

Subjective of Part-II

SECTION - A

Question: 1

How the system of Check and Balance works in US Political system?
How committee system make it effective.

1 Introduction:-

US Constitution was adopted in 1789. There exist separation of power in US system. But is beautifully welded with the system of checks and balance. The committee system further added authenticity to the system of check and balance.

2- US POLITICAL SYSTEM:-

The following are the characteristics of the US political system:

1- Written Constitution:-

US constitution is written.
It contain the 7 articles and 27 ammendments.

ii- Presidential form of government:

In US, exists the presidential form of government. President is not the member of legislature and cabinet is outside of the parliament.

President + Cabinet → Executive
Parliament → Legislature

Article 1: Deals with the executive

Article 2: It is about the function of legislature

Article 3: It defines the function of judiciary

vii Separation of power-

Executive is separate from legislature. Power of legislature are also clearly demarcated. Independent judiciary is present to keep the constitutionality of the constitution.

President → no censure motion against him by
Cand's dissolve → parliament

iv- Independent Judiciary:

9 judges are present in supreme court. They can undo any bills, law or ordinance which is contradictory to constitution or fundamental human rights. They are appointed for the whole life time.

v- Dual Citizenship:-

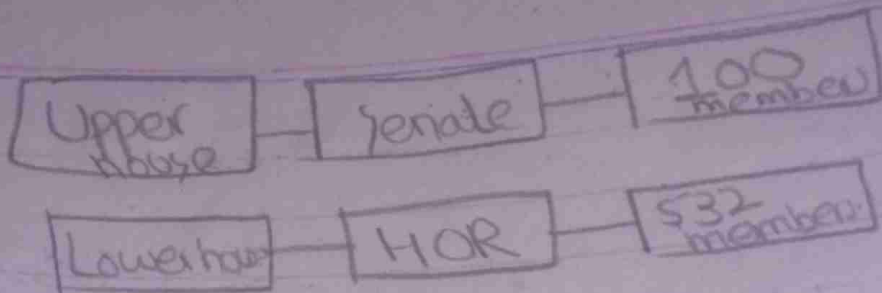
Citizens have dual citizenship. One of the US, and other of the state in which they are resident.

vi- Rigidity of Constitution:-

Constitution is rigid. For its amendments it first need to be passed from the both houses of parliament then have to be passed by 2/3rd majority in 37 of the states. Finally, this would be signed by the president and amendment will be added.

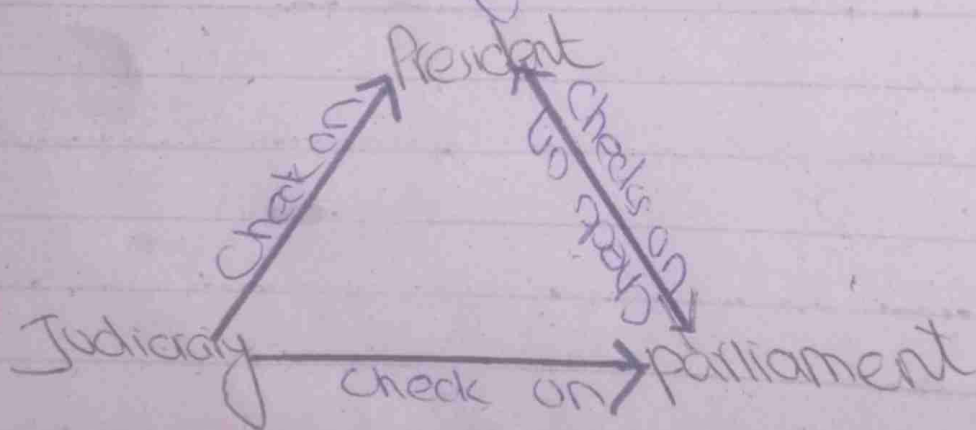
vii- Bi-Cameral legislature:-

Bi-cameral legislature exist in US. US parliament consist of the two houses. Upper house is called Senate and lower is called as House of representative.



