

Question four. How 27th Amendment affected the trichotomy of power in Pakistan? Discuss.

1. Introduction

The 27th constitutional amendment to the Constitution of Pakistan was passed by the Parliament on 10th November, 2025. It has significantly impacted the trichotomy of power by curtailing the independence and autonomy of the superior judiciary in relation to the executive. Nevertheless, it has several redeeming features, each of which will be discussed in turn.

2. Article 200: Transfer of High Court Judges

a) While the 18th amendment ~~the~~ had stated that transfer of High Court Judges will be done by appointment of the President in consultation with the Chief Justice (as is the standard practice around the globe), the new amendment has removed the requirement for consultation with CJ. It has also introduced a provision that judges refusing transfer will be referred to Supreme Judicial Council.

b) Analysis and Impact:
The transfer of High Court Judges now is being ~~se~~ viewed by critics as excessive executive overreach into the affairs of the judiciary.

3. Article 175 A and 175 B: Federal Constitutional Court

a) Article 175 B ~~se~~ introduces a permanent federal Constitutional Court consisting of as number of judges as to be decided by the Parliament. ~~the~~ ~~of~~ the original jurisdiction powers of Supreme Court under Article 184(3) have also been stripped away and transferred to FCC. The FCC will consider matters of constitutional importance and any matter pertaining to enforcement of constitutional rights.

b) Analysis and impact on trichotomy of powers.

i) While the constitution of the Judicial Commission of Pakistan has changed reflecting the establishment of the FLC, the special parliamentary committee for ~~members~~ appointment of ~~the~~ Chief Justice is retained. Critics suggest that this ~~part~~ executive interference will entail judges ~~making~~ siding with powerful ~~the~~ executive by giving favorable judgements to ~~try~~ for CJ position. This goes against the principle of judicial independence as affirmed in the Rawalpindi Bar Association v Federation of Pakistan (2015) judgement.

ii) Article 175 B affirms the

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superiority of the FCC over the SC, however it creates ambiguities about overlapping matters and about previous constitutional court cases decided by SC.

iii) Proponents of the FCC argue that the new FCC will lead to more functional specialisation. Previously a 25% constitutional cases were taking up 75% of the Supreme Court's time. The new amendment has the potential to strengthen judiciary in this way.

4. Article 243: lifetime immunity for President, Field Marshal

i) Article 243 prevents judicial accountability of the Chief Field Marshal and the President -

ii) Analysis and Impact:

On the opposing side, critics argue that this is an entrenchment of political power and hard to reconcile with Islamic provisions. However, this is the need of the hour in the current extraordinary circumstances.

5. Conclusion

To conclude, the 27th amendment has completely overhauled the trichotomy of powers by making the judiciary subservient to the executive.

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Question Eight. Economic governance in Pakistan is characterised by systemic and structural weaknesses in the management and use of public resources and a lack of clarity in when and how the state intervenes in economy. Explain.

1. Introduction

Economic misgovernance in Pakistan comprises of both structural inefficiencies and lack of clarity in policy making. This was also exemplified in the recent IMF Corruption and Governance Report 2025 for Pakistan which recommended sweeping changes in the governance framework.

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2. Lack of clarity in policy making: examples and impact.

a) JPP Policy 1998.

One of the biggest hurdles to economic growth in Pakistan is the high energy tariff.

20% of the energy is currently produced by RLNG plants (the most expensive source (NEPRA)).

This is a direct result of the JPP Policy 2018. While the

generation capacity of Pakistan has increased to over 40,000 MW.

This has come at the cost of circular debt of 2.3 trillion PKR.

In the power sector, this

circular debt is directly an

outcome of sovereign guarantees, take-and-pay contracts and cost plus pricing in JPP policy 2018.

b) Policy inconsistency and reversals.

i) 2025 wheat crisis

In line with IMF conditions, the Government had removed the minimum support price for wheat early this year. However, without the adequate market regulation and infrastructure in place, it eventually had to reintroduce it later as wheat hoarding increased.

ii) Imposing taxes on solar panels.

lack of clarity in policy making

was further exemplified when the government imposed taxes on solar panels reversing years of tax-free concessions on import of solar panels - critics argue that it could have been phased and not abrupt so that investor confidence was not affected. Similar was the case with the policy shift from net-metering to net-billing.

3. Structural inefficiencies in management of public resources

b) a) fiscal consolidation to relieve debt distress.

According to a Financial Times Article published in May 2024, Pakistan has one of the

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highest debt-to-GDP ratios in the world hovering around 80%. Almost half of current expenditure is spent on repaying interest payments on debt. According to estimates, this situation would persist for the next five years. This is directly a result of economic misgovernance. Temporary measures such as an interim NFC award to support or federation or mandating provinces to generate surpluses have not been introduced.

- b) Poor governance at the top.
Pakistan's governance structure requires more transparency and accountability. The recent IMF Corruption Diagnostic Report on Pakistan published in November 2025 proposed key measures that

have not been introduced such as public disclosure of civil servant assets, publication of a beneficiary list and complete independence of the office of the Auditor General of Pakistan.

c) Protection and subsidisation of elite industries.

Historically, power sector has received the most subsidies for making up the losses made by inefficient DJSOs. Additionally, some sectors such as the automotive industry have received excess government protection. Despite contributing negligibly to exports, these are poignant examples of gross misuse of taxpayer money.

18th amendment
Judus valley

NFC state
representation
lack of legislative
supremacy
and transparency

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Question seven. What are the
centripetal and centrifugal forces
of National integration in Pakistan.
Explain its effects.

