

Q2,

WHAT IS THE SYSTEM OF CHECKS AND BALANCES?

1. INTRODUCTION

The United States political system is characterized by a unique framework designed to ensure the separation of powers and prevent any one branch of government from becoming too powerful.

Central to this framework is the system of checks and balances, which plays a crucial role in maintaining equilibrium within the government. This system involves the three branches of government - Executive, Legislative, and Judicial - each with specific roles and the ability to oversee and constrain the actions of the others. Presidential impeachment proceedings, the veto power, and judicial review, illustrate how these checks and balances operate. Furthermore, this system helps maintain a dynamic trichotomy of power, preventing tyranny, promoting accountability, and ensuring that no branch becomes overly dominant.

2. WHAT IS THE SYSTEM OF CHECKS AND BALANCES?

A set of mechanisms and safeguards that are put in place to ensure that no single branch or entity of government becomes too powerful or can act without oversight. It involves a system of mutual accountability and restraint among branches of government.

a, Branches of Government

The system involves three branches:

- i, The Executive (President)
- ii, Legislative (Congress)
- iii, Judiciary (Supreme Court)

b, Functions of each branch

i, The Executive

The Executive is responsible for enforcing the laws.

ii, The Legislative

The legislative is responsible for making the laws.

iii, The Judiciary

The Judiciary is responsible for interpreting the laws.

3. HOW DOES THIS SYSTEM STRENGTHEN THE BALANCE OF POWERS?

a, Legislative Checks on the Executive

A prime example of legislative checks on the Executive is Congress's power to impeach the President. This was notably demonstrated in the impeachment of President Donald Trump in 2019. Congress, in this case, acted as a check on the Executive branch by holding the President accountable for his actions.

b, Executive Checks on the Legislative

The President has the authority to veto legislation passed by Congress. However,

that power can be overridden by a two-thirds majority in both the House of Representatives and the Senate. This demonstrates how the Executive branch can check the Legislative branch's actions while allowing for a balanced resolution.

c, Judicial checks on the other branches

The Supreme Court has the crucial power to declare laws or executive actions unconstitutional. A notable example is the case of *Roe v. Wade*, where the Judicial branch asserted its authority to interpret the Constitution, thereby checking both the Legislative and Executive branches' actions.

4. HOW DOES THIS SYSTEM AFFECT THE TRIARCHY OF POWER?

a) Ensures balance between the three branches

The system of checks and balances establishes a dynamic equilibrium among the

three branches of government. This balance ensures that no single branch becomes too dominant and preserves the system's fundamental principle of separation of powers.

b) Prevents Tyranny

The triarchy of power, as opposed to a strict separation, allows for a degree of overlap between branches. This overlap can act as a safeguard against tyranny by requiring cooperation and consensus among branches. For example, the Senate's role in confirming presidential appointments necessitates collaboration between the Executive and Legislative branches, preventing unilateral decision-making.

c) Promotes Cooperation and Compromise

The need for cooperation and compromise between branches is inherent in the system. For example, the process of passing legislation often requires negotiation between the Executive and Legislative branches. This promotes constructive dialogue and consensus-building, fostering a healthier and more responsive government.

d, Enhances Stability

The checks and balances system contributes to political stability by reducing the likelihood of abrupt and radical policy shifts. Significant policy changes typically require the support of multiple branches, ensuring that decisions are thoroughly considered and less susceptible to impulsive actions.

e, Adapting to Changing Circumstances

The system's flexibility allows for adaptation to changing circumstances. As new challenges arise, the government can adjust its policies and actions, responding to emerging needs while still adhering to constitutional principles.

f, Checks Beyond the Federal Level

The concept of checks and balances extends beyond the federal government, with states employing similar mechanisms within their own governments. State legislatures, governors, and judiciaries also engage in checks and balances, reflecting the importance of these

principles at various levels of government.

5. CONCLUSION

In summary, the system of checks and balances in the U.S. political system is a foundational concept that not only strengthens the balance of powers but also ensures that the dichotomy of power remains dynamic and responsive. Through its mechanisms, it demonstrates the resilience of a government designed to prevent tyranny, promote accountability, and maintain a healthy equilibrium among the branches. This system continues to be a cornerstone of American democracy, safeguarding the principles upon which the nation was founded.

SECTION - B

Q6,

1. INTRODUCTION

In the world of legislative bodies, China's National People's Congress (NPC) and Iran's Guardian Council represent two distinct entities with significant powers and functions. The NPC, as the highest state organ in China, wields the authority to legislate, amend the constitution, elect top officials, oversee the budget, and make declarations of war and peace. In contrast, Iran's Guardian Council serves as a unique institution within the Islamic Republic, primarily responsible for ensuring the compatibility of legislation and candidates with Islamic principles and the constitution. It vetoes candidates, reviews legislation for Islamic compliance, and plays a crucial role in upholding the principle of "Velayat-e Faqih" by approving Supreme Leader candidates.