Checks & Balances:-

Although US political system ensures separation of power. But if power remain unchecked, it will be uncontrolled. Every institution will work independently and want to exert its superiority. For this purpose, US political system on one side ensure separation of power and on other side implement the system of checks and balance.



Executive Check On Legislature:-

When parliament pass any law, it will then send to the president for signing. President have checks on legislature that:-

1- Either president signed the bill:-

After signing, then it will take the form of the law.

2- Or he can veto it:-

When president veto the bill, then it has to be approved by the 2/3rd majority from the parliament. Then president has to signed on it.

3- President can also exercise the power of pocket veto:-

When parliament is not in session, president can exercise the authority of pocket veto.

2- Legislature Check

On Executive:-

Legislature also exercises the check on the executive. It balances the acts of president, by exercising its powers. Following are some of the powers of the legislature which it exercises to check on the actions of president.

a- Approval from Senate on Appointment of Judiciary:

When president appoints the judges, he cannot do it on his own. He has to take the approval from the Senate. This is how they check on it.

b- Approval from Senate on Declaration of War:-

On the declaration of war, special approval from the Senate is necessary. If Senate do not ratify it, this decision will not be promulgated.

c- Ratification of treaties

by consensus with Congress:-
No treaty will come into existence if it is not ratified by the Senate. For any treaty, ratification from Senate is necessary.

d- Highest Court of Impeachment against the President:-

Congress is also a highest court of impeachment against the president. If the House of Representatives charges corruption on president and it approved from Senate, then president has to resign.

3- Judiciary Checks On Legislature And Executive:-

Watchdog of Constitution,
third pillar of Congress.

There are 16 titles that are given to judiciary, as it exercises tremendous checks on

both executive and legislature.
Some of the power exercised are.
Judiciary can make

Any order of
President null
and void

Any bill of
the parliament
null and void.

a - Declaration of any Ordinance Null and Void:-

Judiciary can declare any
ordinance of the president null
and void if they violate funda-
mental human rights or if
it is contradictory with constitution.

b - Veto any Bill as null and void:-

If the legislature pass
any bill, which is against
fundamental human rights or is
violating the constitution, it can
be declared as null and void
by the judiciary.

3 -
3- No resubmission of the ordinance or bill, if are rejected by judiciary :-

If the bill is rejected from the supreme court by the judiciary, then such bill can't be passed again from the parliament.

"Judiciary is independent"

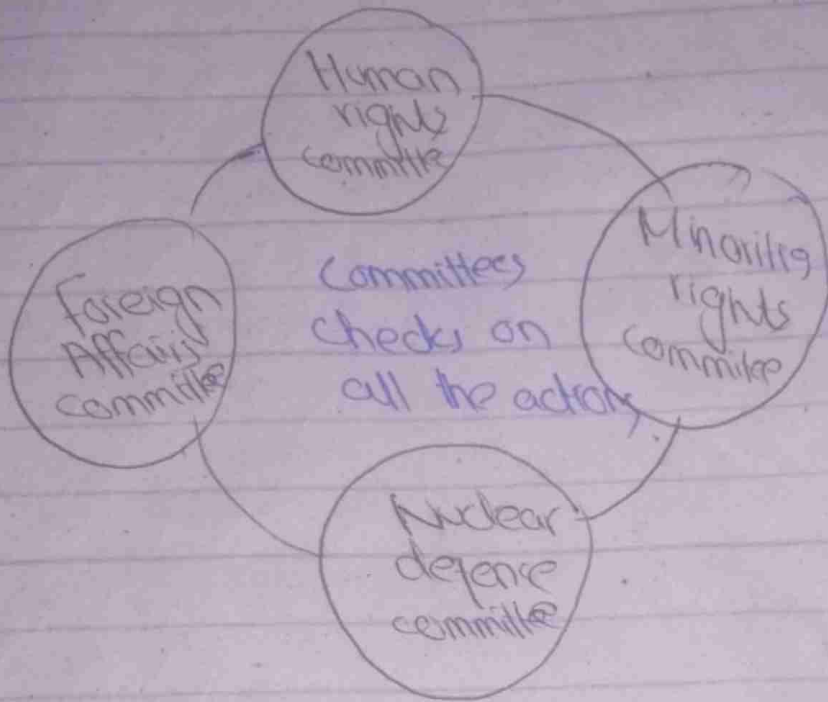
Due to such independency it is called that Government of USA is the Government of Judges.

