

Date: \_\_\_\_\_

①

## QUESTION NO 02

### US PRESIDENT AS MOST POWERFUL BUT CONSTITUTIONALLY RESTRAINED

#### INTRODUCTION

US president being the executive head of most powerful states enjoy a number of privileges. He is considered as the most powerful man due to head of a super power. He is boss of his Cabinet with veto power, having legislative, executive and judicial powers yet there are many constitutional constraints so that he cannot exercise his powers unrestrained. Legislative and judicial checks over US president restrains its powers.

#### POWERS ENJOYED BY US PRESIDENT

##### 1- EXECUTIVE HEAD OF THE STATE

US president is the executive head of the state with all the executive powers vested with him. All the appointments and treaties and all the decisions related to

Date:

(2)

Foreign policy are exercised by the US president.

### b- BOSS OF HIS CABINET

US president is all in all of the cabinet. He can select any member in his cabinet and can fire any member without assigning any reason thereof.

### c- APPOINTMENT OF JUDGES

US president enjoys the power to appoint the judges which then can challenge any constitution or law made by congress.

### d- VETO POWER OF US PRESIDENT

US president enjoys the veto power and can declare any law passed by congress as null and void without assigning a reason.

### e- LEGISLATIVE AUTHORITY OF THE PRESIDENT

President enjoys the legislative authority and can do legislative regarding any matter in form of presidential order.

Date: \_\_\_\_\_

③

also known as executive orders.

## 9- FOREIGN POLICY OF MOST POWERFUL STATE

US president holds the privilege to design the foreign policy of most powerful state or super power. His words are listened and given due regard in international politics.

## III- CONSTITUTIONAL RESTRAINTS ON US PRESIDENT

These are many constitutional restraints on powers of US president including

### 9- EXECUTIVE POWER IS SHARED WITH SENATE

One major constitutional constraint on powers of US is that the president is not free in exercising the executive power. Executive power of president is shared by US Senate. Under executive, powers two major functions, appointment and treaties are both shared by senate. Neither any appointment can be made nor a treaty can be ratified unless it is not approved by the senate.

Date:

(4)

## CASE STUDY:

### SENATE IMPEDED WOODROW WILSON DECISION TO JOIN LEAGUE OF NATIONS

After world war - I, the efforts of Woodrow Wilson resulted in formation of League of nation. But Woodrow Wilson was not allowed to join the league of nation by US senate. This is a classical manifestation of constitutional restraints of US president in exercising the executive powers.

### B- ORDINANCE CAN BE DECLARED NULL AND VOID BY US JUDICIARY

Ordinance, a legislative right of US president can be declared null and void if it violates the constitution or fundamental human rights. Thus the legislative authority of US president is subject to judicial constraints set by US constitution.

### C- PRESIDENT CANNOT REMOVE JUDGES

Though judges are

Date: \_\_\_\_\_

(5)  
appointed by US president along with senate, once a judge is selected, he cannot be removed by US president.

### CASE STUDY: ROOSEVELT DECISIONS WERE OVERTURNED BY JUDICIAL REVIEW

Many decisions of Roosevelt were overturned by US judiciary just because they did not appeal to the rational of judges, showing constitutional constraint of US president and he was not able to remove them.

### d- VETO CANNOT BE APPLIED TO CONSTITUTIONAL LAW

Veto  
powers of president is not applicable to constitutional amendment but <sup>are</sup> only limited to the ordinary law. US president can not stop any constitutional amendment if it is passed by 37/50 states of the US, imposing constitutional restraints on US president.

### e- PRESIDENT CAN BE IMPEACHED

Likewise  
the US president can be impeached by the US senate, restricting him to avoid any gross misconduct.

Date: \_\_\_\_\_

(6)

9- VETO CAN BE OVERTURN  
BY 67% MAJORITY

If a bill is passed by simple majority, the president can veto it. Now this bill has to be passed with 67% majority. Once the bill is passed with 67% majority, president is bound to sign it. If a bill is passed by 67% majority at first place, president cannot veto it.

POWERS ~~~~~ CONSTRAINTS

EXECUTIVE POWERS ~~~~~ BUT ~~~~~ SENATE APPROVAL

ORDINANCE ~~~~~ BUT ~~~~~ JUDICIAL REVIEW

VETO POWER ~~~~~ BUT ~~~~~ 67% can overturn veto

JUDGES APPOINTMENT ~~~~~ BUT ~~~~~ CANNOT REMOVE

POWERFUL EXECUTIVE ~~~~~ BUT ~~~~~ CAN BE IMPEACHED

add a few more arguments.....