2. POWERS OF CHINA'S NATIONAL PEOPLES CONGRESS

a, Legislative Power

The NPC is the highest organ of state power in China and has the authority to enact, amend, or repeal laws. It passes laws on a wide range of issues, including economic, social, and political matters.

b, Constitutional Amendment

The NPC has the power to amend the Chinese Constitution. This requires a special majority vote, making it a crucial mechanism for adapting the country's fundamental law to changing circumstances.

c, Election of Key officials

The NPC has the power to elect or appoint important state officials, including the President of the People's Republic of China and the Chairman of the Central Military Commission.

d, Budget Approval

It reviews and approves the national budget, ensuring fiscal oversight and control over government spending.

e, Declaration of War and Peace

The NPC can declare a state of war, as well as make decisions related to peace and conflict.

3. FUNCTIONS OF CHINA'S NATIONAL PEOPLE'S CONGRESS

a, Representation

It represents the diverse interests of China's regions and population, including ethnic minorities, through its membership.

b, Supervision

The NPC exercises oversight over government agencies, ensuring they adhere to the law and act in the best interests of the people.

c, Policy Making

It shapes the country's policies and direction by debating and passing legislation on various issues, from economic development to social welfare.

d, Constitutional Interpretation

The NPC Standing Committee interprets the Constitution when needed, providing legal clarity in complex situations.

e, Amendment of Electoral Laws

It can modify electoral laws and regulations, impacting the political process and the composition of the NPC itself.

4. FEATURES DISTINGUISHING CHINA'S NATIONAL PEOPLE'S CONGRESS FROM RUSSIA'S GUARDIAN COUNCIL

a, Nature of the Body

i) China's NPC:

It is the highest legislative body in

China, consisting of representatives elected from various provinces, autonomous regions, and municipalities.

ii, Iran's Guardian Council

It is a non-legislative body in Iran composed of jurists and theologians. Its primary role is to ensure the compatibility of legislation with Islamic principles and the Iranian Constitution.

b, Legislative vs. Oversight Role

i, China's NPC

It has both legislative and oversight functions, actively involved in lawmaking, budget approval, and election of key officials.

ii, Iran's Guardian Council

The main function is to vet candidates for election, ensuring their adherence to Islamic principles and the Constitution. It does not have legislative powers.

c, Composition

i, China's NPC

Comprised elected representatives from a broad cross-section of society, representing different regions and sectors.

ii, Iran's Guardian Council

Consists of 12 members, six jurists and six theologians, all appointed by the Supreme Leader. It is a non-homogenous and religiously oriented body.

d, Decision-Making Process

i, China's NPC

Decisions are made through voting and deliberation among its members, reflecting a broader spectrum of views.

ii, Iran's Guardian Council

Decisions are typically made through consensus among its members, which may be more ideologically aligned.

e, Influence on leadership

i, China's NPC

While the NPC has the power to elect key officials, including the President, it operates within the framework established by the Chinese Communist Party (CCP), which holds the ultimate authority in China's political system.

ii, Iran's Guardian Council

The Guardian Council plays a pivotal role in shaping Iran's leadership by vetting candidates for high offices and approving candidates for the Supreme Leader, thus exerting significant influence on the country's Islamic governance.

f, Political context

i, China's NPC

The NPC operates within the context of a one-party system dominated by the CCP, where political decisions are made collectively within the Party's leadership structures.

ii, Iran's Guardian Council

The Guardian Council operates within the framework of Iran's Islamic system, where ultimate authority rests with the Supreme Leader, who is not elected but appointed.

Aspect	NPC	Guardian Council
Composition	Large, diverse representation	Small, clerical composition
Scope of Oversight	Wide-ranging, legislative & oversight	Narrow, Islamic and constitutional
Decision-Making Process	Via voting & deliberation	Consensus among members
Influence on Leadership	Elects key officials within CCP framework	Vets candidates, approves Supreme Leader
Political Context	One party system (CCP) operation	Operates within Islamic system

Exhibit A: Difference between NPC & Guardian Council

5. CONCLUSION

In summary, China's National People's Congress and Iran's Guardian Council are two distinct bodies with varying powers, and compositions. The NPC holds a central role in China's legislative and political landscape, while the Guardian Council in Iran primarily serves to ensure the adherence of candidates and laws to Islamic principles and the Constitution.

