

QUESTION NO: 02.

26th Amendment: Affecting Balance Of Power Between Pillars of State

Introduction:

The main pillars of state are Parliament, Executive and Judiciary. The recent 26th amendment have changed the balance of powers between these pillars. "The Constitutional 26th amendment strengthen parliamentary and executive check on judiciary." It was passed on Oct. 1, 2024 by Two-third majority, from 65 votes of senate and 225 votes of National assembly. It amend 27 clauses of the Constitution. Unlike 18th amendment, this amendment did not built a consensus between stakeholders and its controversial enactment manner presented undue haste and negative impact on stakeholders.

Parliamentary and Executive check on Judiciary:

- 1 → Appointment of judges
- 2 → Sneaked Sue moto
- 3 → Establishment of Constitutional bench Executive dominance
- 4 → A blow to Independence of Judiciary - Limitation of Judicial Review

Appointment of judge:

Twenty-sixth amendment to the Constitution of the Pakistan has severely affected the balance of Power between various pillars of the state. As it has organized a parliamentary committee consisting of twelve members 8 from national Assembly and 4 from the Senate. The member selection will be based upon party position. The committee will select

Chief justice of Pakistan among three most senior judges. After nominating name of chief justice, the Prime minister will approved it and then President will sign on it. This can illustrate that how executive and Parliamentary check on judiciary change the power balance between these pillars of state.

Sue moto Powers of Supreme Court

The biggest change in power of Supreme court is snatching of sue moto. Supreme court, previously was able to change any fundamental human right mentioned in Article 8 to 28 of Constitution. In era of justice Saqib nisar and Chaudry Iftikhar, various suo moto was taken on very small issues. In Twenty-sixth amendment to curtail hyper activism in Supreme court, suo moto powers are snatched. This shows that the power of Supreme Court

has been reduced. Moreover, the inter power fluctuation within judiciary is also a main area of concern.

Now, after this amendment, Supreme Court has right to transfer any case from high court to itself. Experts see it as a politically motivated step.

Establishment Of Constitutional Bench: Executive Dominance

This Twenty-sixth amendment, have dominated executive over judiciary. The power dynamics are being changed in the states. From selection of judges to selection of chief election commission of Pakistan, the executive contains more power. According to experts establishment of a Constitutional bench within Supreme Court has potentially allowed executive to influence with judges. ~~has~~ This has created a imbalance of power. Judiciary which was influencing earlier now remain under influence of Executive.

Limitation on judicial Review of Executive Decision

The Twenty-sixth amendment has restricted the courts from questioning executive recommendations to the president and prime ministers. It has reduced judicial oversight of executive actions. This undermines judicial independence and consolidated executive power over judiciary. It potentially affects the separation of powers and rule of law in Pakistan, quoted by International Court of Justice.

Conclusion

Twenty-sixth amendment have enhanced parliamentary and executive influence over judiciary, and raised concerns about judicial independence. As it has fluctuated the balance of powers among different pillars of the state.

Question no: 08

Necessity of Clarity and Coherence In Pakistan's Foreign Policy:

Introduction

Pakistan's foreign policy is characterized by drift and appeared as rudderless. It necessitates clarity and coherence to meet complex regional and international challenges to respond the fast moving global developments.

Hussain Haqani, Ambassador to America said, "Pakistan foreign policy has often driven by military priorities over economical and political concerns".

Basically Pakistan foreign policy from the start was characterized with the baseless decisions. For example to counter India was the main focus. This foreign policy need to be clear and coherent in order to meet challenges related to economic and political stability, and internal power struggles.

How Pakistan Foreign Policy can require clarity and coherence?

- By Working on Economic Stability
- By achieving Political Stability
- By Good Governance
- By Identifying Good and bad Taliban
- By Building Balanced Relations with other Countries

By Working On Economic Power

From its independence, Pakistan chosen to make foreign policy according to the India. Most of its based decisions were based on to counter India.

Instead of working on Pakistan's own economic power and internal instirits,

Foreign policy were designed to secure security from India. India on the other hand worked on its human

Capital in the field of Information Technology and now going to be appeared as a big economy in the world. Pakistan has a buldge of

resources, which can be utilized to make better diplomatic relations.

By Working on Political Stability

Pakistan's can work on acquiring political stability. As most of the decisions in foreign policy exhibit discontinuation. The frequent changes in government are restricting Pakistan to take decisions based on continuity. Every government is making its new foreign policy and rejects the previous one. For example in 2018, Pakistan tried to build better relations with Russia, but now in 2024, not even a single deal has been signed ~~among~~ between the countries. A coherent decision can only be made if there will be political stability.

⑥ Achieving good Governance in Pakistan:-

According to rule of law index Pakistan ranks 127th out of 180 countries. It shows that

Pakistan has poor governance. Only by proper governance and building a better relationship with other countries, Pakistan can acquire a better foreign policy that will be clear and coherent. Moreover, the foreign office should lead and own the policy, not outsource it.