5- Role of Committee System to Make it Effective:-

Congress has many committees. These committees are invested with tremendous power. They can call anyone and interrogate them.

Such kind of senatorial committees are used to check on the actions of legislative and executive to keep their authorities in the

defined limits. Some of the
Committee system of check and
balance are:-



These committees can call in
the actions of legislature, executive
and can bring them for trial. They
keep the actions in limits.

6- Conclusion:-

In a nutshell, US system
has separation of powers. But
non is the basis in this realm. To
prevent the misuse of authority,
significant system of check and

balance is exercised and it is ensured by the congressional committees.

Question: 2

Critically analyze the role of Turkish military in politics. Compare the role of military of other states of the region.

1- Introduction:-

Turkey, as a nation state, was founded by the military commander in 1923. Due to this, military plays significant role in politics. But, after the referendum of 2017, and to gain the membership of European Union, the role of military has significantly reduced.

2- Background:-

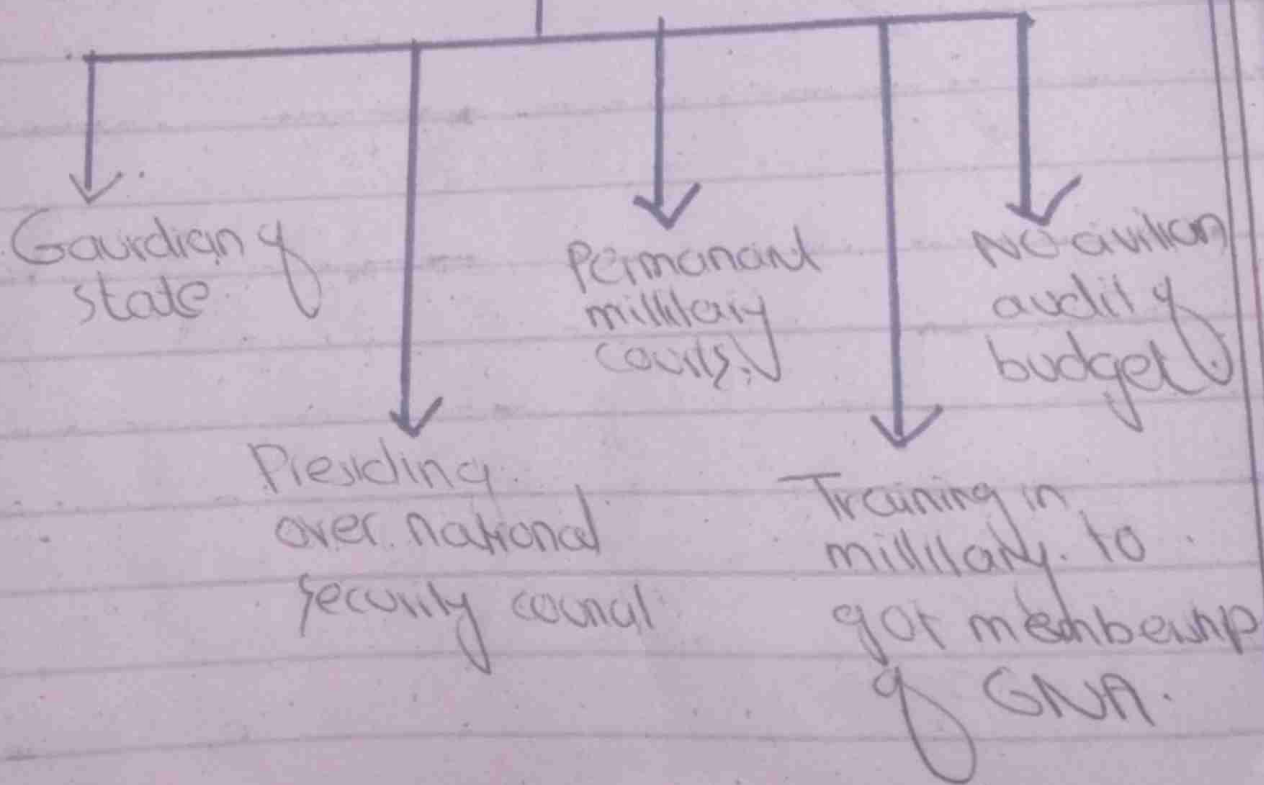
During the World War I, Turkey as an empire was disintegrating. Greece forces were near to take the control of Turkey. But due to the brave nature of Mustafa Kemal Ataturk (also known as "Hero of Gallipoli") the

