freedom and equality represent the basic value of this regime, the most important pillar of it. Compared to the people who live in the democratic society and feel the spirit of liberty, people with an authoritarian character cannot feel freedom and in the authentic sense of the word. They are always tempted to believe in fate as the supernatural power that guides their lives. The authoritarian character loves those conditions that limit human freedom, he loves being submitted to fate. (Fromm, 1969, p.192) The feature common to all authoritarian thinking is the conviction that life is determined by forces outside of man's own self, his interest, his wishes. The only possible happiness lies in the submission to these forces. (Fromm, 1969, p.194)

Another concept that does not exist during the totalitarian regime is the concept of equality between all people regardless of race, religion, nationality, gender, opinion, and other criteria, characteristic for democracy political regime. “The authoritarian character may sometimes use the word equality either conventionally or because it suits his purposes. But it has no real meaning or weight for him, since it concerns something outside the reach of his emotional experience. For him the world is composed of people with power and those without it, of superior ones and inferior ones. On the basis of his sado-masochistic strivings, he experiences only domination or submission, but never solidarity. Differences, whether of sex or race, to him are necessarily signs of superiority or inferiority. A difference which does not have this connotation is unthinkable to him.” (Fromm, 1969, p.195-196)

It should be mentioned that the specifics of this character, which, on the one hand, determines wide support of the totalitarian regime, and, on the other hand, is formed under the influence of this regime, is deeper, than the specific vision on some concepts, ideas and principles. The authoritarian character influenced the entire activity of the person, his actions and relationships. “For the authoritarian character activity is rooted in a basic feeling of powerlessness which it tends to overcome. Activity in this sense means to act in the name of something higher than one's own self. It is possible in the name of God, the past, nature, or duty, but never in the name of the future, of the unborn, of what has no power, or of life as such. The authoritarian character wins his strength to act through his leaning on superior power. This power is never assailable or changeable. For him lack of power is always an unmistakable sign of guilt and inferiority, and if the authority in which he believes shows signs of weakness, his love and respect change into contempt and hatred. He lacks an “offensive potency” which can attack established power without first feeling subservient to another and stronger power.” (Fromm, 1969, p.194-195)

So, we could conclude that the major causes of the triumph of totalitarian regime are psychological ones which are fully found in the structure of authoritarian character. The desire to dominate, on the one hand, and to obey unconditionally, on the other hand, creates the foundation for the victory of dictators. The conductors of the totalitarian regime appeal to the unconscious desires, to the power of ideological propaganda, the opportunity to

make a career in the party's structure, the person's ambitions. All this ensures the dictator a support in the broad circles of the population that makes it possible to establish the totalitarian regime.

3.7 The Vulnerability of Democracy and Authoritarian Tendencies in the Contemporaneous Epoch

Now we can assert that democratic philosophy and practice triumphed over the ideology and practice of totalitarianism. The totalitarian state's models showed all their negative aspects during the XX century what caused the fall of totalitarian regimes exchanged by democratic ones established in the former oppressed countries. The 1945 was marked by the fall of the Fascist and Nazi system and ideology, and the 1990s was manifested the crisis which provoked the fall of the USSR and the whole communist regime. However, we should note that "the crisis of democracy is not a peculiarly Italian or German problem, but one confronting every modern state. Nor does it matter which symbols the enemies of human freedom choose: freedom is not less endangered if attacked in the name of antifascism than in that of outright Fascism." (Fromm, 1969, p.19) In some countries of the world, neo-Nazism and neo-Fascism are becoming increasingly popular, as a revision and actualization of the fundamental ideas of dictators who represented the basis of classical fascism and Nazism ideology. According to Der Spiegel, the book "**Mein Kampf**" by Adolf **Hitler** is currently the second best-selling nonfiction book in German. The book "Hitler. Mein Kampf. Critical Edition" became a bestseller in Germany in 2016. Plus, this book enters the list of the 10 most favorite books of the students of the Italian secondary schools. These realities present in modern democracies show, on the one hand, the vulnerability of democracy, and on the other hand, the totalitarian tendencies present in the actual democratic societies. "The serious threat to our democracy is not the existence of foreign totalitarian states. It is the existence within our own personal attitudes and within our own institutions of conditions which have given a victory to external authority, discipline, uniformity and dependence upon The Leader in foreign countries. The battlefield is also accordingly here-within ourselves and our institutions". (Dewey¹⁹³⁹) So, one of the most important role in the contemporary democracy plays civil society that should control the state's leaders, so that they do not abuse state power. Within several states, there are politicians who encourage authoritarian tendencies and the necessity of a powerful state that will be able to control all aspects of the economic and social life of the state, limiting the freedom of citizens.

