

Part 11

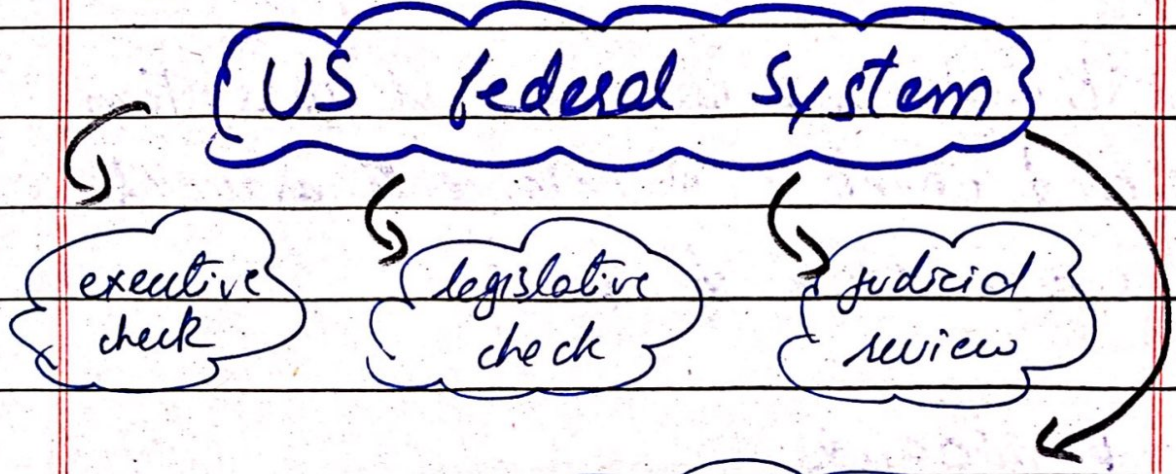
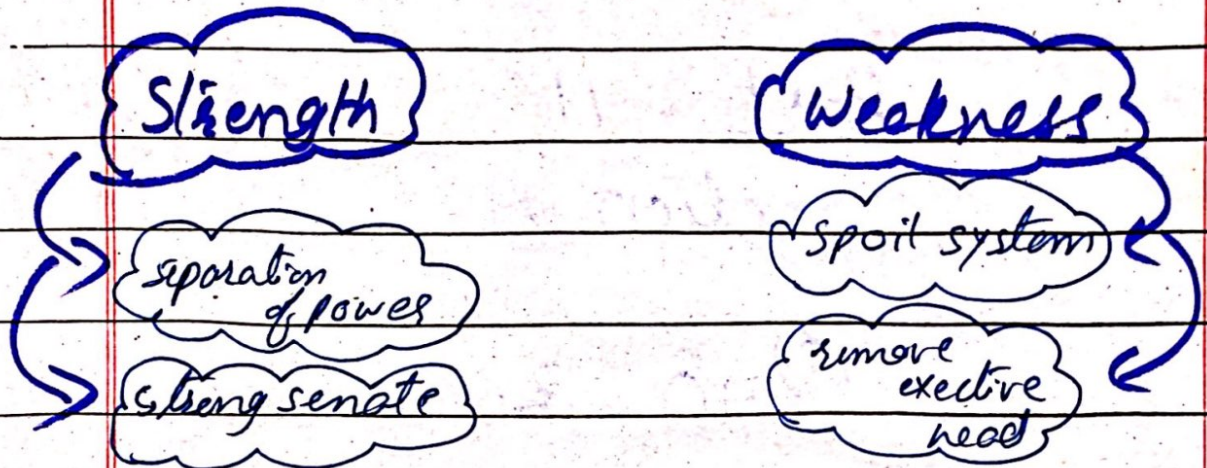
Section A

Qno 2

Strength and weakness of US system and check and balance to prevent concentration of power

Prologue

US federal system is among the oldest system of government. US federal system have some weaknesses and strengths. Strengths of US system are far more compared to the weaknesses. This enabled US to create a strong democratic system. US federal system also ensure check and balance of power to mitigate concentration or dilution of power in one organ of the government



judicial independence

Strong federal setup

Strength and weakness of US Federal system

Strengths

1) Principle of separation of power ensured:

US federal system rigidly follows principle of separation of power. Executive, legislative and judiciary have distinct and well defined roles.

2) Balance of Power maintained

through the system of check and balance, balance of power is maintained.

