

Part - II

QNO: 2

Twenty - Sixth Amendment

Introduction:-

Twenty - sixth amendment to the Constitution of Pakistan was passed in October which has disturbed balance of power between three organs of the government i.e. legislature, judiciary and executive. There were more than 40 points which were amended and added in the Constitution. This amendment along with other factors will primarily affect the judicial independence. Executive and legislative branch are entrusted with overarching powers to undermine the effectiveness and transparency of the judicial branch of the government.

Balance of Power in the Pillars of the State :-

Balance of Power :-
There are three pillars of the state

Pillars of the State

Executive

Legislature

Judiciary

Executive :-

Executive is the law implementing authority. Prime Minister is the head of government and executive

Legislature

Legislature is the law making body. Parliament makes laws. It consists of both Senate (Upper house) and as well as National Assembly (Lower house).

Judiciary

Judiciary interprets the law, and it also ensures enforcement of the laws.

Balance among these three organs means that when and Executive do

any unlawful things or decide his power. Parliament has right to conduct vote of no confidence and remove him/her from power. Similarly Executive has a right to dissolve Assembly.

Judiciary ensures system of checks and balances of any act is against law. Judiciary can uphold it.

Features of the 26th Amendment that will affect balance of power among these pillars of the State :

Appointment of Judges

Judges of Supreme Court and higher Courts were appointed by a Committee of Judges previously which will now be done by Parliamentary Committee.

Composition of Parliamentary Committee
Previously Parliamentary

Committee had Judges in majority
how it will comprise 4 members
from national assembly and 2 from
Senate, also 1 women or minority.

Influence of government:

That Committee will be
under the influence of government
and their choice of choosing
Judges will be highly influenced

Constitutional benches:-

Constitutional benches will
have responsibility to interpret
laws as uphold fundamental
rights. They will be
appointed by Parliamentary
Committee.

Removal of Judges Supreme Judicial Council

has the responsibility to
remove judges. However,
the Criteria to remove

Judges ~~is~~ not mentioned which was previously misconduct and inability

Appointment of Chief Justice :-

Chief Justice to be selected among 3 most senior Judges of the Supreme Court by Parliamentary Committee.

Political interferences :-

When Parliamentary Committee will appoint Judges of own choices they will have greater margin to interfere in judicial matters of their own interest.

Biased interpretation of laws :-

Laws will be interpreted in the favour of people who supports Judiciary in their illegal extra judicial actions

Independence of Judiciary:

Judiciary will be influenced by executive and legislature in courts matters.

Suo-motto action:-

Chief Justice was able to take suo-motto action upon violation of laws but now the capacity has limited to greatly extend.

Less protection to ordinary masses:-

People's protection under law has affected to greatly extend. The already disturbed law and order situation is fuelled by political restrictions and interference.

International View on the Situation :-

International democratic

and liberal institutions consider
it as an effort to
make Judiciary subservient to
other pillars of State and
halt its effectiveness.

Conclusion

26th Amendment has impacted
the pillars of the State
negatively as it has made
one organ subservient, restricted
its capacity to check and
balance and ~~made~~ granted
the
other institution with plenty of powers
to influence Judicial proceedings.

Q NO # 4

Sir Syed Ahmed
Khan

Introduction

Sir Syed Ahmed Khan was
born in 1817. During

his whole life he advocated for to seek modern to align with modern needs of time by ~~creat~~ seeking western knowledge as well reinterpreting Islamic teachings according to the need of time. He established various institutions, societies and committees for this purpose. His efforts for Muslim Renaissance resulted in the struggle for separate homeland and ultimately formation of separate homeland for Muslims -

Efforts of Sir Syed to reconcile modern scientific thought with religion and push new education.

Here are some of his renowned efforts.

Reinterpretation of Islamic Principles
He advocated for

Reinterpretation of Islamic principles
according to needs of modern time.

Establishment of Scientific Society.

He established Scientific Society
for which translated English
books into Urdu.

Establishment of Ghazipur School

He established Urdu medium
School in Ghazipur to impart
modern knowledge in children in 1863

Establishment of Victoria School

That was an English medium
School to educate people
of the Subcontinent.

MAO School

Muhammadan Anglo Oriental School
was established which was
aligned with the modern education
of that time

MAO College

MAO School was transformed
into MAO College

Formation of Aligarh University

MAO College was transformed into Aligarh University in 1920. Later on the graduates of Aligarh laid the foundation of Muslim League which and Pakistan is the result of its struggles.

Creation of Soft image in front of British by his writings

Through his literary efforts he tried to bridge the Muslims and the British.

His pamphlet "Causes of Mutiny" played great role in this regard.

Following the true teachings of Islam

He advocated for following true teachings of Islam i.e. getting knowledge. According to him education is the only way to ~~to~~ revitalize the Muslims.

Teachings of pluralism:-

He taught Muslims to have friendly relations with Britainers and be loyal to them.