1. Introduction - the state of national integration in Pakistan.

Pakistan was the first country
that was made in the name of
Islam and its founding fathers were
proponents of the two nation theory.
After the fall of Dhaka in 1971,
a new means for national cohesion
was sought for. Aitzaz Ahsan in his
book 'The Indus Saga' writes how
the Indus Valley civilisation is
Pakistan's progenitor and its legacy is
Pakistan's uniting force. National
integration however remains
complex and its components shall
now be detailed.

2. Centrifugal forces of national integration in Pakistan

a) Financial mis-trust

Conflicts over federal policies continue to harbour grievances among provinces. For example, KP's CM ~~Mr~~ Sohail Afridi recently made a statement that the 7th NFC award has not been revised to reflect the 2017 census and also the KP-FATA merger. Instead, under IMF conditions, provinces are being asked to generate surpluses.

b) Lack of transparency

Federal policies have not been effective in gaining the trust of provinces. For example, the

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Balochistan militancy is also a result of grievances against federal overreach. Despite mines and minerals being a provincial subject after the 18th amendment, recent policies have been contradictory. For example, the lack of transparency of the underlying agreements in the Rego dig project has been criticised. The Balochistan Mines and Minerals Act has been criticised because what is "joint-decision making" is seen as federal dominance by Baloch.

c) Indian conflict and Afghan tensions. exacerbating non-state actors. Indian interference in inciting Baloch nationalist sentiments is no secret. Baloch leader Bramdagh Bugti has sought

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Pakistan's

asylum in India and the activities of Kulbashaan Yadav are also proof. Similarly, Afghan Taliban's support for TTP fighters and highlighting the "Pashtun nationalism" as trans-border brotherhood exacerbates ~~nationalist~~ ^{ethnic} sentiments in tribal areas.

3. Centripetal forces affecting national integration.

a) Interprovincial economic interdependence.

Economic linkages bind provinces together. Examples include Sindh's ports serve all provinces. Punjab's agriculture supports national food security. KP's hydropower benefits the national grid.

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Balochistan's mineral/energy resources feed the national economy.

b) 18th Amendment and devolution of health and education to provinces.

While a National curriculum exists and HEC remains the standard setting organisation, devolution of health and education to provinces has given recognition to local cultures and languages. Recognition breeds respect.

c) Islamic Identity.

Islam provides a common moral framework, shared festivals (Eid, Muharram traditions), common legal-ethical values and a unified national narrative.

d) Urdu as a national language
Urdu though mother tongue
of a minority, functions as -
a lingua franca, a language
of official communication, a
medium across provinces

e) Central institutions and governance framework.

Pakistan's key state institutions -
Parliament & judiciary & armed
forces & civil service - serve as
centripetal forces by providing
uniform governance, ensuring
constitutional continuity and
maintaining territorial and
administrative decisions.

Example: Unified police and
PAS cadre as part of
All - Pakistan Services.

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Question Two .

Despite shared linguistic, cultural, geographic and economic links, Indo-Pak relation has been mired in complexity due to a number of historical and political events. Explain .

1. Introduction .

The India - Pakistan ~~avate~~ relationship is best understood, as a locked-in, securitised rivalry, shaped by the traumatic politics of partition and the unresolved status of Kashmir, institutional incentives that reward confrontation, the militarisation and nuclearisation of the relationship, and repeated episodes of violence and proxy competition.

2. the foundational wounds Partition and Kashmir

Partition (1947) created two new nation-states on religious grounds and produced massive population transfers, communal trauma and rival foundational narratives of statehood.

3. Institutionalised insecurity

India and Pakistan fought major wars (1947-48, 1965, 1971) and a limited but dangerous conflict (Kargil, 1999). These wars have hardened strategic cultures, enlarged militaries. Peaceful accommodation has become much harder.

4. Nuclearisation and the stability -instability paradox.

- a) The entry of both states into the nuclear era (Pakistan's programme accelerating after India's 1974 test and both conducting tests in 1998) changed the strategic calculus: full-scale war became much riskier but lower-intensity conflict and coercive brinkmanship - terrorist attacks, proxy wars, incursion and cross border ~~attacks~~ strikes - became more attractive because actors perceive a "nuclear backstop". (Carnegie Endowment, India's Nuclear Options, May 2016)

5. Economic interdependence is under-leveraged.

- a) Despite a projected trade potential

of \$10 billion. (Al Jazeera, 2025), political barriers - tariff suspensions, visa curbs and trade halts :- frequently nullify potential integrative gains. Periods of thaw showed how quickly economic linkages could foster people-to-people ties, but political ruptures erode the gains and leave economic interdependence weak as a stabiliser.

6. Path dependencies and the difficulty of reversal.

the bilateral relationship exhibits strong path dependence, early structural choices (militarised security posture & unresolved

territorial claims & institutional roles of the military) produced feedback loops - investments in military capacity & hardened domestic narratives, and entrenched bureaucratic interests - that make reversal difficult.

7. Recent developments - relevance

the May 2025 military exchange (Indian strikes on sites in Pakistan, Pakistan's responses, suspension of the Indus Water Treaty, and trade stoppages) illustrate how quickly incidents can escalate into broad ruptures with regional consequences - underscoring the fragility of CBMs and the continued centrality of cross-border militant attacks as catalysts for wider escalation.

8. Policy implications and path forward.

- a) Insulate economic and people-to-people ties ~~(the approach)~~ - build institutional mechanisms that keep trade and social exchanges insulated from episodic political crises.
- b) Revive credible CBMs (solving the Sir Creek issue).
- c) Engage great powers constructively to create crisis management architectures.
- d) Address the core issue (Kashmir) through phased incremental problem solving that reduces hardline stakes and builds reciprocity rather than seeking immediate final settlement.