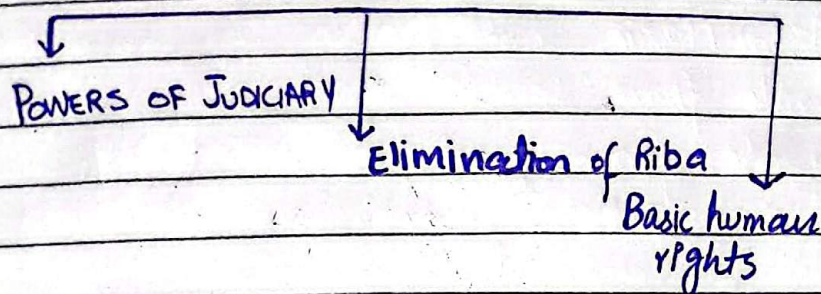


Critically examine the 26<sup>th</sup> and 27<sup>th</sup> amendments. Highlighting the impact on parliamentary powers and democratic consolidation.

## 26 AMENDMENT



## 27 AMENDMENT



### INTRODUCTION:

Constitutional amendments play a crucial role in shaping the political framework of a country. In Pakistan, the 26 and 27 Amendments were proposed as part of broader effort to strengthen democracy and implement reforms, particularly in response to FATF. However, they stirred

significant debate due to their implications for parliamentary sovereignty, institutional balance and democratic norms.

## 26 AMENDMENT

26 Amendment is introduced by law minister Aam Naxir and passed by 20, october 2024 from senate and 21, october 2024 from National Assembly. The important articles contains in 26 amendment are:

## ESTABLISHING OF CONSTITUTIONAL BENCH

In the 26 amendment the establishment of constitutional bench is happened. This bench deal with only constitutional cases in the courts. However, it cannot work properly and amended in the 27 amendment.

## PERFORMANCE OF JUDGES

26 amendment introduces the performance evaluation system for the judges. It alters the judicial commission



of Pakistan. The composition of judicial composition is total 13 members, including Parliament representatives.

### TENURE OF CJP

This amendment proposed the tenure of CJP which is 3 years or until they resign, reach 65 or, are removed, whichever comes first. On completing 3 years CJP must retired even if below the age of 65.

### SUO MOTU POWER

26 Amendment limits the suo-motu power of courts, now they only act within cases formally brought before them.

### ELIMINATION OF RIBA

This amendment dictate that the it is mandatory elimination of riba by 1 January 2028

### PROVISION OF SUSTAINABLE ENVIRONMENT

26 amendment granted to the citizen with the right of clean, healthy and sustainable environment. This is added in constitution by adding the article 9A.

## 27 AMENDMENT

27 amendment advocates the idea of establishment of FCC. However, this establishing raised the questioned about the Supreme court of Pakistan.

### CONTEXT

26 Amendment made the Constitutional benches but in 27 amendment this Constitutional benches converted into the Constitutional courts. This demand is not a new. In 2004 there is demand of charter of Democracy, and the Constitutional Court for 8 years. Some of political parties are supported but multiple are opposed. Government alliance has not have a two third majority so they agreed

on constitutional bench. When the decision of full bench regarding reserved seats is reversed by constitutional bench and these seats give to governing alliance. Ultimately they have two third majority and establishment of FCC is implemented.

### WHY FCC?

The main objective of establishment of FCC is to reduce the case burden from Supreme Court.

FCC only deals with constitutional cases rather than civil and criminal cases.

### APPOINTMENT OF JUDGES

CJ of FCC will be appointed from Supreme Court, President on the advice of Prime Minister.

Appointment will be through parliamentary committee. Supreme Judicial Council make a summary on the basis of seniority list. This list present send to the President.

## WHICH ONE IS POWERFUL COURT

Constitutional cases would be domine of FCC while civil and criminal cases would be domine of Supreme Court of Pakistan.

High Court is more powerful than Supreme Court of Pakistan. After the 27 amendment High Court have constitutional benches, while Supreme Court have not.

## AGE LIMIT OF JUDGES

For

FCC = 68 years

SC = 65 years

## ARTICLE 243

There are seven changes made in Article 243.

The post of Joint Chief of Army staff is abolished. Instead of this CDF created same like as India.

(6)

Date: \_\_\_/\_\_\_/20\_\_\_

MON TUE WED THU FRI SAT  
○○○○○○○

Army Chief hold two post  
Army chief and CDF.