Date: \_\_\_\_\_

7

## CONCLUSION

Though US president is considered as most powerful man on the earth, there are many constitutional restraints which keep checks and balances over US president and do not let it overexert the powers.

## QUESTION NO 06

### BRICS AS A CHALLENGE TO UN AND IMF

#### INTRODUCTION

The first quarter of 21<sup>st</sup> century witnessed a number of changes that led to decrease in unilateral control of global north and an increase in south-south cooperation. This posed a threat to hegemony of global north and institutions controlled by global north like UN and IMF. Emergence of BRICS is one such initiative of global north which threatens the hegemony of UN and IMF. Conflict Resolving

Date: \_\_\_\_\_

(3)

mechanism of BRICS undermine the role of UN at one hand and the financial efforts, agreement and approaches of member states like currency swap agreement, Swift alternative, dedollarization campaigns and BRICS bank decrease the importance of IMF and world bank at the other hand.

## II- BRICS AS A CHALLENGE TO IMF AND UN

### a- BRICS PLATFORM, CONFLICT RESOLVING AND DECREASED ROLE OF UN

Platform of BRICS is one such platform that offers an alternate to existing UN conflict resolve mechanism. Presence of powerful and economically stable countries like Russia and China enhance its ability to resolve the conflict in global south.

### b- EMERGING ECONOMIES OF WORLD IN BRICS

In BRICS, these are emerging economies of the world including China and India. Collective contribution of

these emerging economies possess a  
threat to IMF.

### C- DE-DOLLARIZATION EFFORTS OF BRICS

Another important effort  
is to de-dollarize the world  
trade. For example, Russian and  
China has started to conduct  
oil trade in Yuan.

add and highlight references/examples against these arguments.....

### D- CURRENCY SWAP AGREEMENTS OF BRICS MEMBER AND IMF

To decrease the hegemony  
of global north, currency swap  
agreement among BRICS state in  
which they agree to conduct  
trade in their respective currencies  
undermine the IMF role.

### E- SWIFT ALTERNATIVE AND CHECK <sup>ON</sup> IMF HEGEMONY

Swift, which controls  
the transaction of dollars from  
one bank to another is another  
issue, confronting global south. To

#### RUSSIA DELINKED FROM SWIFT

During Russia  
Ukraine crises, Russia was delinked  
from swift, left the Russian dollar

Date: \_\_\_\_\_

10

reserves frozen.

Now China has introduced its own swift like system in 46 countries. BRICS platform is now used to enhance this system.

## g- COMMON CURRENCY IDEA FROM BRICS PLATFORM

China has tried to introduce the common currency like Euro of European union to enhance trade between BRICS states and increase cooperation between global south.

## h- REGIONAL COOPERATION AND THREAT TO UN

Likewise, regional cooperation between global south from the platform of BRICS has challenged the role of UN. Russia Ukraine conflict proved this

### CASE STUDY:

#### RUSSIA - UKRAINE AND ROLE OF BRICS IN SUPPORTING RUSSIA AND UNDERMINED UN ROLE

Sanctions were imposed on Russia during Russia Ukraine

Date: \_\_\_\_\_

(11)

UKasine was. But China and India signed agreement using BRICS platform. This not only supported the Russia and saved ~~us~~ from sanctions but also undermined ~~us~~ <sup>us</sup> able to impose and implement sanctions.

## i- BRICS BANK - A CHALLENGE TO IMF AND WORLD BANK

Similarly the BRICS bank also challenges the IMF and world bank by functioning in their place

IMF → Loans for Budget

World Bank → Loans for Developmental process

BRICS BANK → Loan for both Budget deficit and development projects.

So BRICS Bank alone performs the functions of IMF and world bank challenging these two institutions

## CONCLUSION

BRICS offers a viable assistance to international organisations like World Bank, IMF and United Nations by replacing their key roles. It is a way toward end of global North hegemony and south-south cooperation.

add more arguments.

a 20 marks answer should have around 15 arguments and be on 7-9 pages.

