

## Section - A

Q no. 2 -

Ans

### Introduction:-

1) The U.S. system is well designed system to run the state, The Montesquieu gave the Concept of "Separation of Power" to betterly arranged the system role for state.

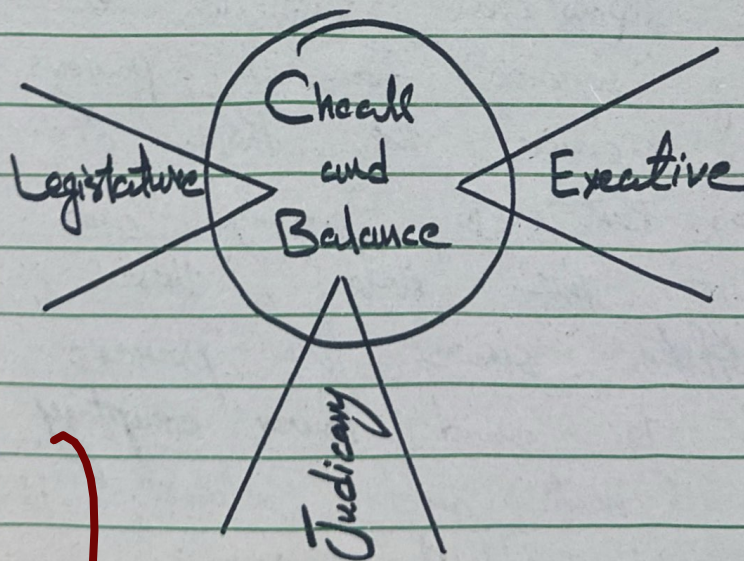
However, only "Separation of Power" between "Legislature, Executive and legislature" was not enough so the Madison introduced the concept of Checks and Balances between those powerful institution because they "separate ~~the~~ in powers" to ensure the Role of Law; But to arrange and

merge the state, these Institutions share the powers and to avoid Power corruption the Check and Balance is most. In Pakistan, Where Power Corruption is fundamental issue and Check and Balance

On These major institution is must. Thus, Pakistan can learn many lessons from US for the betterment of Nation.

## 2) U.S Condition System of Check and Balance-

This system plays a Major Role in Management of Major Institutions



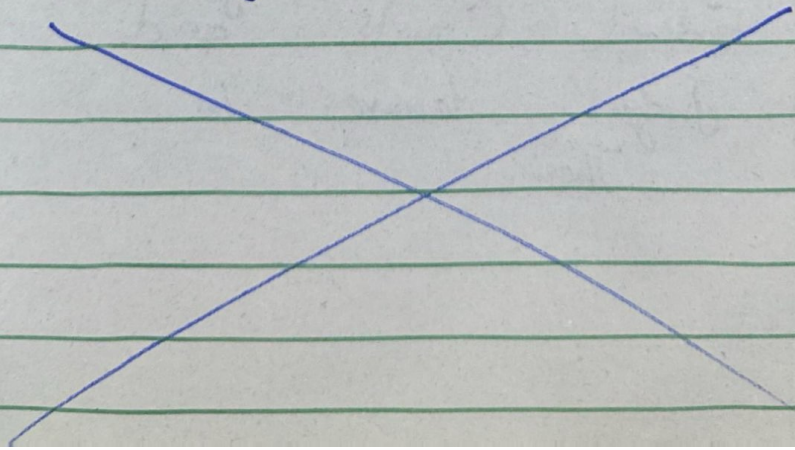
## a) Legislature:- (The Congress)

### i) Check and Balance on Executive:-

The Congress have the "Power of Purse" where in which they can control the "Budget bills" also they have Power to "Declare War" and Power to ~~Remove~~ President under the "Impeachment Offence"

### ii) Check and Balance on Judiciary:-

The Congress have Power to appoint lower court judges and adjust the tenure of judges.



## B, The Executive:- (President)

- Check and Balance  
on legislature:-

The President have power to take Veto and with that he can override the  $\frac{1}{3}$  of Congress. Moreover, The president Can "advise and Consent" ~~many~~ In Many Matters of Congress.