3) Grievances of state elevated (US

Senate is strongest senate of world)

As US is a combination of 50 states hence

a strong state representation was required.

Presence of strong senate ensures state independence

4) Direct democracy ensure public participation and accountability

As public are elected the head of executive directly, they are more inclined toward democratic participation and uphold accountability

5) Rigid Constitution prevent ill faith amendment:

Constitution of US only witnessed 26 27 amendment. Rigid system ensures that few individuals are not allowed to change the constitution according to their personal benefits

6) Executive ~~are~~^{head} exercise executive authority with minimum congress interference

Lack of congress interference in executive orders enable steady working of government

Weakness

1) Spoil system enable political appointment

Political appointment

through spoil system creates loyalty towards government rather than state, in the hearts of appointee

2) Weak mechanism to remove executive head

Executive head can only be removed through impeachment. This results in not only the removal of executive head by dissolution of entire government.

Analysis

Balance of power, separation of power, protection of interests of state cases among the characteristic strengths of US federal system. These strengths enabled US to become one of the strongest democracies of the world

System of check and balance

1) Executive check on Legislative

a) Executive check is exercised in US federal system as any Civil law passed by simple majority can be challenged by the executive. Then that law has to be passed by $\frac{2}{3}$ majority.

b) Also the presence of packet veto enable executive to exercise check on legislative branch

2) Legislative check on Executive

a) Matters of intense scrutiny like money bill, war or treaty from the executive needs to be ratified or accepted by the legislative branch

b) legislative branch can also call for the impeachment of President.

c) Similarly notable appointment by president also has to be accepted by congress

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3) Judicial check on Executive and legislative

a) Judiciary can issue judicial review on any legislation passed by legislative branch

b) As well as judiciary can also challenge decisions of executive
Executive can also be tried by judiciary

4) System of check and balance on Judiciary

Judicial appointment are by the consensus of legislative and executive

5) Judicial Independence

Judicial appointment made are for the life time. This eliminate political pressure

Conclusion

To conclude the discussion it could be stated that US federal system has a strong sense of check and balance. It prevents concentration and dilutions of powers of any organ of the government.

This system aid to the effective working of the government.

Effective working of the government could be hampered by certain weaknesses but the strength dominates the weakness. Hence it could be said - that US federal system is among the exemplary systems of the world.

Section - B

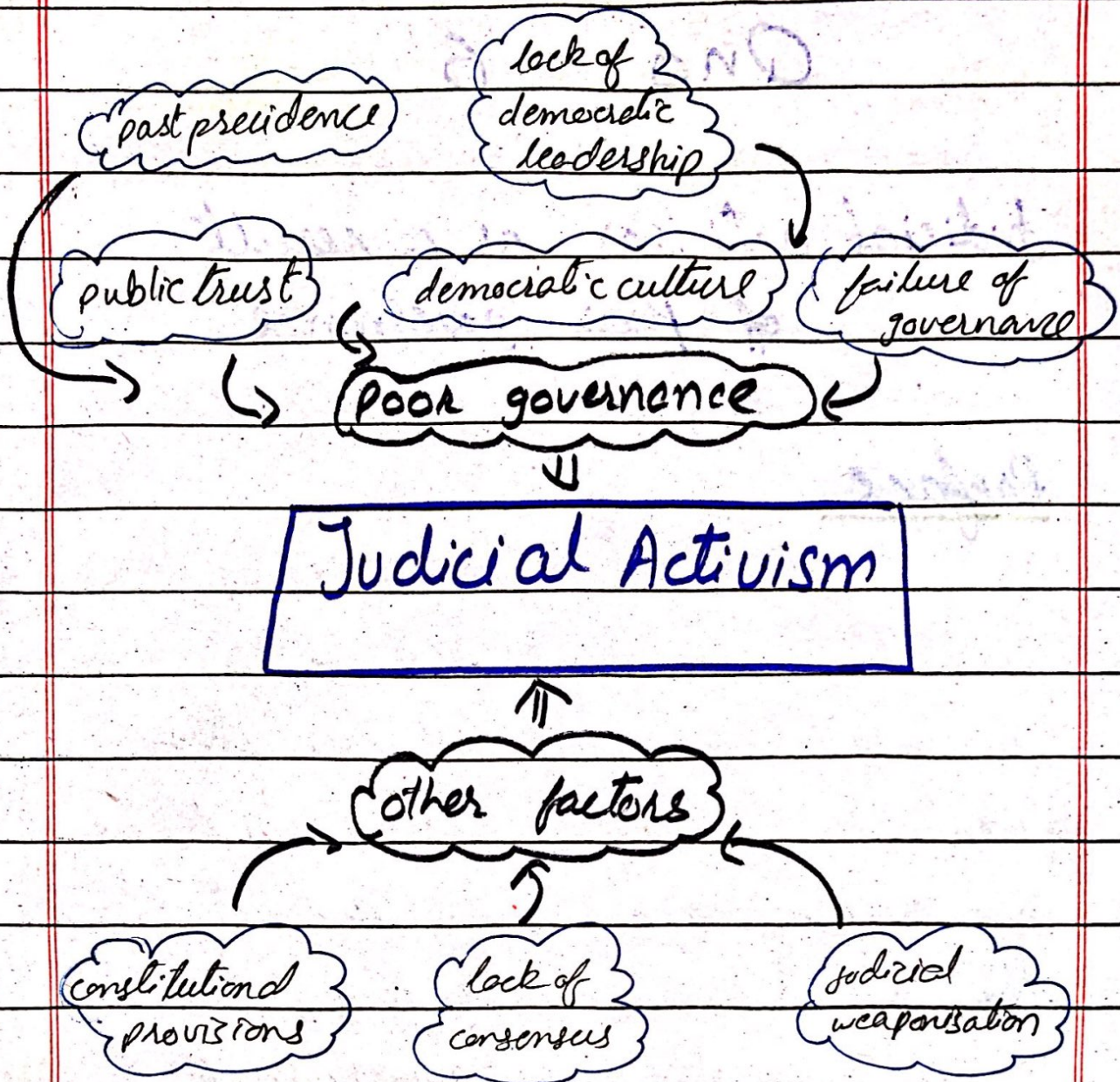
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Qno 6