66.

Success to bring Indians into Legislative Council

Due to his efforts Indian (both Hindu and Muslims) became part of Legislative Council.

Imparting rationality

He imparted logical reasoning in the Muslims of the Subcontinent. To get politically, intellectually and financially stable & then demand rights.

Development of political sense:-

He educated Muslims that politics can only be fruitful after development of a well educated, enlightened and conscious society.

Conclusion

Due to the efforts of Sir Syed to reform the Muslims of Sub-Continent and bring intellectual development the Muslims became able to demand their rights and independence from Britishers.

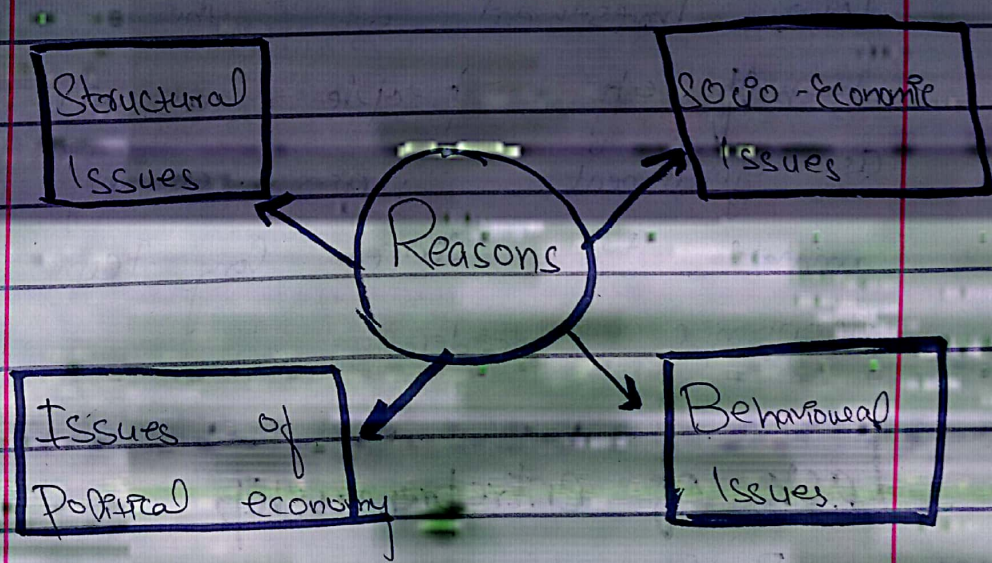
Question # 6 Economic Policies of Pakistan

Introduction

Pakistan was known as a developing country in 1960s due to its economic growth. However, from 1990s specifically its ~~state~~ economy has been downgrading. The domestic as well as international circumstances compelled the State to borrow money for its survival. The Conditionalities

of IMF and other watchdogs, low foreign investment, Terrorism and Political instability pressed the situation. Pakistan focuses on short term. The inability of policy makers to provide a comprehensive strategy to tackle the situation has made the country economically dependent on loans and has also affected its international standing.

Reasons of lack of long-term economic policies :- ^{Implementing}



Structural Issues :-

Trade deficit

Pakistan has more imports as compared to exports.

Budget deficit

Expenditures are more than revenue.

Dependency on foreign lenders

Economy is highly dependent on foreign lender i.e.

International financial institutions (IFIs) and on other states as well like China and Saudi Arabia.

Conditionalities of IFIs :-

International financial institutions demand structural changes which are not suitable for our economy.

Low taxpayers :-

A very small number of people are registered and who pay tax.

Undocumented economy

The ^{portion} large economy of Pakistan is undocumented. It becomes difficult for state to collect money.

Socio-Economic Issues:-

Inefficiency of large scale manufacturing Industry:-

Manufacturing Industry is inefficient as compared to industries of rest of the world. ^{especially in} large scale

Low Investment

low investment on the behalf of people as well as government makes economy unable to meet long-term economic considerations

Lack of entrepreneurship

People seek want to seek instant profit result of

then investment. They mostly invest in stock exchange to get instant results.

Floating exchange rates

Rate of dollar is determined by demand and supply, people do business to purchase dollar which causes instability in price of dollar.

Issues of Political Economy

Political Instability

Political instability causes low foreign direct investment. The confidence of investor is lost due to political turmoil.

Lack of incentives by government

Government do not incentivize the investors, which halts investment in a state.

Behavioural Issues: Consumption oriented Society

Pakistani Society is
consumption oriented rather
than innovative society.

Lack of Investment Culture

People did not save money
even if they save it,
they invest in gold. Money
does not circulate properly and
investments are very low in
business.

Professional Dilemma:-

People did not want to
pursue for the career of their
degree. They acquire degree
in some other area and
want to do something else
in life.

Conclusion

A multi faceted approach is needed to tackle the economic situation of Pakistan which can only be achieved through collaborative efforts and use at all level of State and Society.