28,

1. INTRODUCTION

The judicial system of Pakistan comprises a three-tiered structure, with the Supreme Court at the apex, the High Court at the provincial level, and lower courts, including district and session courts. It operates within a framework that combines Islamic jurisprudence with elements of British common law. Ensuring the independence of the judiciary is a crucial feature, and the judiciary plays a constitutional role in interpreting and upholding the 1973 Constitution, acting as its guardian. Judicial review, as per the constitutional provision of the 1973 constitution, empowers the judiciary to interpret the Constitution, review legislation, protect fundamental rights, ensure government accountability, and preserve constitutional supremacy. This mechanism has been exemplified through numerous landmark cases, solidifying the judiciary's role in upholding the rule of law in Pakistan.

T.P.O

2. SALIENT FEATURES OF THE JUDICIAL SYSTEM OF PAKISTAN

a, Three-tiered Structure

The judicial system in Pakistan is structured into three tiers, the Supreme Court at the top, High Courts at provincial levels, and the lower courts, including district and session courts. This tiered structure allows for the separation of powers and efficient dispensation of justice.

b, Islamic Jurisprudence

Pakistan's legal system is based on a blend of Islamic and British common law traditions. The Sharia law holds significance in various aspects of the legal framework, especially in family and personal matters. This feature reflects Pakistan's unique legal heritage.

c, Independence of the Judiciary

The judiciary in Pakistan is intended to be independent, with judges appointed through a rigorous process. The independence of

the judiciary is essential to ensure impartiality and fairness in decision-making.

d, Constitutional Role

The judiciary, particularly the Supreme Court, has a vital constitutional role in interpreting and upholding the provisions of the 1973 Constitution. It acts as a guardian of the Constitution, ensuring that all laws and actions are in compliance with its principles.

e, Jurisdictional Separation

The judicial system clearly demarcates the jurisdiction of each tier. For instance, the Supreme Court deals with matters of national importance, constitutional interpretation, and appellate jurisdiction, while High Courts handle provincial and constitutional matters within their respective provinces.

3. JUDICIAL REVIEW IN THE CONTEXT OF THE 1973 CONSTITUTION

a, Constitutional Mandate

The 1973 Constitution of Pakistan explicitly

grants the judiciary the power of judicial review. Article 199 of the Constitution empowers the High Courts to exercise this authority, allowing them to review the legality of government actions and legislation.

b) Check on Executive and Legislative Action

Judicial review allows the judiciary to assess the actions and laws passed by the executive and legislative branches to ensure they do not violate the Constitution. This serves as a crucial check and balance mechanism to prevent abuse of power.

c) Protection of Fundamental Rights

The Constitution of 1973 enshrines fundamental rights for all citizens of Pakistan. The judiciary, through judicial review, safeguards these rights by striking down any laws or actions that infringe upon them. In the case of "Ms. Asma Jilani v. Government of Punjab", the Supreme Court upheld the fundamental right to life and personal liberty and ruled that a detention without trial was unconstitutional.

d) Preservation of Constitutional Supremacy

Judicial review reinforces the supremacy of the Constitution by ensuring all other laws and authorities. The judiciary ensures that no entity, including the government, operates outside the boundaries set by the Constitution.

e) Constitutional Interpretation

The 1973 Constitution grants the judiciary the authority to interpret the Constitution. This enables the courts, particularly the Supreme Court, to clarify and define the scope of the constitutional provisions. In the case of "Zafar Ali Shah v. Pervez Musharraf", the Supreme Court of Pakistan used its power of constitutional interpretation to determine the legality of General Pervez Musharraf's takeover in 1999.

f) Ensuring Government Accountability

Judicial review holds the government accountable for its actions. It prevents the government officials from exceeding their authority and ensures that public officials act within the boundaries of the law. In the case of "Parsons Papers", the SC issued a

joint investigation team (JIT) to investigate allegations of financial wrongdoing against then Prime Minister Nawaz Sharif and his family. This decision was seen as a significant step in holding public officials accountable.

g. Protection of Federalism

The judiciary plays a crucial role in protecting the federal structure of Pakistan by adjudicating disputes between the federal and provincial governments. In "High High Court Bar Association v. Federation of Pakistan", the SC addressed the issue of provincial autonomy by ruling that the federal government's interference in the provincial affair was unconstitutional.

h. Review of Administrative Actions

Judicial review extends to administrative actions and decisions taken by the government bodies. Courts can assess the legality and fairness of administrative decisions. In "Chairman Senate v. Federation of Pakistan", the SC reviewed the President's reference seeking the Court's opinion on the Senate Chairman's disqualification. The Court's decision clarified

the process and criteria for such disqualifications.

