

MOCK EXAM**PART-II****QUESTION NO:- 4 :-****"27th Constitutional
Amendment"****BACKGROUND:-**

Since Independence, Pakistan's political system has struggled to maintain trichotomy of power — a balance between executive, legislature, and judiciary. Frequent military interventions, weak parliamentary traditions, and judicial activism have historically strained this balance. The 27th Constitutional Amendment (2016-2017) was part of the broader Political and Legal Reforms Package. It emerged from the Parliamentary Committee on Electoral Reforms (PCER). Although it was never fully enacted, the bill aimed at restructuring aspects of governance and institutional

Establishment
of FCC

Impact on
The Trichotomy
of Power

Constraining
Executive
Dominance
over
Electoral
Administration

Executive's
Role in
the Appointment
of Judges

Restriction
of Judicial
discretions
in electoral
Matters

1. Establishment of FCC:

In the centre there was one Federal court called Supreme court it was having all jurisdictions (constitutional, civil or criminal cases).

• Division of power between Supreme Court and Federal Constitutional Court:

Under 27th Amendment; there is formation of Federal Constitutional Court and all the constitutional cases would be shifted to Federal constitutional court.

Whereas, the civil and criminal cases would rest with Supreme court. Some critics believe that this has dented the power of Supreme court to shackle. FCC is made the real powerful court and undermined ^{the} power of SC.

2. Judicial Independence at Stake:

Under 27th amendment, the criterion to appoint judges is redefined. The PM of Pakistan would advise the president of Pakistan to appoint the Chief Justice of Federal constitutional court. Judges would be taken from the Supreme court.

of Pakistan in consultation with the Chief Justice of the FCC and the PM and then PM would advise president to appoint the judges. Those judges who'll fail to abide would be retired; thus under this constitution Judiciary is no more independent rather Executive has a direct control over it.

~ "The 27th Constitutional Amendment is part of the broader trend towards democratic backsliding" ~

3. The Weakened Parliament:

Under the constitution, the parliament is no longer standing upright. Having been weakened over the years, it no longer functions as an independent branch either. The public representatives are led by Pied Piper to the 'eyes gallery' when the vote is needed.

3.1 Parliamentary Sovereignty diluted

by greater constitutionalisation of ordinary matters:

The amendment shifted several ordinary legislative subjects (election rules, disputes procedures, administrative arrangements) ^{into the} const.
 ↳ framework

- Once constitutionalised:
- Parliament can't change them through ordinary law
- Parliament needs 2/3rd majority for any future modification

This reduces parliament's future lawmaking flexibility and sidelines its authority.

3.2 Parliamentary Committees lost Policy-making Influence:

The amendment centralized many governance areas into constitutional bodies and courts, reducing:

- role of parliamentary Committees
- influence of parliamentary Committees
- parliamentary input in drafting election-related rules

Committees are backbone of parliamentary democracy; bypassing them ultimately

weakens the internal strength of parliament.

3.3 More constitutional restrictions on the executive indirectly weaken Parliament:

parliament relies on executive (PM + cabinet) as its implementing arm. The amendment imposed:

- tighter constitutional rules
- administrative restrictions
- new compliance obligations

This constrained the executive's capacity.

A weaker executive limits parliament's practical power.

4. Weakened executive branch's authority and autonomy;

4.1 Reduced Administrative control:

The executive traditionally controls transfers, appointments, and management of the bureaucracy. The amendment restricted these powers, especially during elections and in governance related

administrative matters. The executive could no longer freely use its administrative machinery.

42 Shifted Authority to other institutions:

Many functions the executive previously handled were reassigned to independent or constitutional bodies, thus reducing executive's dominance in state affairs.

43 Limited Discretionary powers:

Previously the executive could make decisions through:

- notifications
- executive orders
- cabinet directives

The amendment imposed more rigid constitutional procedures; this reduced flexibility and made the executive more constrained.

The 27th amendment restricted, regulated, and redistributed many of the Executive's traditional powers thus rendering it less autonomous, less influential, more answerable and administratively weaker.