Turkey was remained intact. The founder of Turkey was military. The role of the Turkey, Anatolia, and when was designated with the military's significant role.

3- Role of Military In Turkish politics:

When Turkey Foundation was laid, tremendous prestige was given to military, to take hold of the entire life of the people of the Nationstate.

Role of Military



4-

a- Guardian of State:-

In the constitution of Turkey, it was enshrined that military is the guardian of state. In case of emergency, crisis or insecurity all powers will be exercised by them. Due to this feature, Turkey has faced direct martial law in the history.

2- Presiding Over the National Security Council:-

National Security Council is the important constitution we maintained the peace of Turkey and deals both internal and external affairs. In original constitution, it was emphasized that the National Security Council will be headed by the Chief of the Army.

3- Permanent Military

Courts:-

In Turkey, there was the permanent military courts for the trial of the civilians. These courts exercised great power and it showed the dictatorship and barbaric face of the state.

4- No Civilian Audit of Budget:-

Civilians were restricted to audit the military budget. They allocate budget on their own discretion. No one can dare to the question that budget. Military had the complete control on budget.

5- Serving Military Officers On the Civilian Institutions:-

Civilian Institutions should be headed by the serving military officers. Military had strengthened their control by having each and every institution of the state. Even the state civilian institutions shouldn't be spared from the clutches of military.

6- Training on Military To get the GNA Membership:-

In order to get the membership of the GNA, obligatory training of 60 days was necessary under the military. No individual appointed in GNA, or had got the membership of Grand National Assembly, if he does not know the military tactics.

7- Change of Role of Military Over Time

With the passage of time, the

role of military has decreased, and it also indicated in the constitution. The amendments in the constitution about the changing role of military in politics are:

No military training of members of GNA, 2017

Omission of Military Guardian Guard in 1997

Civilian audit budgeted 2007

Close of military courts completely in 2004

a- Omission of the word - military guardian

Military as the guardian of the state was omitted from the constitution in 1997, and the country shifted towards the democratic form of the government.

b- Civilian In National Security Council:

5
National Security Council was introduced, but the head is changed from military to the civilian. The number of civilian in the institution has also increased to amplify their role in dealing external and internal matter.

c- Shutting Off Paramilitary Military Courts:-

In 2004, the last court which was founded by military for the trial of civilian was shut off. With the shutting of court, the judicial procedure has also become the transparent. Rule of law prevail to some extent.

d- Civilian audit budget:-

Now, civilian will decide about the allocation of budget for military and all other institution. This was enforced in 2007, by amendment of the existing laws.

e- No Military Training
to get GNA Membership -

In 2017, it was decided that
no military training is required for
the membership of GNA. Any national
of the Turkey having no conviction,
and specific term of age can become
GNA member.

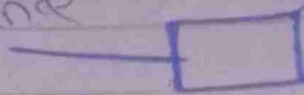
f- No Serving Military
Officers in Civilian
Institution -

It was also stressed upon that
no serving military officer will
preside over the civilian institutions.
Civilian institutions heads also have
to be civilian. This is the essence
of the democracy.