4. CONCLUSION

The judicial system of Pakistan is marked by its multi-tiered structure, adherence to Islamic jurisprudence, independence, and vital role in upholding the Constitution. The phenomenon of judicial review, as enshrined in the 1973 Constitution, is a cornerstone of Pakistan's legal framework, serving as a safeguard against the abuse of power and a protector of fundamental rights. It reinforces the principle of constitutional supremacy and ~~ensures~~ ^{ensures} that the rule of law prevails in the country.

Q7,

1. INTRODUCTION

In Pakistan, the relationship between a strong political system and a robust political economy is intricately interconnected. A stable political environment fosters economic growth by attracting investment and ensuring policy consistency. Effective governance and efforts to combat corruption are facilitated by a strong political system, which in turn bolsters economic development. Furthermore, political leadership can drive critical infrastructure projects and promote social services, contributing to human capital development and a skilled workforce. Additionally, adept diplomatic relations can enhance international trade and economic cooperation. Therefore, the assertion that a strong political economy in Pakistan necessitates a strong political system is apt, as it underscores the vital role of political stability, effective governance, and strategic decision-making in fostering economic growth and stability in the country.

T.P.O

2. ASSESSING THE DIRECT CORRELATION BETWEEN A STRONG POLITICAL SYSTEM AND A STRONG POLITICAL ECONOMY: THE CONTEXT OF PAKISTAN

i. Political Stability and Economic Growth

ii. Political Stability as a Prerequisite

Political stability is crucial for attracting foreign investments and fostering economic growth. A stable political environment reduces uncertainty and risk for business, leading to increased investment and economic development.

iii. Example

Pakistan has experienced periods of political instability, which have often coincided with economic downturns. For instance, the political turmoil during the 1990s was associated with economic stagnation and fiscal challenges.

b) Policy Consistency and Investment

i) Consistent Policies

A strong political system ensures policy consistency, which is essential for long-term economic planning and attracting foreign direct investment (FDI). Investors require confidence that policies will not change abruptly.

ii) Example

In recent years, Pakistan has initiated policy reforms aimed at improving the ease of doing business and attracting investment. These efforts are more likely to yield results in a stable political environment.

c) Governance and Corruption

i) Effective Governance

A strong political system can promote effective governance, reducing corruption and inefficiencies that can hinder economic growth.

ii) Example

Corruption has been a longstanding issue in Pakistan's political and economic landscape. A stronger political system with a commitment to anti-corruption measures can help address this challenge.

d) Infrastructure Development

i) Political Will for Infrastructure

A strong political system can muster the necessary political will to invest in critical infrastructure projects, such as roads, energy, and telecommunications, which are essential for economic development.

ii) Example

The China-Pakistan Economic Corridor (CPEC) is a significant infrastructure initiative that has received attention due to the political commitment from both countries, demonstrating the role of political leadership in such projects.

e, Social Services and Human Capital

i, Political Priorities

A robust political system can prioritize education, healthcare, and social services, leading to the development of a skilled and healthy workforce that can contribute to economic growth.

ii, Example

Investments in education and healthcare have been sporadic in Pakistan's history, however, they lack a focus on sustaining these measures. A strong political system can ensure sustained focus on these areas for human capital development.

f, International Relations and Trade

i, Diplomatic Relationships

Strong political leadership can manage international relations effectively, leading to improved trade and economic cooperation with other countries.

ii, Example

Pakistan's diplomatic efforts have played a role in expanding its trade relationships, such as with China under CPEC, and addressing regional security challenges that can impact the economy.

3. CRITICAL ANALYSIS

While it is true that a strong political economy needs a very strong political system, that is especially necessary in Pakistan's case. Ever since Pakistan's inception, the country has faced a series of political obstacles on its path to economic development. Weakening of the political system, ~~and~~ ^{not} investment in the politics in Pakistan, and hindering of economic growth time and again, has been common practice for the country. Pakistan's economy, with the ~~lack~~ ^{instability} of a political system, suffers greatly. ~~With~~ ^{With} no efficient policy-making, inflation has sky-rocketed, leaving no breathing space for the common man. In order to achieve a strong political economy, Pakistan must dispense special

focus towards strengthening its political system because in the current scenario, Pakistan's political system serves as a base to its economy.

4. CONCLUSION

In Pakistan's context, the statement that a strong political economy requires a strong political system holds true. Political stability, political consistency, good governance, infrastructure development, investment in social services, and effective international relations are all closely linked to economic growth and prosperity. While Pakistan has faced political challenges, there is potential for positive change with a strong and stable political system that prioritizes economic development.