Judicial activism as a result
of poor governance

Preface

Judicial activism is characterised as outreach of judiciary in government/executive affair. It disturb balance and separation of power. Due to this effective executive functioning is disturbed. Poor governance is the major factor among multiple factors responsible for judicial activism. Judicial activism greatly hampers democratic norms of a country and stifles its growth.



lack of public trust, reduced democratic culture and absence of democratic leadership arise due to poor governance. This gives way to judicial activism. Constitutional provision and lack of consensus also enables judicial activism.

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Instance the indicate judicial activism in Pakistan

1) Out reach of judiciary in development projects (dam projects)

Funds collected by judiciary for dam project

2) Executive function, visits of hospitals, performed by judiciary

visit of judiciary in hospitals indicate judicial activism

3) Role of judiciary in media

prevalent and consistent role of judiciary in media like speech, press conferences etc

4) Executive decisions curbed by judiciary (Privatization of white elephants)

Judiciary has also been accused of challenging necessary executive decisions

Judicial activism as a consequence of poor governance

Poor governance is indeed a

- corollary of judicial activism but some other
- factors of also facilitate judicial activism

Poor Governance

- 1) Lack of public trust due to poor
governance promote judicial activism

When public loses trust in government
judiciary becomes encouraged to intervene
and save the day

- 2) Reduced political ^{culture} ~~consciousness~~ among
~~leaders~~ public promote judicial activism

Diminished political culture
distorted the ideal of legislative supremacy

- 3) Failure of governance allows space
for judicial activism

Projects where government
is unable to deliver promote judiciary
to take notice. Dam projects

4) Inability of poor government to curb judicial activism sets a precedence

Inability of ~~an~~ successive government highlights poor governance. This inability emboldens a judicial to perform extra judicial affairs

5) Lack of strong democratic leadership

Poor governance under weak democratic leader paves way for judicial activism

6) Poor governance diverts executive attention and paves way for judicial activism

Poor governance creates economic, political and security challenges which restricts executive attention and allow for judicial activism

7) Poor governance force public to seek judicial intervention

Poor policies of executive forces public towards judiciary.

As in case of Pakistan steel mill public seeked judicial help

8) Extra political forces instigated by poor governance:

Poor governance enables extra political forces to manifest. These extra political forces like feudal lords, businessman or militancy gives excuse for judicial activism

Opinion:

It is apparent from the discussion that poor governance is leading cause of judicial activism but some other factors also promote activism

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Other factors responsible for judicial activism

1) Space in constitution allows
judiciary to intervene. (Article 239)

Provisions in articles
creates space of judicial activism like in
case of Pakistan article 239 sometho
was utilized multiple times.