E- Why Military
Sundered its

Authority:-

deliverance
by
action



EU Membership

Change in threat
Perception

a- To get EU Membership

In order to get the membership of European Union, military has surrendered its authority. As it was foremost condition of EU to democratize the relation between govt and military.

b- Change in threat perception

When Turkey was security state, it needed the military for its defence and offence. So military had played significant role. But with the passage of time threat perception changed. Turkey is secure state not a security state. So role of military is minimized.

C- Service Delivery by Civilian

When civilian takes the charge, the have deliver to the nation. Erdogan has raised the respect of the Turkish passport. The economic and social condition of the Turkey is improved. Industries grow and agriculture flourish. This deliverance by the civilian has also hinder the role of military in politics.

F- Role of Military of Other States:

Most of the states are democratic. In democratic state, military does not intervene in politics. They do not take part in policy making and execution. The sole purpose of them are to defend the borders and to protect the integrity of the territory. For other states, military just is for offensive and defensive purpose, not for the running the state.

Conclusion:-

Conclusively, Military had played role in Turkish politics over the decades. Now, due to democratization of the state role of military has significantly reduced.

Question: 3

Sir Syed is credited with creating the two nation theory. Explain how he played an important role in rise of Muslim nationalism in sub continent.

Introduction:

Sir Syed Ahmed Khan is credited with creating the two nation theory, as he was first person who used the word "Umm" for the Muslims. He had played significant role in rise of Muslim nationalism in sub-continent through his political, educational, social and religious service. He is epoch and towering personality with qualities of head and heart and pen and sword.

2- Early life of Sir Syed:-

He was born in a religious and noble family. He took the education of Persian and Quran. He was more alien to counter than Ulama. He organized the Aligarh movement, which was purely educational movement to raise the consciousness among Muslims of subcontinent.

3- Expounding of Two Nation Theory

He in his early life believed in the Indian nationalism. But on the hostility of Hindus against Muslims he was convinced that Muslims and Hindus can't live together. They are separate nation. And he used the word "Qaum" for the Muslims on the very first time.

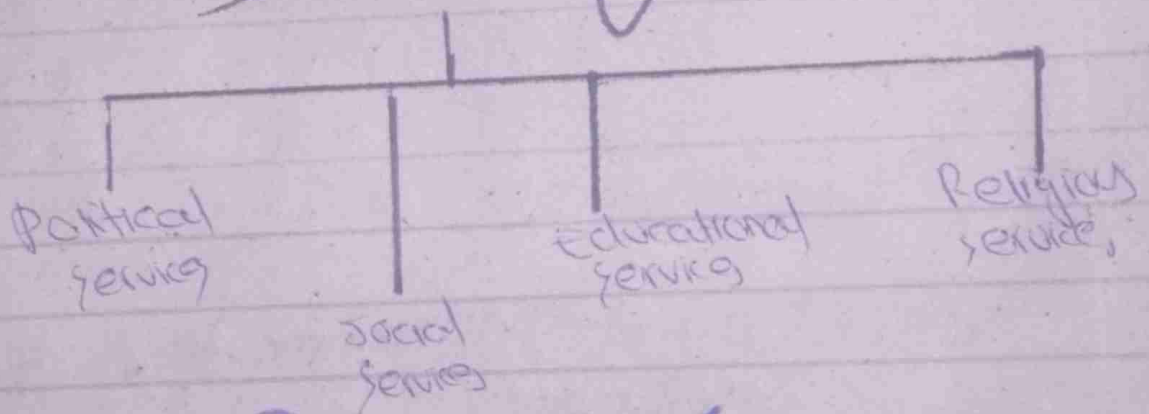
Urdu Hindi controversy was the major event diverting the attention of Sir Syed towards the

Muslim Nationalism.

