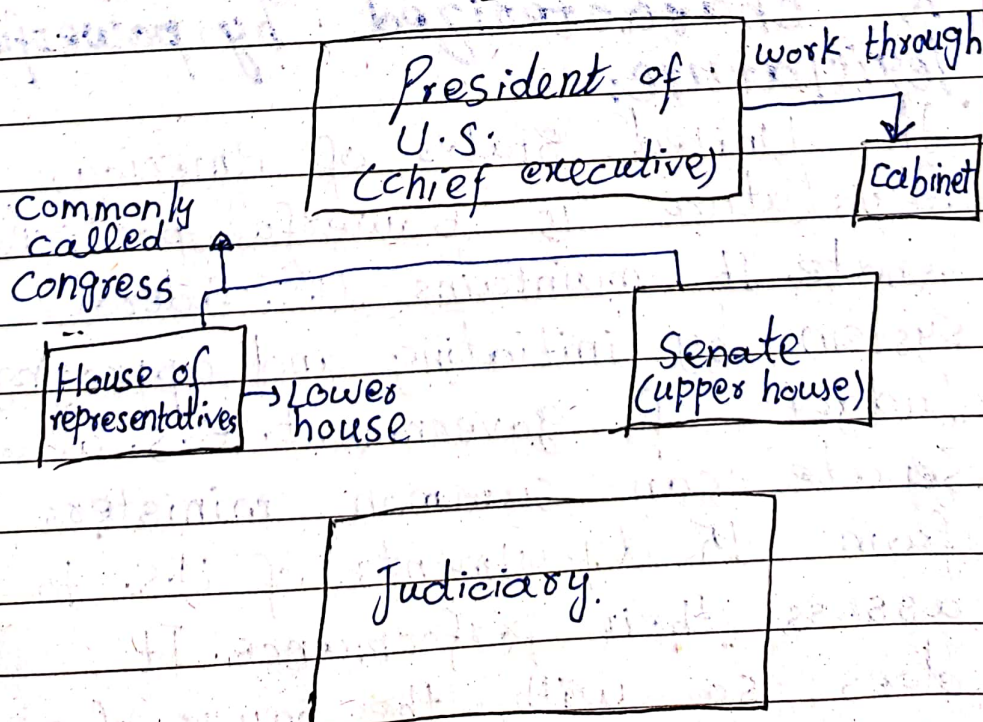


Q.2.

## Introduction

U.S. federal system is strengthened because of concept of judicial review, powerful legislature and true separation of powers. However, U.S. Federal system has certain weaknesses because Senate can become a dictator, presidential executive orders and spoil systems. ~~How~~ United States of America (USA) has excellent system of checks and balances by granting President power of veto, ~~to~~ vesting power of impeachment to senate and judicial independence alongwith checking judiciary through investigative committees

## Federal System of U.S.A





## Strengths of U.S. Federal

### System:

(i) Judicial review strengthens U.S. Federal system by ensuring constitutional supremacy.

In U.S., judiciary is powerful and independent. It is because of the reason it maintains superiority of constitution over decisions of branches of state.

### Example

In Marbury vs Madison case 1803, U.S. Federal court annulled decision of Thomas Jefferson, then President of U.S., to remove Marbury and appoint his own Secretary of State.

(ii) U.S. Federal system is characterized by powerful legislature.

In United States of America, legislature is powerful, particularly Senate. It maintains U.S. federal system by initiating and approving budget of government. U.S. also Senate can summon ministers from 15 departments of U.S. to assess their performance. It does so with the power of investigative committees.



### (iii) U.S. Federal system works because of true separation of powers:

In U.S., Senate and House of representatives have powers to initiate and approve bills.

President is chief executive of state, who implements bills through his council of ministers. Moreover, judiciary is entitled to interpret constitution. No pillar of state can encroach the powers of other pillars.

### Weaknesses of

### U.S. Federal System:

#### (i) Senate can become a dictator in U.S. Federal System:

In U.S., Senate is directly elected which is very powerful (Article III of U.S. constitution 1789). However, Senate can become a dictator by vetting businessmen and influencing smooth flow of goods in U.S. Moreover, Senate can influence judiciary by intimidating judges through the powers of investigative committees. Moreover, powers to impeach president can make it a



dictator in U.S.