4. Conclusions

From ancient times to present, people analyzed, researched and reflected about the basis of state power, in general, and the concept of the political regime, in particular. The development of ideas of the political regime embodies the specific of the society's progress in the era when these theories were formulated. We note the continuity of the ideas of the brilliant thinkers both in the research issues, and the conceptual development of the theories of democracy and totalitarianism. All political thinking of humanity has focused on supporting or denying the ideas of the democracy or totalitarianism, freedom or unconditional submission, the desire to dominate or to be submissive. Therefore, democratic and totalitarian theory represent two poles of the political thought of humanity, which, at first glance, are in permanent antagonism. However, the absolute monarchy contains the foundation of the democratic political regime. At the same time, the state structure that embodies the realization of democratic ideas creates the premises that determine the emergence of the totalitarian regime. These aspects were analyzed by Georg Hegel, who formulated the law of materialistic dialectics of unity and the struggle of opposites. Analyzing the principles of materialistic dialectics, we note that authoritarian and democratic tendencies are inseparable, and the creation of a powerful society is possible only by finding a balance between supporters of the totalitarian and democratic regime. The concept of unity and struggle of opposites was manifested especially in the framework of the political philosophy of Plato and Aristotle, who investigated the forms of government in their dynamics and changes. Being adherents of the monarchy and aristocracy, philosophers analyzed both the ideal form of State organization and the causes of the changing of forms of government. Namely, Plato and Aristotle are the founders of social psychology developed in the XX century by psychologists such as Sigmund Freud and Erich Fromm. Although the philosophers of antiquity cannot be positioned as supporters of either democracy or totalitarian regime, the theories of Niccolo Machiavelli and Thomas Hobbes represent the continuation of the idea of the powerful ruler elaborated by Plato and Aristotle.

The philosophy of Machiavelli and Hobbes was determined by the reality of that times, by the society's specific in the XV-XVII century as violence, cruelty, absolute monarchy, as well as the political struggles that generated uncontrolled anarchy, the misuse of the power of the ruler and his role in guaranteeing the political and economic stability of the state. These considerations led thinkers to base the concept of the powerful state, which guarantees public order, political stability, compliance with laws limiting the freedom and rights of citizens. However, the ideas of Machiavelli and Hobbes cannot be interpreted outside the context of the era in which they were created. The constant emergence of wars between the Italian states led Niccolo Machiavelli to realize the importance of State's unity in the realization of the national ideal, as well as the need to create a strong state in order to end the

struggle for state power between members of noble families. The period of political instability and revolutionary struggle in England prompted Thomas Hobbes to justify totalitarianism as the political regime, which leads to the formation of the powerful state able to defend the interests of citizens.

Therefore, periods of civil wars and uncontrolled anarchy are followed by the establishment of totalitarianism. However, in the age of Enlightenment, humanity came to the awareness of the role and importance of man in society. In this period were promoted democratic values as the guarantee of the development of modern society. John Locke and Jean-Jacques Rousseau continued the elaboration of the theory of the social contract by giving to it another foundation and interpretation. The theory of social contract, from the concept of repression and unconditional submission of people, has become the foundation of all modern constitutions, freedom, equality and universal respect for Human Rights. The merit of John Locke's theory is manifested in the elaboration of political liberalism, and that of Jean-Jacques Rousseau is expressed in the foundation of contemporary constitutionalism. The thinker gave a logical finality to the theory of the social contract, which at present is the foundation of the concept of natural and inalienable human rights.

The appearance of the democracy from the totalitarian ideology shows the applicability of the law of unity and struggle of opposites elaborated by Hegel. The totalitarian regime determines the uprising and the unwillingness of the people to submit to the arbitral power, which triumphs with the establishment of democracy and its theoretical and philosophical foundation. At the same time, the uncontrolled anarchy leads to the establishment of a strong totalitarian regime, which determines the triumph of totalitarianism in XX century. The massacre of the First World War showed the vulnerability of democracy and its inability to ensure peace and security, generating political, economic and social crisis.

This crisis has caused the people to distrust the Government, and the previous values have lost their importance. The social crisis was manifested in the fall of the secular construction of society, the crisis of religion, morality and family expressed by Friedrich Nietzsche in the phrase "God died".

Because of the instability, people feel the desire to govern, to guarantee their economic stability and to be respected by others, on the one hand, and the uncontrolled desire to be governed, on the other hand. People feel the necessity to trust in the supernatural force (fate, God, history) according to the will of which are governed people's lives.

Therefore, the crisis of social values, the stratification of society, the loneliness and isolation of people together with the coming to power of leaders who supported the totalitarian ideology determine the triumph of fascism, nazism and communism in the XXth century. According to Erich Fromm's view, psychological causes are the defining factors of the establishment of the totalitarian regime. The XXIth century begins with the increasing development of the theory and practice of democracy. The importance of human rights is no longer questioned, because our rights are regulated by most of the states' constitutions. However, even in European countries, authoritarian tendencies are present. These tendencies are manifested in the appearance and development of neo-fascist and neo-nazi movements. This shows that the menace of suppression of human rights and fundamental freedoms is permanent.

The totalitarianism progresses with the development of democratic theory, manifesting the alternative forms and ideologies. Therefore, the formation of a strong democratic system is possible only if there is a balance between anarchist forces, which support absolute freedom that generates chaos and violent protests, and supporters of totalitarianism, whose role in democratic society is to show imperfection and vulnerable aspects of democracy. Therefore, the struggle between democracy and the totalitarian regime continues in our days, and democracy requires a new political, legal, ideological foundation adopted to the realities of the modern world for achieving the balance between totalitarian and democratic tendencies.

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