Identifying Good and Bad Taliban; to achieve strategic depth in Afghanistan

The New wave of terrorism in Pakistan is the sign that Pakistan foreign policy is unable to identify difference between Good and Bad Taliban. Pakistan wants strategic depth in order to counter India in the west. It can only be possible if Pakistan identifies the true enemy and friend. This can lead to make proper relations and thus acquiring coherence in foreign policy.

Building better relations with other countries especially India. Pakistan can adopt a neutral policy and start diplomatic ties formation with other countries especially with India. "Jai shankar" india's foreign minister presence can be taken as a good sign to rebuilt a better relations with India.

Offroiding Conflict's mediation

Pakistan should stop its portrayed role as mediator in any regional and global issue. Rather it should occupy a position of neutrality.

Relations with U.S :

Trump's revival in U.S can be a challenge or a prospect in Pakistan foreign Policy. Pakistan should acquire a balanced approach to built ~~and~~ better relations with united States.

Conclusion

Pakistan foreign policy decisions are based on undue haste. They requires clarity and coherence to meet regional and International challenges, to respond to fast moving global dynamics. Pakistan should work for its internal forces and cope with political instability and take a neutral approach, only then Pakistan foreign policy can acquire clarity and coherence.

Question no: 07

Pakistan Education System,
Issues, Problems and Solution

INTRODUCTION

"The world is progressing so rapidly without a requisite advancements in education, not only shall we be left behind but may be wiped out altogether." Pakistan is struggling with various issues and problems in its education

System, such as, improper budget allocation, poor governance, incompetent leadership, corruption and cultural barriers.

This statement emphasize that even without proper requisite required to advance education, a country can achieve progress. However, Pakistan is waiting for a miraculous change in education system and going backward day by day. However by taking proper measures, Pakistan can achieve a stable education system that can lead to progress and prosperity.

Issues and problems in Pakistan Education system

A Lazy and Incompetant leadership

Improper budget allocation

Cultural barriers

Lack of education Access

A Lazy Incompetant Government Leadership

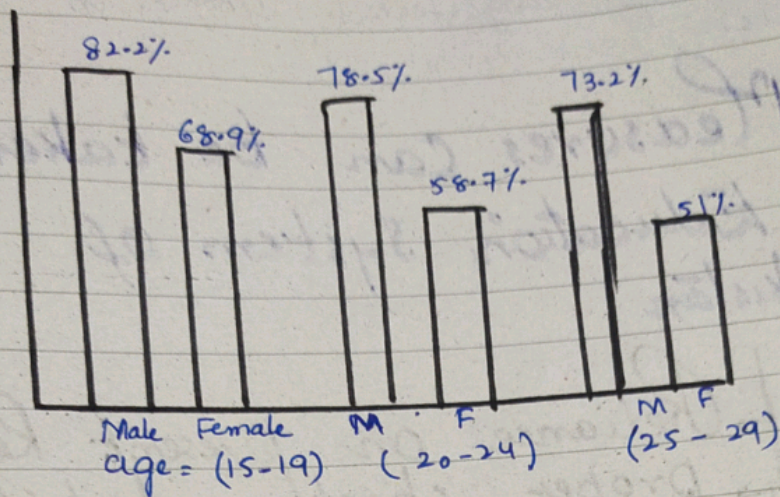
Pakistani leadership is waiting for requisite for education to change and upgrade the system, rather than working on its own potential and resources. Pakistan has a buldge of population under age 30. It can be taken as an advantage. Pakistan has qualified Phd scholars that can gives training to teachers. According to Transperency International report, Pakistan ranks 133 out of 180 countries in Corruption index.

Improper budget for Education Sector:

According to Economic survey of Pakistan, 2024, the funds allocated to education is only 1.77%. Other countries are utilizing more funds for education. However below, has allocated,

China	4.1%
India	4.6%
U.S	6.1%

Cultural Barriers



Due to cultural barrier Pakistan is facing problems in gender disparity education. This graph shows that in all age groups the percentage of girls in education is low.

Lack of Education Access

Pakistan is unable to give education access to all areas across country. Remote areas are unable to get access of education due to which literacy rate in rural areas is only 6.1%. It shows that the rural areas do

not get enough education despite presence of registered schools, in the areas.

Measures can be taken to Education System of Pakistan

- ↳ Reliance on present Resources
- ↳ Proper check and balance
- ↳ Formation of Mobile School
- ↳ Awareness spread

Reliance on Present Resources

There are total 176,184 public's institutions, operating in Pakistan, according to Pakistan Institute of Education. Pakistan should focus on its own capacity. Despite presence of such a big number of schools Pakistan is struggling with lower literacy rate.

Proper check and balance

A report published by Human rights asia, there are total 40,000 ghost teachers in Sindh only. This can only be tackled if proper check and balance will be ensured.

Formation of Mobile School

Pakistan can cope up with the issue of ~~Mobile~~ ~~red~~ lack of education access by forming mobile schools that can deliver education at the doorstep of people.

Spreading Awareness

To reduce cultural barriers people should be aware properly. Government should take initiative to aware people regarding importance of education. Awareness can be spread through Media, social platforms and social campaigns.

QUESTION Tauheed

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