

# Political Science

Discuss the political and legal constraints over the sovereignty of parliament in various countries ?

## Introduction

The specific constraints on parliamentary sovereignty can vary widely based on political and legal systems of each country. The legal and political constraints on sovereignty of parliament can vary from country to country. In some countries, like the United Kingdom, the principle of parliamentary sovereignty is highly valued. On the other hand, United States, there are constitutional checks and balance that limit the power of legislative branch. The parliament of Pakistan has the power to make and pass law

but its sovereignty is subject to  
-the constitution of Pakistan. So  
-the sovereignty of parliament varies  
country to country.

### Definition:

In the words of A.V. Dicey,  
Parliamentary sovereignty means  
that:

"Parliament can do everything  
except make a man a woman,  
and woman a man."

(ii) Legal and political constraints  
over the sovereignty of parliament  
of UK.

In the UK, while parliamentary  
sovereignty is a fundamental  
principle, there are legal  
and political constraints  
that can limit its absolute  
power. One significant legal  
constraint is the UK's membership

in the European Union (EU) until 2020. EU laws and regulations had supremacy over UK laws during this time. which means certain decisions made by the UK parliament had to align with EU rules. However, after the UK's departure from the EU, it regained more control over its laws and regulations.

Additionally, - the UK has a Constitutional framework that includes rule of law and the protection of individual rights. The judiciary plays a crucial role in interpreting laws and ensuring their compliance with the UK constitution. "if a law passed by parliament is deemed to be in violation of the constitution or individual rights, the judiciary has the power to declare it invalid or incompatible."

### Political Constraints:

politically, the government's power and influence can also act as ~~an~~ constraint on parliamentary sovereignty.

The government, led by the Prime Minister and their Cabinet, can propose and shape legislation. The government's majority in the House of Commons can significantly impact the passage of laws, as parliament often follows the government lead.

Overall, while parliamentary sovereignty remains central principle in UK, legal and political constraints, such as EU membership and the rule of law, do affect its powers.

## In Pakistan:

In Pakistan, the sovereignty of parliament is subject to both legal and political constraints.

## Legal Constraints:

Legally, the constitution of Pakistan serves as the supreme

of land and sets the framework for exercise of parliamentary powers.

The judiciary play a vital role in interpreting the Constitution and has authority to review and strike down any legislation approved by parliament that is found to be unconstitutional.

### Political Influence over the Sovereignty of Parliament:

Politically, the government's power and influence can also act as constraint on parliamentary sovereignty. The P.M and Cabinet, who are responsible for executive branch, hold significant role over the legislative process. The government's majority in the national assembly can impact the passage of laws, as parliament often follows the government's lead.

“Military has historically played a significant role in Pakistan”

Politics, which also affect the sovereignty of parliament.

Overall, while parliament in Pakistan hold a significant role in lawmaking, legal considerations, political dynamics, and military influence can impose constraints on its sovereignty.

## In: Germany:

In Germany the sovereignty of parliament is subject to legal and political constraints.

Legally, the Constitution serves as supreme law, outlining the framework of parliamentary powers.

The Federal Constitutional Court plays a crucial role in interpreting the Constitution and has the authority to review and declare law unconstitutional.

## Political Influence:

Politically, the government's power also limit parliamentary sovereignty. The Chancellor and the Cabinet, responsible for the executive branch, have significant influence over the legislative process.

The Sovereignty of parliament in Germany is influenced by legal consideration, political dynamics, and the federal structure of country.

## Conclusion:

The Sovereignty of Parliament in different countries varies based on their respective legal and political systems. While some countries grant extensive power to their parliamentary bodies, other may have legal frameworks or political dynamics that place limitations on

Parliamentary sovereignty. Factors such as constitutional provisions, separation of powers, judicial reviews, and the influence of executive branch can impact the degree of parliamentary sovereignty.