(ii) Presidential executive orders undermine separation of powers in U.S. federal system:

In U.S., President has significant influence over economic, environmental and defence councils. These councils are headed by President. President can issue executive orders to implement any bill through these agencies.

In this way, true separation of powers and due process of law is bypassed for consent of President.

(iii) Spoil systems in U.S. federal system favours president and questions fair elections:

In U.S. federal system, U.S. President has favour of spoil system. Through this system, ministers complete their tenure even after resignation of President. By wielding their authority, ministers campaign for their parties and criticize policies of President. Thus, coming elections of U.S. are questioned about their fairness due to spoil system.



## System of checks and balance to prevent abuse of power:-

(i) President as chief executive can veto decisions of legislature:

In U.S. federal system, U.S. checks powers of legislature through pocket veto and suspension veto. Through pocket veto, President does not sign the bill passed from parliament. In suspension veto, President rejects bill passed from Congress. Through both of these vetoes, powers of legislature are kept in check.

(ii) Legislature check powers of president through power of impeachment:

U.S. congress can initiate impeachment against President if he is found guilty of high treason or violation of constitution. Through this process, President of U.S. is removed if majority of Congress favours the process. In this way, powers of President are balanced with that of Congress.



(iii) Judicial independence can check concentration of powers in hands of congress and executive.

In U.S., if both legislature and executive try to overpower democracy, judiciary can intervene.

In U.S., judiciary has annulled more than 150 laws because they violated bounds of constitution.

"U.S. federal court is independent to check abuse of power by branches of state"

(Hamilton)

(iv) Judges can be summoned by senate ~~exec~~ investigative committee to keep judiciary in bound.

Senate, in U.S., is empowered to summon judges before executive investigative committees. Through these committees, verdicts of judges can be questioned in line with constitution. In this way, ~~ex~~ extraordinary powers of U.S. judiciary are kept in check.

### Conclusion

It is true that U.S. federal system has strengths and flaws like any other system of the world. However, all branches of states



are kept in check through separation of powers and concept of checks and balances.

## Section-B (Q.6.)

### Introduction:

• Judicial activism:-

• 1955 case.

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•

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• Poor governance

• corruption

• Political instability

• No rule of law

In Pakistan, Judicial activism had been visible through many cases.

Poor governance in Pakistan, ~~was~~ <sup>has</sup> been characterized by corruption in Pakistan, political instability and lack of rule of law. Due to these poor governance practices, judiciary intervened to eradicate corruption, ratified martial laws to resolve issue of political instability, issued suo motu notices to take action against fundamental human rights abuses and checked transparency in developmental projects.

Judicial

• corruption

• ratified

• Martial

• suo motu

• notices

• to take action

### Judicial activism in

### Pakistan:-

(i) Judiciary delivered verdicts under doctrine of necessity:

In Maulvi Tameezuddin vs Governor General of Pakistan case 1955, Supreme court of Pakistan annulled decision of Sindh High Court to restore Khawaja Nazim



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government in National Assembly.  
It was clear violation of sanctity  
of Parliament in Pakistan.

(i) (Pakistan Legal Document  
240 Federal court 1955).

(ii) **Judiciary ratified  
martial laws against  
provisions of constitution:**

Martial law was declared  
high treason in Constitution of  
Pakistan 1973. However, judiciary  
in Pakistan ratified martial  
in 2002, contravening its bounds  
in constitution. It was done in  
Zafar Ali Shah vs state case 2002,  
where court favoured authoritarian  
state of General Pervez Musharraf.

(iii) **Judiciary interference in  
business agreements in  
Pakistan:**

In 2008, Balochistan High court  
declared agreement of Government  
with Tec, null and void. Tec was  
about to start mineral extraction  
in Reko Dea. Tec moved to International  
Court of Arbitration, which invoked  
heavy penalties against Pakistan.  
In this way, Judicial activism  
in business has caused enormous  
loss to international image of  
Pakistan.



## Poor governance in Pakistan:

(i) Corruption is cog in the machine of good governance.

In 2024, Pakistan stood at 133 in international corruption perception index, released by Transparency International. It is evident of the fact that Pakistan is one of the corrupt countries of the world. It undermines prospect of good governance in the country.