He wrote letter to Shakespeare in which he said that

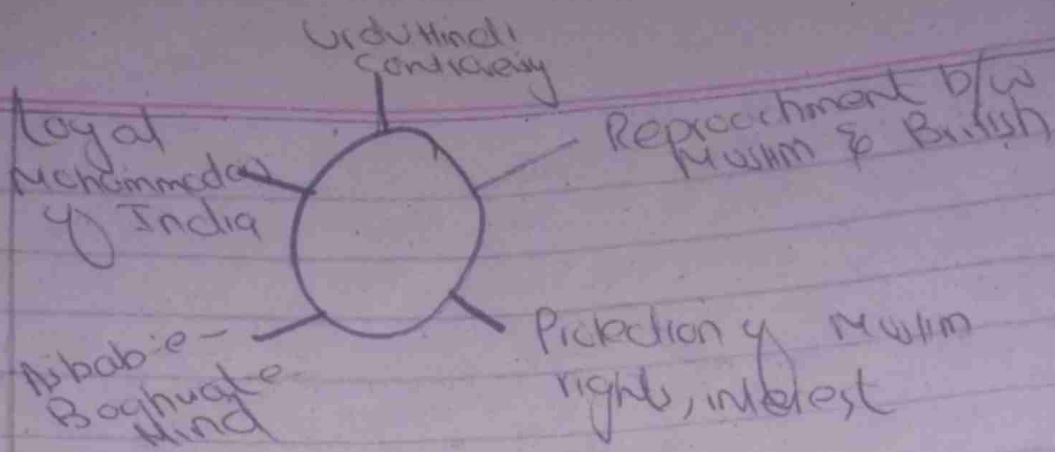
'Hindu and Muslims can never progress as a nation. In present even if there is no obvious difference among them, but due to the educational class these differences will be feared.

4- Services of Sir Syed In Promoting Nationalism



4- Political Services:-

Following are the political services that are rendered by the Sir Syed Ahmed Khan.



a- Reproachment b/w Muslim and Hindus:-

He tried to restore the friendly relation b/w British and Muslims. He emphasized on the fact that there is no difference b/w Christian and them. He advised Muslims to intermarry and inter marry with Christians.

b- Asbab-e-Baghawat-e-Hind:-

He wrote asbab-e-Baghawat-e-Hind, in which he places the blame of WOT on the British.

c- Loyal Mohammedans of Indians:-

He wrote the Loyal Mohammedans of Indians to show the Muslims that remain loyal to British during WOT.

c- Aloofness from Agitation

Politics:-

Sir Syed advises Muslim to remain away from agitation politics. He emphasized to focus on education.

e- Protection of Muslim (Interests) rights:-

He protected the interest and rights of Muslim. He emphasize not to give job on merits and quotas b/c Muslims were in minority and mostly little educated.

f- Role in Urdu Hindi controversy:-

During the Urdu-Hindi controversy he defended the identity of Muslim. He wrote language and made it clear that they can't remain united.

B- Educational Services

Formation of no. of institutions

Galaxy of scholars

Vernacular education for Muslim laboring class

a- Founding a number of Institutes:-

Sir Syed focused on education, for Muslim to revive their glory. He founded school Muradpur, Ferozpur, M. School, MAO College and MAO University. He also laid foundation of Aligarh Gazette and Scientific Society.

b- Producing a Galaxy of Scholars

Aligarh produced galaxy of scholars like Iqbal, Ali Khan etc.

c- Focus on Vernacular Education

He focused on giving the Muslims vernacular education, so they can easily understand the concepts.

c- Social Services:-

Tehzib-ul-Ikhlag:

