

Paper-II

Political Science

Part-II

SECTION A

QNO.2 Discuss the nature and extend of Powers of US President and the Prime Minister of UK....

US president enjoys more power than the UK Prime Minister, in several ways, although UK Prime Minister does enjoys more legislative Authority but the US president has more edge in the executive powers.

US President

UK Prime Minister

Legislative Authority

→ US president enjoys veto power. He could use pocket veto against a bill. The parliament then requires a 2/3rd majority (67 members) to pass the bill again but which is usually a rare case. because the two major parties are Republicans and democrates and lets say republicans have majority of 53 members and democrats of 47, it is difficult to get 2/3rd majority to undo the veto

→ All laws passed by House of Commons (lower house), vote of no confidence be considered if the lower house is against the bill, but since the majority in lower house is of the PM's party its an unusual case. No law could be passed against the will of PM not even the Supreme Court like in the case of US.

UK PM has the lead in legislative Authority.

Executive Authority

→ US president enjoys two important executive powers:

1) Appointments of Judges and executives

2) Foreign policy but the appointment requires the approval of Senate first (the Upper House of Congress).

example: Treaty of Versailles, was not approved by the US Congress, thus

failure/ending of the League of Nations.

* President & Cabinet controls whole world (through their decisions). They hold more authority than UK's PM because he holds the direct mandate of his people.

He is the boss of his Cabinet, all members are selected by the president. He can fire his cabinet members any time example of 'Rex Tillerson.'

→ UK PM requires no approval from the Parliament. He only directs the King / Queen to sign the Bill or make any appointment.

PM majority in the House of Commons can pass any bill.

→ PM makes foreign policy and requires majority in House of Commons, already lying with the PM.

* PM and his cabinet controls whole UK.

In parliamentary system, cabinet members are the assets of the PM. Cabinet members are all equal to the PM.

UK's PM called the 'First among Equals'

→ UK's PM could be fired by the vote of no confidence from the HoC.

Q.No. 8

Write note on:

a: **Gerrymandering**: refers to the deliberate manipulation of electoral districts boundaries to favor a particular political party, group or incumbent. The term originated in the US during the early 19th century, named after Elbridge Gerry, a Massachusetts governor, whose administration redrew district in a manner resembling a salamander to secure political advantage.

The primary objective is to maximize the electoral success of a specific group by either concentrating opposing votes into a few districts (a technique known as packing) or spreading them thinly across multiple districts to dilute their influence (cracking).

This process significantly impact the balance of power in legislature, undermine the fair representation.

A notable example of alleged gerrymandering occurred during the delimitation process preceding the 2018 General Election. Various political parties and analyst raised concerns about the reconfiguration of constituencies following the 2017 census. Critics argued that the boundaries were manipulated to favor the ruling PMLN at the time.

b. Dog whistling

Dog whistling refers to the use of coded language or subtle messaging by politicians or public figures to convey a particular idea to a specific audience without explicitly stating it. The term is derived from a dog whistle, which emits a sound inaudible to humans but detectable by dogs. Similarly in political or social context, dog whistles use phrases, symbols or rhetoric that resonates strongly with a targeted group while remaining ambiguous or benign to the broader public.

In regions like Baluchistan or Sindh phrases like 'provincial autonomy' or 'rights of locals' may be used to appeal to ethnic or regionalist sentiments without openly advocating separatism.

The emergence of Muslim nationalism in the sub-continent can be traced back to the socio-economic conditions and then the ideological leadership of Muslims. Both factors contributed to the Hindu-Muslim separation, creating a separate homeland for Muslims, in 1947.

Socio-Political Conditions:

1. Decline in Muslim Power:

The decline of Mughal rule marked the end of Muslim dominance in the sub-continent leaving Muslims politically marginalized. The rise of British colonialism further eroded their influence while the Hindu majority began to gain political and economic dominance.