2) Lack of consensus among
leader gives way to judiciary

Consensus among political
leaders is imperative for legislative parliamentary
supremacy

3) Use of judiciary as a weapon against
political opponents

Use of judiciary in squabble
among political parties is a catalyst
for judicial activism

Conclusion

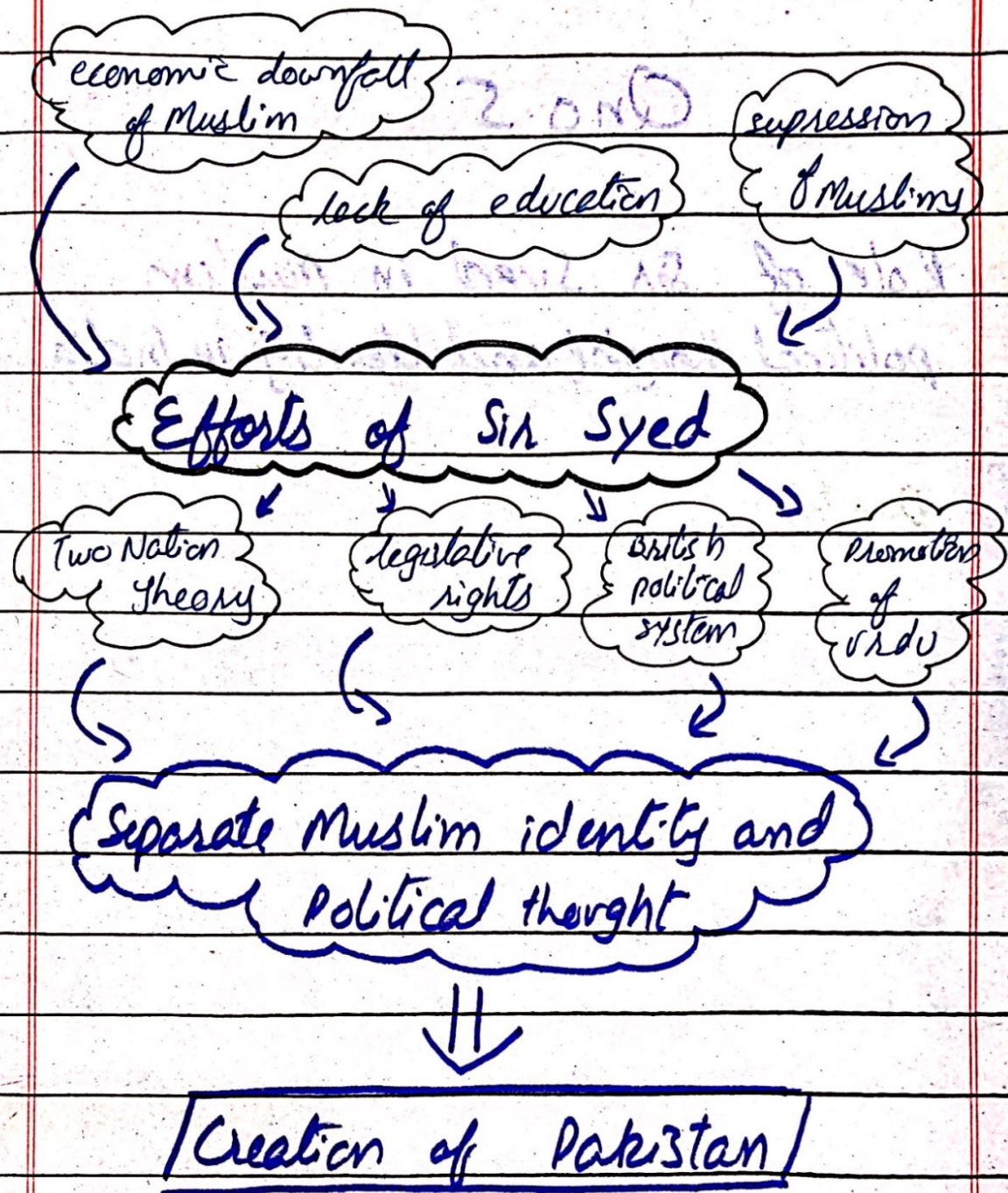
The entire discussion builds to the conclusion that judicial activism is prevalent problem in Pakistan. It is instigated by a number of factors such as lack of public trust, diminished democratic culture, failure of governance as well as some constitutional provisions. These factors intensify to promote judicial activism. Hence the issue of poor governance is predominant cause of judicial activism.

