

①

## Pak Affair - Test - 2

Q. No. 1

Answer

1) Introduction

There are many constitutional amendments have been done in the 1973 constitution of Pakistan. But three major constitutional amendments such as 8th, 17th and 18th have brought many significance in Pakistan political system. 8th amendment was brought in Zia-ul-Haq in which presidential system was beneficial. Moreover, 17th amendment was brought by Gen Pervez Musharraf in which civilian government played an important role. On the other hand, 18th amendment came into 1973 constitution in 2010 by President Asif Ali Zardari. These amendments became helped to make a legal political framework <sup>the country</sup>.

2) Significance of major constitutional amendments in Pakistan's political history

1) Significance of 18th amendment  
18th amendment came in Pakistan Constitution in April 2010 in the



2)

era of <sup>former</sup> President Asif Ali Zardari.

### 1.1 Eradicated dictatorship in the country

In 18th amendment was a major amendment was brought such as abrogation of article 58(2)(b) which country faced problem of martial law. In which all powers of president were given to prime minister.

### 1.2) Solved center-province relations

Moreover, center and province's problems were solved by providing more share to province. For instance, federal shares were reduced from 57% to 42% and province share were increased from 43% to 47%. Besides, all social subjects such as education and health were given to provinces.

### 1.3 Allowed Political leaders to become third time Prime minister

In the first time history of Pakistan, allowed to political leaders that they <sup>can</sup> become also third time PM also. For example, former PM Nawaz



3)

Sharif became third time prime minister of Pakistan.

#### 1.4) Resolved local Government issues

According to article 140A, local government elections would be conducted in provinces. Therefore, political issues will be resolved at grassroot levels. For instance, in 2019, Punjab government conducted first time local government election whereby political problems solved at grass root levels.

#### 1.5) Increased autonomy of Provinces

Provinces became more autonomous after the amendment <sup>Provision</sup> of 18th amendment. All social issues such as education, health, water problems were provided to provinces. However, all the provinces became autonomous to promote education and health problems.

#### 1.6) Promoted democratic Norms

After 18th amendment, democratic norms value and norms increased in the country. For example, our federation strengthened due to eradication of dictatorship.



4)

### 3) Significance of 8th and 17th amendment

Both amendment brought to change the constitution in behalf of military dictatorship. 8th amendment was brought by Gen Zia ul haq to eradicate the political pressure. whereby <sup>the</sup> country stabilized in democratic system.

on the other hands, 17th amendment was included by Gen Mushraff whereby civilian government came into power and included many political parties.

### 4) How have these amendments shaped the country's legal and political framework?

These amendment provided legal and political frame of the country which are following-

#### 4.1) Legal Framework

In 18th amendment, judiciary was independent which can conduct take against of action all illegal laws. Besides, judicial



5)

review and *Suo moto* are main power of our Judiciary which can take at any time.

Moreover, Article 154 represented legally CEI in which share of Provinces were given by Government. Further more, Article 36 of the Constitution provided information of the country policy.

In addition to it, Article 25A, 10A and 19A are sign of free education and fair trial.

Besides Article 90 told about the vote of no confidence against Prime minister.

#### 4.2) Provided Political framework

Major constitutional amendments have provided a comprehensive political framework to the Country.

##### 1) Power of Political Parties

In 18th, restrictions of becoming PM were removed whereby one party leaders can become prime minister at third time.



6)

## 2) Removed leaders name in the constitution

In 18th amendment, Gen Gen Zia-ul-haq was removed whereby favouritism and nepotism ended among political parties.

## 3) Changed provinces names

Changed of provincial names such as Sind to Sindh and Balochistan to Balochistan, whereby extremism and ethnic issues resolved among parties.

## 4) Conclusion

All the major constitutional amendments were successful for resolving the country's political and legal problems. According to chief architect Raza Rabi, "Eighteenth amendment has more significant in Pakistan constitution". Political issues solved through 18th amendments. Center and provinces issues eradicated in the country. The country should see these amendment that legal and political can stable.





