

Date: _____

Day: _____

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Question no 2

1. Introduction:

Introduction: The 1973 constitution established parliamentary system in Pakistan. The President is the titular head of the country and the executive powers are vested with the Prime Minister and Cabinet. The 1973 constitution of Pakistan embodies the principles of federalism, delineating a governance structure that balances between the central government and provinces. The President enjoys the vast executive authority. He appoints the Governors, Chief Justice, chief of Army staff, the Navy and Air force. He is also the head of Armed forces.

Dr. Riffat Hasan said:

"The federalist framework of the 1973 constitution reflects a nuanced approach in accommodating diverse regional aspirations, fostering a sense

of unity while preserving the richness of our cultural tapestry."

2- Spirit of federalism as shined in The 1973 Constitution of Pakistan:

(i) Distribution of powers:

The constitutional framework of 1973 clearly defines the allocation of powers between the federal and provincial authorities. It establishes distinct domains, ensuring a harmonious coexistence of national and regional interests.

(ii) Parliamentary system:

The constitution institutes a parliamentary system emphasizing the role of federal legislature. This system promotes fostering a unified approach to national issues.

(iii) Provincial Autonomy: (Article-173)

One of the key features of the constitution is provincial autonomy. It grants

provinces a level of self governance and headed by federal systems of Pakistan.

(iv) Preservation of Regional Diversity:

The spirit of federalism in the constitution recognizes and preserves the rich cultural, linguistic and historical diversity with the country.

(v) Cooperation and Co-ordination:

Federalism as shined in the 1973 constitution, aims to foster to cooperation and co-ordination between the central government and provinces. This collaborative approach ensures the effective functioning of the state. **Article-154** define all this.

3. Measures for the smooth functioning of relations between the center and the provinces:

Following measures are taken for the smooth functioning of relations between the

centers and the provinces:

(i) Democratic processes:

Democratic processes and principles upholding ensure that decisions are made through inclusive and representative means, reinforcing the legitimacy of governance structures.

(ii) Clear constitutional framework:

A well defined constitutional framework distributing the powers and responsibilities between the center and the provinces is essential. Clarity in the distributions helps to prevent conflicts.

(iii) Effective inter governmental coordination:

U Intergovernmental coordination play important role in the effective intergovernmental coordination. Regular meetings, councils and forums can facilitate collaboration of national issues.

Article 154 provides a platform for intergovernmental co-ordination.

(iv) Financial Autonomy:

Financial autonomy for provinces through equitable resources distribution can foster a sense of ownership and empowerment, reducing dependency on the central government. **Article -153**

~~we~~ describe the distribution of financial resources between the center and the provinces.

(v) Dispute resolution mechanism:

Implementing effective dispute resolution mechanism, such as constitutional courts or arbitration bodies can address conflicts arising from jurisdictional issues between the center and the provinces.

4- Conclusion:

In essence, the 1973 constitution of Pakistan establishes a federal system that strikes a balance between centralized authority and regional autonomy. Its sets for the for the foundation

of cohesive and diverse nation, many measures including education and awareness, regional representatives, transparent resource allocation can fix smooth measures between the federal and the provinces.

Question no 1

1- Introduction:

The constitutional amendments in Pakistan reflects the evolving socio-political landscape of the country. They played an important role in shaping the governance structure and power dynamics within the country. These amendments are legal alterations to the fundamental law of the land, aimed at addressing various issues, adapting to societal changes or improving the governance structure. It refers to the changes

or modifications made to the country's constitution. According to **Benazir Bhutto**:

"Constitutional amendments should be a reflection of our commitment to democracy, ensuring the protection of rights and the rule of law."

2- **Significance of major constitutional amendments in Pakistan's political history:**

The 1973 constitution of Pakistan laid the foundation for the current constitutions of Pakistan, different amendments in this constitution address issues related to provincial autonomy, parliament structure and Islamic principles.

(i) Eighteenth Amendment:

Eighteenth Amendment significance is:

- (a) Eighteenth amendment strengthened the federal structure.
- (b) It play role in the distribution of

powers between the center and the provinces.

(ii) Nineteenth Amendment:

Nineteenth amendment contributed to a more robust and effective parliamentary democracy.

(iii) Twenty first Amendment:

This amendment's significance is:

- (a) It demonstrated a response to security challenges.
- (b) It dealt with debate over civil liberties.

(iv) Twenty-fifth Amendment:

Twenty fifth Amendment "mainstreamed" FATA (Federal administered tribal areas), it also extended constitutional rights and representatives to its residents.

3- How these amendments shaped the country's legal and political

framework:

The constitutional amendments in Pakistan have played a pivotal role in shaping the country's legal and political framework:

(i) Enhanced Provincial autonomy:

^{Eighteenth amendment}
The Eighteenth Amendment enhances provincial autonomy by devolving more powers to the provinces, and give them greater control over their affairs and resources.

(ii) Strengthened Parliamentary system:

Nineteenth Amendment strengthened the parliamentary system by limiting presidential powers and by empowering the prime minister.

(iii) Established military court:

One
of the Amendment provided constitutional cover for military courts to try civilians involved in terrorism cases. ~~The~~ Twenty-first Amendment aims to expedite justice in the face

of rising terrorism.

(iv) Provincial status to FATF:

Twenty-fifth amendment shaped the country's legal and political framework by granting federal status to FATF and by integrating them into existing provinces.

4- Conclusion:

To conclude major constitutional amendments in Pakistan's political history shows the Pakistan's commitment to addressing political, social and security challenges. They play important role in shaping the governance, power dynamics within the country. Overall these amendments have influenced the balance of power, strengthened democratic governance and responded to security challenges.