## QUESTION NO

# RECENT CONSTITUTIONAL AMENDMENTS AND THEIR ROLE IN PARLIAMENTARY AND DEMOCRATIC CONSOLIDATION

## INTRODUCTION

Recently, two major constitutional amendments are made in constitution of Pakistan, 26<sup>th</sup> and 27<sup>th</sup> constitutional amendments.

Both these amendments empowers parliament and prevents judicial activism at one end and impedes the judicial check and balance on separation of powers at the other hand.

### a) CURTAILING JUDICIAL ACTIVISM BY REMOVING SUO MOTTO AND EMPOWERING PARLIAMENT

Firstly, the 26<sup>th</sup> amendment took the suo motto power from CJPC and gave it to constitutional bench in 28<sup>th</sup> amendment, which was replaced with constitutional courts. Pakistan has witnessed a surge in judicial activism by use of suo motto, which impeded



Date: \_\_\_\_\_

(14)

courts in 27th amendment. Thus these amendments aim to consolidate the democratic procedures by removing the constitutional crises at the earliest.

## CJP APPOINTMENT AND ↓ f- METHOD OF ↑ PARLIAMENTARY SUPREMACY

Method of appointment of CJP is changed in 26th constitutional amendment. Before 26th amendment, senior most judge of SC ~~was~~ was made CJP. But after 26th amendment CJP has to be selected among top 3 senior most judges. This provide a space to parliamentarian to select one judge of their choice here it leads to parliamentary supremacy.

## CRITICISM

relate your headings and arguments to the qs statement...

### 1- OVER EMPOWERMENT OF PARLIAMENT

Through these amendments, parliament has empowered on cost of judiciary as  
→ Judges evaluation is to be made by parliamentarians.

Date:

15  
→ In CJP appointment process, parliament has to select one judge every three, empowering them.

→ Judges transfers can be made by parliamentarians

**b- TRICHOTOMY OF POWER IS IMPACTED AND CHECK AND BALANCE SYSTEM IS UNDERMINED**

Another negative impact of these amendments is that trichotomy of power is compromised by over-empowerment of parliament in judicial affairs. The judicial check and balance is seriously undermined by providing excessive control to parliamentarians over judges and judicial postings, selection and accountability. This has led to a serious compromise of judicial check and balance system over the legislative and executive.

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# QUESTION NO 08

## CURRENT ECONOMIC CONDITIONS OF PAKISTAN

### INTRODUCTION

Currently Pakistan is facing serious economic challenges. Circular debts, balance of payment crises, import imbalance, inflation, debt crises are among few major economic problems of Pakistan. These problems has serious political implication for Pakistan as these problems leads to compromise on sovereignty, hampers decision making abilities and traps Pakistan in vicious dependency cycle.

### a- INFLATION GROWTH

Inflation growth is a major economic issue of Pakistan. Major cause of inflation growth are;

use more specific and self explanatory headings.....

### b) IMPORTS

Imports of commodities specially hydrocarbons is one of the major cause of inflation

Date: \_\_\_\_\_

17

in Pakistan.

### ii- CURRENCY DEVALUATION

is another major cause of inflation in Pakistan. <sup>Currency devaluation</sup>

### iii- Balance of Payment Crises

of payment crises is another cause of inflation in Pakistan. <sup>Balance</sup>

## b- DEBT MANAGEMENT ISSUES OF PAKISTAN

is another major issue of Pakistan's economy. Major cause of debt management is <sup>Debt Management</sup>

### (i) LOAN SPENDING

is another issue when Pakistan takes loans to pay back loans. <sup>Loan spending</sup>

### (ii) INTEREST

Interest on loan is another issue due to which loan is taken to pay interest on the already availed loans.

Date: \_\_\_\_\_

18

## POLITICAL IMPLICATION

### a- COMPROMISE ON SOVEREIGNTY

Due to these economic issues, Pakistan sovereignty is compromised and has to make a tilt toward a state due to economic dependency.

### b- DECISION MAKING ISSUES

Due to these economic problems, Decision making is compromised.

minimum description under a heading should be 5 lines.....

### c- POLITICAL INSTABILITY

Economic crises leads toward political instability.

### d- NO SPENDING ON PUBLIC WELFARE

Due to these economic issues, spending on developmental projects and those related to public welfare cannot be made.

### e- VICIOUS CYCLE OF DEPENDENCY

Due to economic issues, Pakistan is trapped in vicious cycle of dependency.

07

7