CONCLUSION:-

In a nutshell, 27th constitutional amendment did effect the trichotomy of powers; making executive relatively powerful and undermining the powers of Supreme Court, It also put the Judicial independence at stake by overrelying on Executive. There is a fear that these changes may allow the centralization of power ~~is~~ ^{and} ~~single~~ increased politicking.

QUESTION No:-7

Centripetal and Centrifugal forces of National Integration in Pakistan

BACKGROUND:

Since 1947, Pakistan has struggled to build strong national integration due to its ethnic diversity, geographical separation, uneven political development, and periodic constitutional breakdowns.

- Centripetal forces: factors that unify and strengthen national cohesion
- Centrifugal forces: factors that divide society and weaken national unity.

Centripetal forces in Pakistan:

1. Shared Islamic Identity

Islam has functioned as the most consistent integrative force:

- foundation of the Pakistan Movement
 - shared beliefs, festivals, practices
 - emotional and ideological unity
- Provides cultural cohesion and a common national narrative.

2. Strong National Institutions:

Institutions operating across provincial and ethnic lines including:

- Pakistan Army
- Foreign Service
- Civil Bureaucracy

Creates a nationwide chain of command and shared institutional identity.

3. Urdu as a National Language:

Despite regional languages, Urdu acts as:

- A bridge language
- medium of national education and communication
- symbol of cultural unity

It helps integrate diverse ethnic groups

into a shared linguistic framework.

4. Constitution of 1973:

It provides:

- a federal structure
- parliamentary democracy
- provincial autonomy

It is a common legal framework that binds federation and provinces.

5. Shared National Challenges:

It includes natural calamities like: wars, floods, earthquakes, and terrorism thus creating national solidarity. This is evident by the 1965 war unity, 2005 earthquake relief and fight against terrorism (APS 2014). Shared suffering strengthens collective identity.

Centrifugal Forces in Pakistan:

These are the forces that undermine unity and foster fragmentation:

1. Ethnic and linguistic Divisions:

Sindhi, Balochi, Pashtun, Punjabi, Siraiki & Muhajir identities often outweigh national identity. This leads to regionalism, ethnic nationalism, and demands for new provinces.

2. Uneven economic development:

Balochistan's resource grievances, Sindh's rural-urban divide; Sindh urban has all the required facilities whereas Sindh rural is devoid of the basic facilities; Similarly, KP's historical underdevelopment and South Punjab's deprivation has fueled resentment and weakened national cohesion.

3. Weak Civil-Military Balance:

Frequent military rule in the name of dictatorship has disrupted democratic

evolution and federal harmony. This creates mistrust among provinces, particularly smaller units.

4. Failure of Early Nation-building Policies:

Overemphasis on Urdu and ignoring Bengali majority led to the devastating consequence of separation of East Wing; Thus, historical wounds still influence political narratives.

5. Provincialism and power politics:

Political elites often mobilize groups on ethnic/linguistic lines for electoral gains. This strengthens centrifugal identities.

6. Religious, Sectarian, and Extremist Divisions:

Sectarianism, militancy, and ideological polarization creates: internal conflict, competing world views, and weakened

national narrative. This undermines national integration at the societal level.

Effects of These forces on National Integration

Positive effects (from Centripetal forces) :

1. Strengthened national identity
2. Greater resilience during crises
3. Cohesion in defence and foreign policy
4. Enhanced political continuity (post 2008)
5. Steady improvement in federal-provincial relations after 18th Amendment.

Negative effects (from Centrifugal

1. persistent provincial forces) :
grievances
2. Rise of ethnic nationalist movements
3. political polarization and instability
4. Challenges in resource distribution

5. Security issues in Balochistan and former FATA
6. Weak national cohesion and fragmented political culture

CONCLUSION:-

Pakistan's national integration is shaped by a continuous struggle between centripetal and centrifugal forces. A stable Pakistan requires strengthening federalism, ensuring equitable development, depoliticizing institutions, respecting provincial autonomy, and building an inclusive national identity.