Qno 5

Role of Sir Syed in Muslim political thought and Identity in India

Preface

Creation of Pakistan is due to separate Muslim identity in India and evolution of Muslim political thought. Sir Syed Ahmed Khan, highly regarded Muslim leader of that time, have numerous contribution to establish Muslim identity and political thought in unified India. Efforts of Sir Syed Ahmed Khan provided a strong base on which structure of All India Muslim League was build upon. "Halls of Aligarh served as a breeding ground for future leaders of All India Muslim League"



Prevalent conditions of Muslims under British rule like suppression of Muslims, lack of education and economic downfall of Muslims promoted Sir Syed Ahmed Khan towards a unified approach and day and night efforts for betterment of Muslims

Role of Sir Syed in Muslim Political Thought and Identity

1) Two Nation Theory foundation of Muslim identity

Sir Syed Ahmed Khan was pioneer of Two Nation theory which is basis of Muslim identity

2) Legislative rights of Muslims safeguarded

Sir Syed Ahmed Khan protected Muslims rights in legislative assembly and advocated for separate electorate

3) Created awareness about British political system

Awareness about British political system enabled Muslims to better understand their rights and responsibilities

- created
- 4) ~~Promoted~~ western education
Institution (Aligarh institution)

Aligarh Institution have prime importance in educating Indian Muslims and developing political thought.

- 5) Aligarh conference laid foundation of Muslim League

Aligarh conference was provided Muslims to engage in intellectual debates and laid bases of Muslim League

- 6) Protected Urdu in Urdu-Hindi controversy

Urdu language served as a beacon of separate Indian Muslim identity. Sir Syed Ahmad Khan eagerly defended it in every forum

7) Translated western books widened political scope of Muslims

This provided Muslims with western education and created awareness about western political systems. This promoted Muslim political thought.

8) Bridged gap between Muslims on British

This allowed Muslims to participate in governmental and constitutional matters.

9) Promoted unity among Indian Muslims

Unity among different segments of Indian Muslims intensified sense of separate Muslim identity.

Results of efforts of Sir Syed Ahmed Khan

1) Creation of Pakistan

Pakistan was created due to ~~the~~ separate Muslim identity and political thought which can be attributed to Sir Syed Ahmed Khan

2) Representation in viceroy's cabinet

Political awareness enabled Muslims to secure seat in viceroy's cabinet

3) Establishment of separate electorate

Political awareness lead Muslims to demand separate electorate

4) Indian Muslim identity established (Shimla deputation)

Separate Muslim identity was widely accepted after Shimla deputation. Shimla deputation is credited by some to Sir Syed Ahmed Khan

Conclusion

To conclude the discourse it could be stated that Sir Syed Ahmed Khan had significant role in Muslim identity and political thought of Muslims. Miserable condition of Muslims in British India encouraged Sir Syed to play his role in development of Muslims. He gave Two Nation Theory, promoted western education and political setup and played critical role in formation of All India Muslim League. As a consequence of his efforts Pakistan came into existence.

Qno 8

Economic Cooperation Organisation

Prologue

Economic Cooperation Organisation is a form of collaboration among multiple Asian, Central Asian and South Asian states. Economic dependency and economic turmoil lead to the creation of ECO. ECO provides multiple avenues for economic uplift for its member states like infrastructure setup, mutual research, reduced tariffs etc. ECO can play a critical role in economic uplift of Asian region.

Members of ECO

China, Pakistan
Russia, India, Afghanistan, central
Asian republic etc are member state
of ECO

Objectives of ECO

1) Create economic cooperation

ECO ensures
economic cooperation among member
states through increase in trade,
reduced tariffs and unified trade
policies

2) Regional development

Multiple
infrastructure project under ECO
is working towards regional development

3) Unified approach to regional challenges

ECO acts
as a forum for member state to
create unified approach in problems
like terrorism, poverty etc

4) Reduce regional tensions

ECO is also acting as a forum for mutual discourse and understand and mediation among member states

Conclusion

To conclude the above discussion, ECO hold paramount importance for economic development for its member countries. ~~services~~ trade policies, research work, and information sharing all aid to ensure economic development