7)

Q.No.2

Answer

1) Introduction

The 1973 Constitution of Pakistan is only constitution which is federalism. The Constitution represent the division of power among provinces and two houses national assembly and senate represent the autonomy of all the provinces. Freedom of speech and emergency of in the constitution is salient features. Therefore, some recommendation need to strengthen the relationship between provinces and federal.

2) Explain the spirit of federalism as enshrined in the 1973 Constitution

The Constitution of 1973 is based on federalism. Some salient are the following salient features of 1973 Constitution

2.1) Bicameral system

The 1973 Constitution is based on ~~two~~ bicameral system. There are two Houses, National assembly and Senate. National



8)

Comprises 342 seats in which 60 are women's seats, 10 Non Muslime and 272 are general seats. On the other hand Senate comprises 96 seat each Province contain 14 seats.

## 2.2 Parliamentary system

The Constitution is Parliamentary system which is adopted to British constitution. President and Prime minister both have power. President represent ceremonial activity, and Prime minister enjoys more power according to article 90, 91 to 95.

## 2.3 Autonomy of Provinces

The Constitution provides autonomous power to Provinces. Therefore, provinces have separate Judiciary (High Court), legislation and executive power. According to article 112 Provinces have own Governor and Chief minister.

## 2.4) Representation of Provinces

The federal Government give permission to provinces that it have own general seats in central government for representation on national level.

5)

4.:



9)

## 2.5) Concurrent list

The federal Government make concurrent list so that both central and provincial governments discuss to each other at certain issues.

## 2.6) Separation of Subjects

Federal Government shares the separation of subject such as tax system, education and health.

However, federal government some subjects provide to provinces so that equal distribution <sup>can</sup> be possible.

## 2.7) Emergency Provision

from Article 232 to

237 deal about emergency provision in the country. Moreover, if federal capital faces challenges in emergency, provinces will provide extra forces to federal and provinces faces challenges, federal will provide forces to provinces.

## 3) Recommendations to improve relations between the center and the provinces

### 3.1) Equal resource of distribution

Equal resources of distribution can



bring good relations between the provinces and central government of Pakistan. Center play its role to resolve water problems between Sindh and Punjab. Besides, Revo Div Case in Balochistan can be solved through federal.

### 3.2) Conducting awareness program for least developed provinces

Creating awareness program through federal in Balochistan can bring green signal of increasing relationship between Balochistan and center.

Besides, federal conducting educational training program in Balochistan.

### 3.3 Economic Empowerment

Federal government can increase its relationship with provinces by increasing economic opportunities in least development areas of all provinces. Such as boosting agricultural growth.

### 3.4 Conducting political dialogue

Resolving political issues among all province can enhance center province relationship. Solving ethnic and issues



among all political parties such as regional and nationalist parties.

### 3.5) Promoting education and advanced technology

Federal Government needs to promote in education in rural areas of all provinces. Especially women empowerment in Balochistan and Sindh should be increased.

on the other hand, advanced technology training center should be build in Sindh and Balochistan's rural areas.

### 3.6) Devolution of Power

Federal Government should play its important role in devolution of power which was added in 18th amendment. It should enforce to provinces that it focus on 18th amendment.

### 3.7) Resolving Ethnic Problems

Center should play role to resolve ethnic issues among provinces. Language issues such Sindhi, Balochi, Pothohari should be eradicated in the provinces.



#### 4) Conclusion

After failure of the 1956 and 1962 Constitution, the 1973 Constitution of Pakistan has been continuing in the country. The Constitution is full of devolution of power in which share of provinces are existence. Besides, provinces represents it rights at federal level with full freedom. Furthermore, federal and provincial government need further recommendation to improve their relationship. Moreover, provinces should implement focus on 18th amendment and solve the problems of education and health sectors. On the other hands, federal government should also focus on underdevelopment areas of provinces, especially in Balochistan.