- Check and Balance  
on judiciary:-

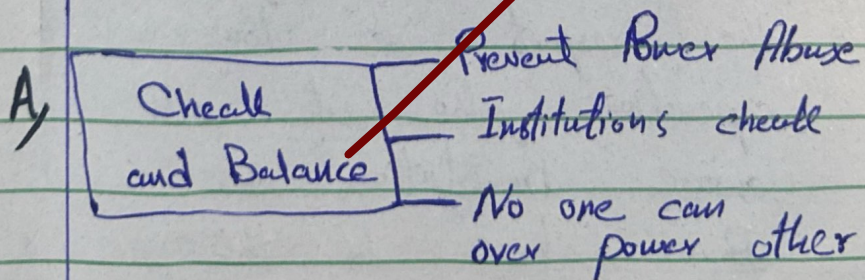
The President have Power to appoint "justice" for Supreme Court, also manage the Federal Courts and Judges tenure in them.

## C, ~~The~~ Judiciary-

Check and Balance  
on legislature and  
~~Congress~~ Executive:-

The  
judiciary have major Power  
of "Judicial Review" in  
which it can Review and  
check the Both institutes  
and can stop them if  
they find any illtemacy  
or biasness.

3- How it Prevent  
Abuse of Power and  
Lessons for Pakistan:-



## • Prevent Abuse of Power:-

If these institutes check and balance on another, then there no on be tyranny in powers and one can not be monarch for others, because all three institution have control on each other. If one institute tries to abuse the power other will force him to stop.

## • Institutional Checks:-

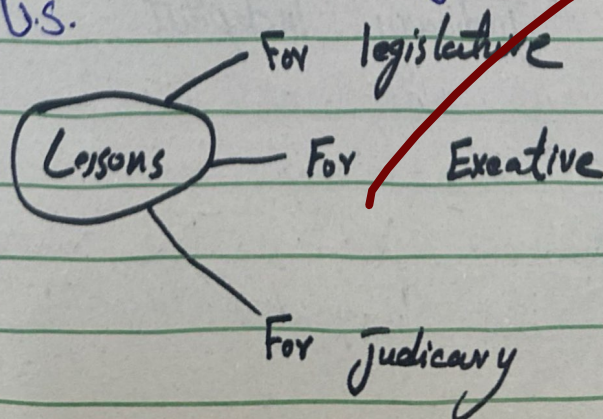
All institution will check each other to control this practice will ensure the respect of Power separation also it will ensure Prevention of Power abuse in this Power sharing system.

• No one can over  
Power Other:-

The legislature,  
Executive and judiciary have  
Some power to overcheck  
and control each other  
this practice will stop  
all three to over power  
other.

## B:- Lessons for Pakistan-

Pakistan  
follows the pattern of  
Parliamentary system (Fusion of  
National assembly and Senate).  
However, U.S follows the  
Presidential system for the  
government system, But, Pakistan  
can learn many lessons from  
U.S.



• For legislature:-

In Pakistan Parliamentary system the prime-minister and both bodies (National assembly and Senate) has mighty powers which should be supervised and used correctly to prevent abuse of Power Abuse.

• For Executive:-

The Executive body should have their control on power of legislature and may advise them in matters.

For judiciary:-

The ~~for~~ Major lesson which Pakistan must learn from U.S is to make "Judiciary Independent" there is a lot of intervention of Executive and legislature in judicial matters. The judiciary must be independent for the

betterment of Nation and  
to respect the Check and  
Balance system.

### Conclusion:-

The separation of  
Power is important is must  
for every state. However, to  
run the nation "check and  
balance" is fundamental, Nations  
like U.S have experience of  
centuries in which they  
upgraded and enhanced their  
system and institutions. Pakistan  
is in developing phase and  
for prosperity the lessons like  
judicial independence are must  
for the Pakistan to ensure  
Check and Balance and prevent  
power abuse