(ii) Political instability is another reason of poor governance in Pakistan:

In Pakistan is a notorious country for frequent changes in governments. It is partially due to military interventions and partially due to lack of political consensus. Thus, political instability hampers prospects of good governance in Pakistan.

Examples:

In 2002, government of Pakistan devolved powers to local governments to ensure responsiveness. However, upcoming governments revoked these projects.



(iii) Lack of rule of law in Pakistan is indicative of poor governance.

Pakistan has a political system where provisions of laws vary according to class and status.

In this way, good governance cannot be ensured without implementing rule of law. It can be made evident from the fact that Pakistan is performing abysmally low in global rule of law index (source: World Justice Watchdog)

How Judicial activism

is corollary of poor governance?

(i) Judiciary interference to eradicate corruption:

When political apparatus fails to address abuse of taxpayer money, judiciary intervenes to question its abuse, which leads to judicial activism.

Example:

In 2016, Supreme Court of Pakistan delivered a verdict against notable personalities in Panama leaks. It is because of the fact of white-collar corruption.



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could not resolved without judicial activism.

(ii) Judiciary ratified martial laws due to political instability:

According to article 187 of constitution of Pakistan 1973, judiciary can satisfy a law, when it deems it necessary for constitution. Due to political instability in country and dependence of politicians on security apparatus, judiciary frequently ratified martial laws in order to stabilise the country. In this way, poor government invoked judicial activism.

(iii) Judiciary issued suo motu notices to check violation of fundamental human rights:

Fundamental human rights must be upheld to ensure good governance. In Pakistan, these rights have often been violated to meet ambitions of politician. This behaviour compelled judiciary to invoke Article 184 and take suo motu notices against abuses of human rights. It resulted in judicial activism.



### (iv) Judiciary meddled to check transparency of developmental projects:

Transparency is key of good governance. However, there is lack of transparency in political projects, which paves way for judicial activism.

#### Example:

In 2018, Supreme court of Pakistan established dam funds, which is prerogative of executive. However, Supreme Court necessitated this step, because civilian projects lacked transparency.

#### Conclusion:-

It is undeniable fact that judicial activism in Pakistan has been followed by flaws in governance. However, judiciary intervened in political matters to ensure sustainability of policies and fundamental human rights in Pakistan.

x-----x



Introduction:

societies  
wardha  
educational  
system.

In 1937 elections in India, Indian National Congress emerged victorious. In this era, Congress took the aim at Muslim culture. It forcefully tried to assimilate muslims, increased slaughter of muslims, used Hindu education system against Muslims and compelled muslim students to bow before Hindu icons in schools. However, it provided impetus to

setback  
to  
Muslim  
cause  
in  
Punjab.

U.P.  
assembly.

All India Muslim League to merge Unionist Party and Rally Muslims around Muslim League. In short term, Congress ministeries was setback to Muslim League in Punjab and defeat to Congress politics in Uttar Pardesh.

Department  
Unionist  
party  
merged  
with  
M.L.

Rally  
of  
muslims

A brief overview of Congress Ministeries:-

In 1934-1937, elections were held in held across British occupied India across in provincial and central legislature. In these elections, there was restricted suffrage to tax payers and widows of martyrs in Indian Army. Congress emerged victorious in these elections.



## Atrocities of Congress Ministeries in 1937

### (i) Forceful assimilation of Muslims in Hindus:

Congress ministeries emboldened extremist Hindu ideologies.

Shudhi movement propagated to forcefully convert Muslims into Hindus. Moreover, Singhton movement used ideologies of Veda and used proselytizing tactics to absorb Muslims in Hindu identity.

(S. M. Akram: Cultural Heritage of Pakistan)

### (ii) Congress ministeries increased mass slaughter of Muslims:

According to reports of All India Muslim League, Congress ministeries increased slaughter of Muslims in India. It posed threat to demographic existence of Muslims in India.

### (iii) Muslim students were taught in Hindu education system:-

In March 1938, Congress ministers approved a new curriculum, which

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was named Wardha Education Scheme. In this education system, Muslims were taught about historically inaccurate facts about Muslims. Moreover, it was an attempt to garner support for Hinduism from Muslim quarters.

