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Critically evaluate how the Twenty-Sixth amendment to the constitution of the Pakistan will affect the balance of Power b/w the various pillars of the state.

Outline:

- A Introduction
- B Impact on the Legislature
- C Impact on the Executive
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- F Conclusion.

Introduction:

Twenty-Sixth The main objective of the amendment is to bring some changes in the 1971 constitution that will help to improve the rules and regulation and each and every structure in Pakistan. With the Twenty-Sixth amendment to the constitution the power is divided into the various pillars of the state i.e (Legislative

Executive & Judiciary. However, the distribution of power between these pillars have effect the balance of power by dominating one over the other. The control of power is in one's hand by depriving other from this power have put various bad impact on Pakistan governance and democracy.

Impact on the legislature:

The twenty-sixth amendment have more focus on the local government, which have directly shift the role of legislature in the local and national level. In the twenty-sixth amendment more power has been given to the legislature. This amendment have empower parliament by giving them the authority to pick the Chief Justice of the Supreme Court. The constitution changes were that the Chief Justice of Pakistan shall be nominated by the Special Parliamentary Committee from amongst

Give the main heading first and relate your headings to the qs statement

the most senior Judges of the supreme court. The opponent criticize this amendment by saying that legislature government want to take power in their hand, which have affect the distribution of the Balance of Power.

Attempt by giving subheadings

Impact on Executive:

The 26th amendment have given more power to the Executive over Judiciary by involving legislature, which is particularly dominated by the in term government as the selection of judges in in the hand of the parliamentary government giving more power to local government by taking the decision of selecting the judges in there hand. With the Judiciary potentially more dependant upon the executive, this will make the government more independent in the decision making and by having less interference

Add and highlight references/examples against these arguments

• could undermine the system of checks and balances, as the executive may face less scrutiny in its actions.

D Impact on the Judiciary:

The twenty sixth amendment have put more serious implication on the Judiciary system of the country. As most of its power is in the hand of legislature and the executive which have ultimately suppressed the Judiciary system of Pakistan. Previously, the senior Judge was selected as the the Chief Justice of the Supreme Court. But due to the amendment in the constitution the selection of the judges have to be decided by the parliamentary committee who will choose the Chief Justice from the three most senior judges of the Supreme Court. By doing this the government will take the take the decision from

whom they got more benefit, and will do corruption by completely taking the decision of the court in their favor, and will have full control over the judges. Judges will be influenced by political interests rather than acting as impartial decision-makers. This has diminished the Judiciary's role as a check on the executive power, weakening their ability to hold the government accountable, particularly in cases involving constitutional matters or fundamental rights. The check and balance will be disturbed by this amendment empowering legislature and executive over Judiciary.

Federal-Provincial Relations:

The Twenty-Sixth Amendment also has serious implications for federal-provincial relations in Pakistan. By enhancing the executive's influence over the Judiciary, the amendment could indirectly affect the balance of

power between the federal government and provincial governments. The federal g. executive, now with greater control over the judicial appointments, may use this influence to assert more authority over provincial matters.

For instance, judicial decisions on federal-provincial disputes could be influenced by political considerations, potentially favoring the central government's perspective over the interests of the provinces.

This could lead to a more centralized governance structure, where the federal government, supported by the Judiciary, has a stronger hold on provincial affairs.

Challenges and Opportunities under the Twenty-Sixth Amendment:

The Twenty-Sixth Amendment poses challenges by centralizing power in the federal government, potentially weakening provincial autonomy and making the judiciary more politicized.

This could reduce fairness in judicial decisions and increase tensions between the federal and provincial governments.

A 20 marks answer should have around 15 arguments

However, it also offers opportunities for better coordination between federal and provincial governments, allowing quicker decision-making and implementation of policies. Additionally, the amendment may lead to constitutional reforms that better define the roles of both levels of government, helping reduce conflicts and improve governance.

Conclusion:

The Twenty sixth amendment have given more control to legislature and executive over Judiciary, which have disturb the balance of power. ~~by~~ Part legislature ~~by~~ and executive by taking the power of selection and that changes of laws in there hand which can ultimately effect the countries. Judiciary would not be having the power to have check and balance on the other government can empower the government and will take decision according to there favor. Keeping a fair

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System of checks and balances will be crucial for Pakistan's democracy.

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