He wrote the Tehzib-ul-Ikhlag to emphasize on the difference

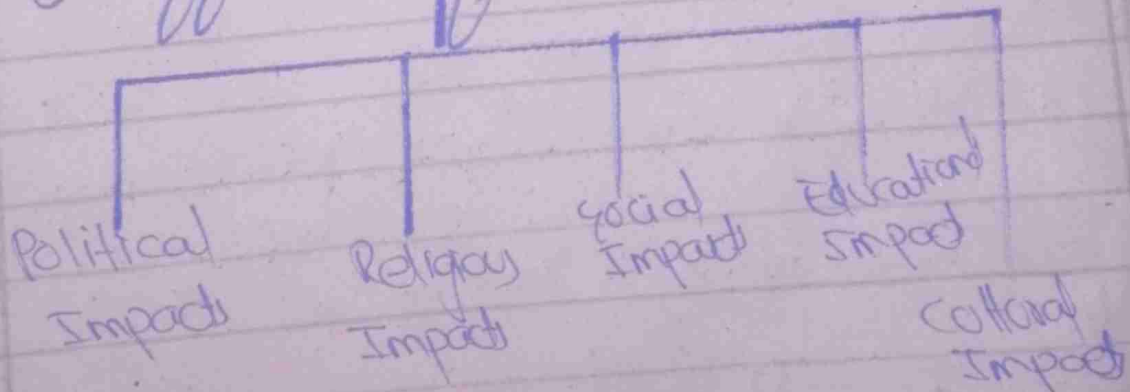
between culture and civilization he
also emphasized. to give over the
superstitious beliefs.

4. Religious Services

He tried to reconcile the Shia and
the Muslims. He emphasized that
there is no difference in word of
God and work of God. He also
wrote the book to counter William
muir's book.

"The life of Prophet"

5. Impacts of the Efforts of Sir Syed:-



1. Political Impacts:-

He provoked the Muslim nationalism.
He gave them separate platform
to discuss their issues. He also
gave rise to galaxy of rulers like
Khalid Ali Khan. He expounded
the two nation theory. Quaid-e-
Azam called Aligarh Movement
as "Artillery of Pakistan Movement".

b- Educational Impact:-

Muslims were able to compete
the Hindus in office. They produce
a salaried class Muslim
bourgeoisie class was produced. 68%
of the graduates were Aligarh
graduates. Muslim could compete with
Hindus in field of Education also.

c- Cultural Impact:-

Western code of dresses were
adopted. Bilingualism was prevailing
in Muslim. Urdu has also
gained glory by being a
medium of education.

d- Religious Impact:-

As the time was moving from

medieval to modern time so interpretation of Islam was also needed to meet the needs of the modern time.

e- Social Impacts:-

It has changed the social outlook of the Muslim. They became confident, protected their rights and also the language of Urdu.

"Muslims are nation as long as they remain under the fold of Islam, and die and live for the religion".

7 Critical Analysis-

Sir Syed was alleged that he produce the slavish mentality. Mos. dampened the spirit of Jihad. He has mitigated the nationalism. And only give rise to salariat class. But in fact but shells, all of his efforts increased the nationalism

in Muslim. They recognized them separate from the Hindus, born the Pakistan movement.