(iv) Muslim culture was at stake because Muslim students were compelled to bow before Hindu icons.

In Congress ministeries, schools were brimmed with icons of Hindu god of Vishnu was inscribed in a school in Uttar Pradesh in 1938. Moreover, scripture of Gandhi was installed in many schools across India. In this way, Muslim culture was at stake because Muslims were compelled to bow before these icons.

(Hassan Nizami: Congress vs Muslims: column in newspapers).

Short-term Consequences  
for Muslim League.

Setback in  
Punjab.

Defeat by  
Congress in  
U. P.



(i) Muslim League lost in muslim populated areas in Punjab:-

As a result of congress ministries Unionist Party won in Punjab, which was ally of congress.

In muslim-majority areas of Punjab, All India Muslim League claimed only 2 seats. It questioned political future of All India Muslim League as sole representative of muslims.

(Saeed Ahmed: A Trek to Pakistan).

(ii) Congress politics won in U.P. assembly, questioning political prowess of Muslim League.

In 1938, Muslim League decided that it will not contest elections in Uttar Pradesh (U.P.) and it will share seats with congress.

After election, Congress demanded Muslim League to absorb in Congress for power-sharing. This demand was rejected by Muslim League. In this way, congress ministries defeated Muslim League in political arena.



## Long-term Consequences for All India Muslim League:

Merging hands

Rallied Muslim Support.

### (i) Unionist party joined hands with Muslim League:

Unionist party was dominant in Punjab. However, a conspiracy was hatched by Hindus and Sikh to bring no-confidence motion against Sikandar Hayat, Chief Minister of Punjab. However, All Indian Muslim League helped Unionists to survive by foiling this conspiracy. Thus "**Jinnah-Sikandar pact**" was forged, which joined Unionists with Muslim League. Thus, Congress ministers solidified prof. political profile of All India Muslim League.

### (ii) Muslim League rallied support of Muslims due to atrocities of Congress ministries:

In 1938, session of Muslim League was held in Kanpur, where Muslims from all walks of life showed trust in the League to save from Hindus. Thus, Muslim

