

Q3 Ans: Introduction:

The Senate in the United States is the only second chamber in the world that is more powerful than the first one. This is because, its members are directly elected, thus its hold in the government is <sup>greater</sup> to the basic credential of democracy. Moreover, they are real representatives of the people. It has vast legislative powers, and the only chamber to have financial powers, ~~ex~~ it has also direct role in the executive, and judicial powers regarding their appointments.

How the Senate is More Powerful than the Lower Chamber in the United States:

(a) Financial Powers:

It is the only 2nd chamber in the world that possesses the power of originating money bills. In all other world legislature, the power of money bill lies with the lower chamber of the house.

(b) Executive Powers: Similarly the executive powers lies with the President - head of the executive, but in the most

important execution, it has direct role and share with him. It possesses the power of declaring war, though the war declaring power lies with President. Similarly, in the appointment of sending ambassadors to other countries, important high officials appointment and awarding or granting loans to other countries, the President is bound to satisfy it from other the Senate.

### (c) Powers of Accountability:

The Senate Committee possesses the power of holding accountable any person, even the President of the country. It can investigate any person about his activities and he will be liable to answer.

(d) Legislative Powers: Akin with that of lower chamber, it possesses the power of originating any bill and make can do legislation.

### (e) No. Case to Sideline Senate:

There are some cases where President is sidelined like in law making, Judiciary can also be sidelined.

in executive functions, but there is no such scenario where the consent of senate of is sidelined.

(f) Judicial Powers: The Senate of the US has also direct role in the judicial power. The President in the appointment of judges is bound to take the consent of the Senate.

Why Senate has made so powerful:

There are ~~two~~ <sup>some</sup> multiple reasons for its vast powers. Possessions:

(a) Directly Elected Chamber: Its members are directly elected, and so making it powerful is according to basic tenet of democracy.

(b) Real Representatives of the State:

Its members are real representatives of their respective states, as they are elected for overall state, rather than a local constituency.

(c) Long Tenure: Unlike the lower chamber which has only

2 year tenure, It has long  
6 years tenure, this enhancing  
its powers.

Conclusion: The Senate in the  
US is the only  
second chamber in the  
world which possesses unlimited  
powers as discussed above.  
The main reason behind  
it is to inline with  
the basic tenants of democracy  
as they are real  
representative and directly  
elected chamber of  
the world.

Q4 Ans: Introduction:

Article 62 and 63  
is about the disqualification  
of a member of the  
Parliament is disqualified  
from the parliament in case  
of any law violation conviction,  
the member will be disqualified  
from for the general election  
nomination for lifetime, is  
mentioned or stated in the  
article 62. However, in article 63,  
the tenure for disqualification  
in the article - 63 is 5 years.  
Both of these articles were  
inserted by a military dictator  
which has created constitutional

(2)  
uncertainty.

How Article 62 and 63  
has Created Constitutional  
Uncertainty in the Country:

There ~~is~~ is no tenure mentioned  
in the article-62 of  
disqualification, which has  
created an atmosphere of  
confusion. Now, there are 3  
ways to deal with it,  
but all of it is  
seemingly, that it will derail  
the basic tenets of  
democracy in the country.

(a) Taking of Guidance from  
Article-63:

The first way  
to tackle the debacle of  
disqualification tenure is to  
take guidance from article-63,  
where disqualification means  
disqualifying ~~from~~ for 5 years.  
But, the question arises that  
both of these articles  
are inserted by a dictator,  
so how one bad will  
be justified through another  
bad. Thus, it has  
further aird constitutional uncertainty.

(b) Solving through Judiciary:

Secondly, Judiciary

can also tackle this issue, keeping in mind the basic spirit and fundamental human rights in mind. But again, legislation is the work of Parliament, and it will be against the civilian supremacy.

### (c) Solving through Parliament:

The last option remains that it should be dealt by the Parliament, but currently no elected setup is in the parliament. The caretaker govt has no authority to legislate on such matters.

So, it has constitutional uncertainty in the country, as there is no solution seeming for tackling the dilemma.

Conclusion: In brief, it has made obvious that article 62, and article 63 has created a constitutional crisis. The only option which can Pakistan's Judiciary used as to delay it upto the next elected Parliament, and then its handling by the parliament can be in line with the democratic

principles.

Ans: Introduction

In British there is Parliamentary form of govt, and so Parliament is Supreme. Its supremacy came through evolutionary process since Magna Carta (1215) to the acts of Parliament of 1911 and 1949. British Parliament has vast unlimited powers ranging to legislative, executive to financial powers. However, its powers can't be called absolute as it has been limited by party system, informed masses and media and Press.

Supremacy of British Parliament:

There is a famous saying that "Parliament can do whatever it wants, except a man to woman and a woman to man".

In UK there exist, supremacy of Parliament as discussed under its vast powers possession:

(a) Legislative Powers: Parliament of the British possesses legislative power, akin to that

principles:

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(a) Legislative Powers: Parliament of the British possesses legislative power, akin to that



of other world Parliament,  
But here its decisions  
are final and final.  
It can't be reviewed or  
challenge in any court, as  
there is no concept of  
Judicial review.

### (b) Executive Powers:

The cabinet of  
the UK is formed from  
the parliament, which controls  
all the executive functions  
of the country. Similarly,  
merging of executive and  
legislative has also strengthen  
its powers. Moreover, all  
the important appointment and  
foreign policy is determined  
by the PM in practice.

### (c) Judicial Powers:

Judiciary judges  
are made by the PM,  
along with assent of the  
Monarch, further raising the  
power of Parliament.

### No Absolute Nature of the Parliament in Legislation:

Though the UK Parliament possesses  
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(3)

(a) Presence of Opposition:

the presence of well qualified opposition, and their criticism hampers the parliament from absolutism.

(b) Freedom of Press and Media:

The presence of able and efficient Press and media, keep a check on the legislation of the parliament.

(c) Politically Aware Masses:

the politically informed masses, also limits the excessive power of legislature.

(d) Party Members / Strong Party System:

Cabinet and majority party while making legislation also takes care of the party members, which also limits them from overwhelming power.

Conclusion: The US Parliament is supreme - possessing unlimited powers, however, presence of some factors limits its overwhelming power.