2. Hindu Dominance:

The socio-political movements of Hindu revivalist like the Arya Samaj emphasized Hindu cultural superiority alienating Muslims. Movements like the Hindi-Urdu controversy (1867) further deepened the rift between the two communities.

3. Economic Disparity & Political Exclusion:

Muslims faced economic marginalization due to British policies that favored

Hindus in trade, industry and civil services. Similarly the political exclusion of Muslims, partition of Bengal (1905) and its reversal in 1911 showed how Hindus opposed policies favorable to Muslims.

Role of Ideology and Leadership

1. Two Nation theory:

The two nation theory articulated by figures like Sir Syed and Allama Iqbal provided the ideological foundations for Muslim Nationalism.

Sir Syed's Aligarh Movement aimed at political and educational uplift of Muslims to safeguard their identity and Allama Iqbal formally calling for a separate homeland in the Allahbad's address of 1930s.

→ Muhammad Ali Jinnah transformed Muslim nationalism into a political reality. Initially an advocate of Hindu Muslim Unity, realised that Hindus and Muslims were like two Rivers that could flow together but can never merge.

→ finally Islam served as the unifying factor for Muslims. The idea of an Islamic state resonated with the aspirations of Muslims, providing ideological cohesion movement.

Q.No. 6 Discuss with arguments the balance of power between Executive, legislature and judiciary prior and post 26th Amendment.

The 26th Amendment to the constitution of Pakistan has significantly altered the balance of Power between the executive legislature and judiciary. By curbing judicial overreach and redefining the separation of powers, this amendment creates an imbalance favoring the executive and legislature at the expense of judicial independence.

Pre-26th Amendment: Judicial Activism and Separation of Powers

Judicial activism and Suo moto Powers:

Before the 26th Amendment, the judiciary, particularly the Supreme Court, played an assertive role in Pakistan's governance. Judicial activism rose in 2007, when Ch. Iftikhar took Suo moto notices of issues like corruption governance and human Rights. Cases like Steel Mills Privatization case and Panama papers case (2017) demonstrated judiciary's active role in holding the executive and legislative.

Composition of Judicial Commission of Pakistan:

Before 26th Amendment, the Judicial Commission of Pakistan comprised majority of judges that nominates the Supreme Court and High Court appointments.

Appointment of the Chief Justice of Pakistan:

Prior to the 26th Constitutional Amendment, the most senior judge of the Supreme Court was appointed the Chief Justice of Pakistan.

Post 26th Amendment: Redefining the Separation of Power

Key Provisions:

The main provisions of the 26th Amendments include:

- 1) NO suo moto powers of Supreme Court
- 2) Empowering Prime Minister to nominate the next Chief Justice from among the 3 most Senior Supreme Court judges.
- 3) Constitutional Benches of Supreme Court
- 4) The composition of the Judicial Commission of Pakistan (JCP) to compose two members from National Assembly, two from Senate and one woman or non-Muslim member, to be nominated by the speaker of the National Assembly

5) The SJC may recommend judges for removal if found inefficient, which is not defined by the Amendment.

Implication of the 26th Amendment:

1) Political Influence of Judicial Commission of Pakistan new composition has allowed for direct political influence of the executive in Judiciary.

2) Administrative Powers of the Supreme Judicial Council.

The formation of the constitutional benches with the Supreme Court and High Court, having exclusive jurisdiction over matters involving interpretation of the constitution and fundamental rights. Such powers may be misused and these benches will not be independent and impartial.

3) The 26th constitutional Amendment has amended the constitution to give a Special Parliamentary Committee (SPC) consisting of eight members of National Assembly and four members of Senate the power to nominate the CJP from among the three most senior SC judges.

4) The removal of judges by the SJC on grounds of 'inefficiency' without any criteria or threshold defined.

violates the Article 10-A of Pakistan's constitution also recognizes the right to a fair trial.

The 26th Amendment has significantly reshaped the balance of power in Pakistan by enhancing the role of executive and legislative in judiciary. This has raised serious concern about separation of power and judicial independence by the International Court of Justice as well.