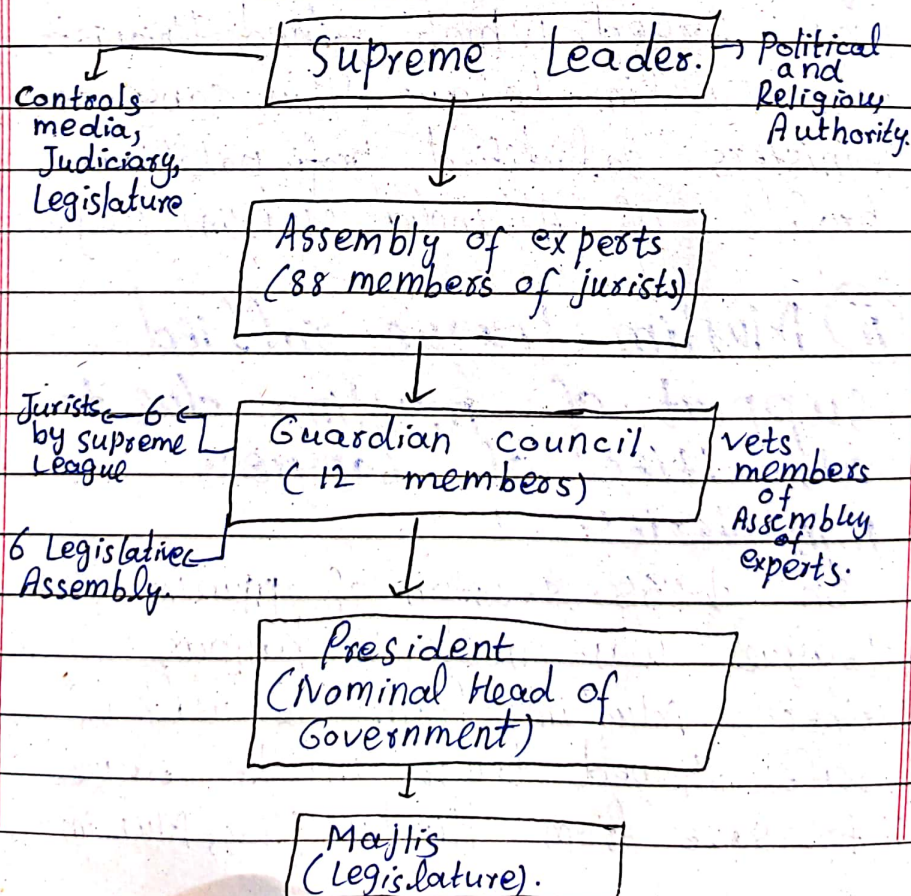


rallied great support due to atrocities of Congress Ministeries. In elections of 1945, Muslim League emerged victorious in Congress-dominated areas, due to its atrocities.

### Conclusion

1937 Congress Ministeries attacked culture and education of Muslims. They tried to remove Muslims from India. However, Muslim League only emerged as single representative of Muslim due to these atrocities of Congress ministeries.

### Political structure of Iran:-





## Functions of Guardian Council in Iran:

(i) Best members of assembly of experts:

Guardian Council of Iran best members to be fit for assembly of experts. These members must be knock in Quran and Sunnah.

(ii) Guardian Council best public office holders:

Guardian Council is vested with the authority to best candidates for presidency, legislators and public officers. It checks whether these public office holders align with Islamic ideology or not.

(iii) Guardian Council checks conformity of laws with Islam:

Guardian Council of Iran holds sway over legislature. Laws passed by parliament are checked by Guardian Council. It judges conformity of enacted laws with laws of Islam.

(iv) Guardian Council is real dictator in Iran:

In case of any dispute between



Majlis and Guardian Council, Expediency Council of Iran resolves the dispute. If matters are not resolved timely, opinion of Guardian Council prevails. In this way, Guardian Council acts as real dictator in Iran.

Q.8. (b).

History of Eco:-

i) Formation of RCD:

In 1965, Regional Comprehensive Development was formed by Pakistan, Turkey and Iran.

Its purpose was to establish economic, cultural and political relations between member states.

ii) RCD was morphed into Eco in 1985:

In 1985, members of RCD increased to 10. Thus, RCD was renamed Economic Coordination Council (Eco), keeping all purposes same as in RCD.

Projects of ~~RCD~~ Eco.

i) Trilateral Railway Project:

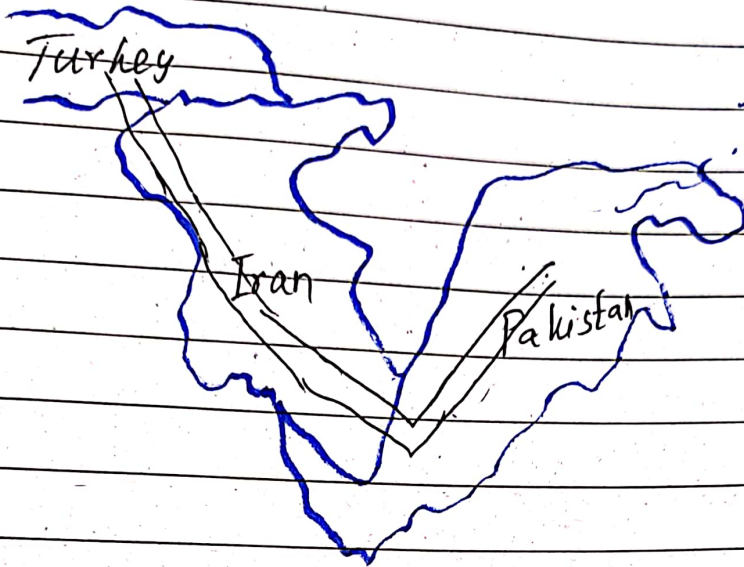
In 2005, Eco forged a relation of remarkable connectivity



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Pakistan, Turkey and Iran established trilateral railway project from Islamabad to Istanbul.



Source: Eco secretariate Islamabad.

## (ii) Defence agreements between Pakistan and Turkey:

In 2013, on sidelines of Eco summit, Pakistan and Turkey entered in defence pact. Turkey pledged to supply Pakistan with 5 mushak 5th generation aircrafts.