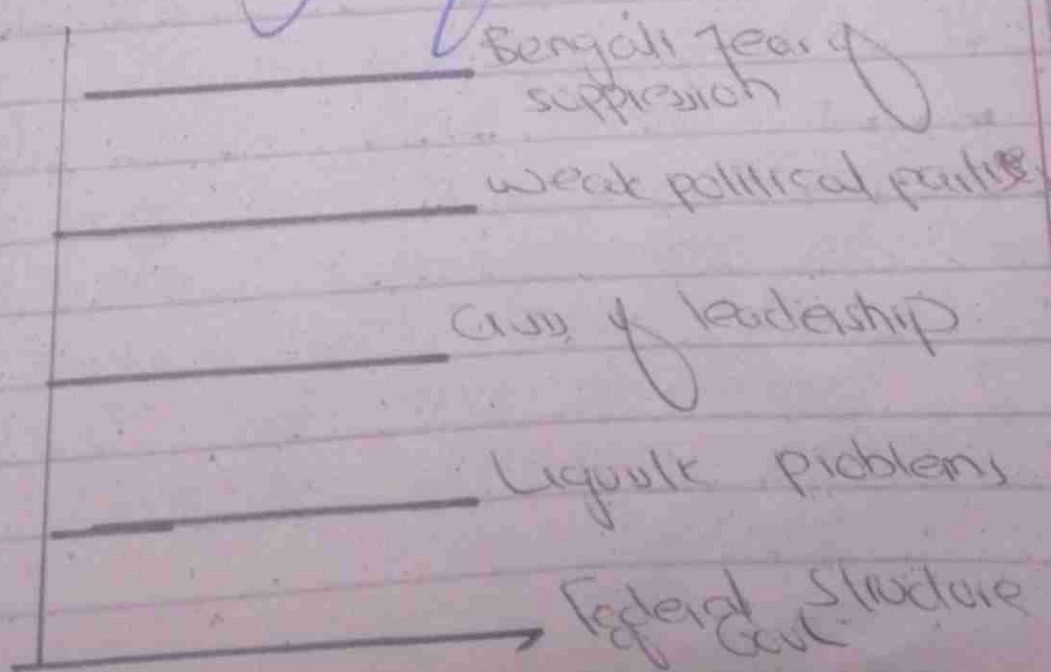
2- Task of 1st Constituent Assembly

First constituent assembly given with two functions.

- a- Making Constitution
- b- Working as Legislature

Government of India Act, 1935 was adopted as an interim constitution and office of Governor General remain functional.

3- Factors In Delaying Making of Constitution



- [-] Nature of Islamic state
- [-] Religion v/s modernist
- [-] Islamic nature of state.
- [-] Conflicts of Ruling

9- Bengali Fear of Suppression:

Bengalis had fear that they had not given equal representation. As their presence in military was low.

- * Out of 32 general till 1968, only 2 were from East Pakistan
- * Secretary to East Pakistan were mostly non Bengali
- * Minimum representation in judiciary, as justice Munir was appointed in place of Justice Shahabuddin.
- * At center 7 civil servants from Punjab; 1 from NWFP, 2 from Urdu province & none from East Pakistan.

best type

Most of the foreign exchange gained through Jute, but mostly spend on the west Pakistan. Ayub Khan policies had further aggravated the situation.

b- Weak of Political Parties-

Political parties were also disorganised. No political party was on the state level. A number of political parties were formed. 1954 election, ended the role of Muslim League as the sole representative of Muslim.

c- Crisis of Leadership

After the death of Quaid-e-Azam there was no political leader to unite the whole nation. Most of leader come across the border, with which west Pakistan leaders were not ready to share the power. Khawaja Nazimuddin was dismissed by G. S. Ghulam Muhammad, even if he had taken the reign from

CM of Punjab, Hussain Shahid
Goharwadi was also great leader,
but no share of power with them

d- Legislative Lack of Interest:

There were also a lack of
legislative interest. After the change
of Council they just held
116 meetings in 9 years,
with average attendance of 37-
54 out of 76 members.

e- Modernist v/s Religious Conflict:-

Pakistan Movement was run
by the modernists, liberal, democrats.
Religious leaders had opposed the
idea of separate land for Muslims.
But when Pakistan came into
being they stressed on Islamic
implementation of laws of Islam
as a complete code of life. But

moderates want to set up a modern
democratic government, with injunctions
of Islam.

f. Controversy Over Federal Structure of Government.

Bengalis were 54% of the
population. They wanted federal form
of government. Bagro formula
was accepted with equal representation
to both wings in Senate, while on
basis of population in lower house. But
one unit scheme had made minority
equal to majority. The conflict b/w
bureaucracy and politician found
the assembly notional arena and lead
to delay in constitution making.

g. Islamic Nature of State:

There was also controversy on
the Islamic nature of state. It was

also have to decided that what will be the role of religion in politics.

h- Linguistic Problems

Bengali wanted Bengali to be the national language. They opposed Urdu as national language. The cultural conflict b/w two wings also delayed the constitution making.

P- Conflicts of Ruling -

The ruling class from both wings, middle class of east Pakistan and feudal class of west Pakistan never agree on mutual points.

Conclusion:-

Conclusively, conflict among left and right wing of Pakistan had delay to making of constitution. Acc. to Ishaq Hussain, conflict between two blocks had lead to delay in making of constitution.