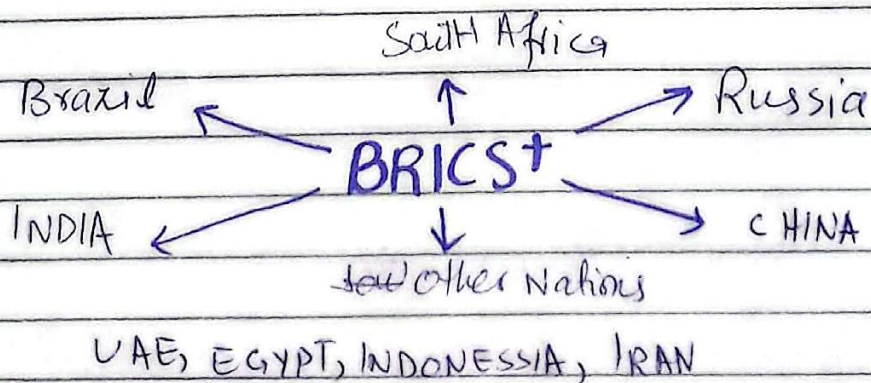
Field Marshal post is  
created because of victory  
against India.

Field Marshal post is life  
time post and it is uniform  
post.

## CONCLUSION

Constitutional  
amendment is for flourishing  
the democratic spirit. But like  
27 amendment, constitutional  
immunity by President and others  
is against with the spirit of  
democracy.

Global South organization like  
BRICS+ served as a challenge  
to IMF? Explain.



## PURPOSE

Political Development

Economic Development

## SIGNIFICANCE

- Economic Power House
  - Counterweight to US & NATO
- Voice of Global South

## INITIATIVE BY BRICS+

### Counter world bank and IMF

For countering world bank and IMF, BRICS+ introduced own NDB, New Development Bank in 2015.

The purpose of this bank to provide all loans to all members and non-members countries.

IMF  $\xrightarrow{\text{loan}}$  Rigid Conditions

NDP  $\xrightarrow{\text{loan}}$  Flexible Conditions

secondly providing funding for the state development.

### Green Shingali Project

This is project for clean environment

Budget is unknown for this project.

Madhya Pradesh, a multi-village where BRICS<sup>+</sup> install the drinking water project of 470 million \$.

BRICS<sup>+</sup> give loan to Bangladesh for cleaning environment.

### Multi-Lateral Guarantee System

BRICS<sup>+</sup> give the multi-lateral guarantee system, where the derisking of investment is guaranteed.

### Common Currency Mechanism

BRICS<sup>+</sup> promotes the trade and loans in local currency of that country. It attacks on the dollar. It is task of the BRICS<sup>+</sup> to do the de-dollarization.

### CRA

CRA is contingency reserve arrangements. Total 100 Billion dollar at the time of emergency are saved in the BRICS<sup>+</sup> bank.

41 B\$

China

18 B\$

Russia

18 B\$

Brazil

18 B\$

India

5 B\$

South Africa

### SMART CITIES NETWORK

Smart cities are those cities which have smart infrastructure and having climate resilient infrastructure. In China, India, Brazil and Russia, smart cities are developed.

Green transport, AI-traffic control system and proper waste management system installed in these smart cities.

### Women Business Initiatives

BRICS<sup>+</sup> encourages the female participation in the business. For this purpose BRICS<sup>+</sup> separated the funds for female business promotion.

### Joint Vaccine Cooperation

This is also initiative of BRICS<sup>+</sup>

to counter the biological terrorism, For this BRICS+ give funds to counter the biological problems.

### BRICS+ GRAIN EXCHANGE

BRICS+ promotes the traditional grain exchange system. Those countries ~~who~~ which are rich in the food crops, exchange their harvesting products.

Russia → Wheat, Gas, oil  
give to the buffer grain crisis in South Asia.

### Space Sovereignty Program

BRICS+ have its own Global Navigation system, which helps in detection of number of disaster, communication and navigation.

### CONCLUSION

BRICS+ is the emerging threat to the IMF and world bank because it have it's own banking, trade system which loose the dependently of Global south towards the IMF.

# CHINA

## CONSTITUTIONAL STRUCTURE

Mode of Election

Indirectly elected  
for five years.

Public elected the members  
of village council. These elected  
members of town council.

The elected members of town  
council elected the district  
council members and the  
district council members elected  
parliament members.

Public



Village Council



Town Council



District Council



Parliament Members.

### TERMS AND CONDITIONS FOR APPOINTMENT

The president of china indirectly  
elected by the members of  
Parliament for 5 years.

Chinese Prime Minister is

appointed by President with consultation of Parliament.

President with consultation of Parliament appoint the council of ministers for 5 years.

President appoints Vice President, Election Commission, Judges with the consultation of Parliament.

### STANDING COMMITTEE

The purpose of standing committee to ensure the efficiency of parliament.

Chairman of standing committee appoints the members of standing committee through parliament. These members are permanent until chairman does not remove any member.

In the absence of Parliament, the standing committee work. In China, Parliamentary session is for 1 year. During remaining time SC work and after expire of assembly, SC as an interim.

### ONE PARTY SYSTEM

In China, there is dictatorship

of communist party. There the election is in personality based election.

People elect their nominators on the basis of Efficiency.

### How IT IS DIFFERENT

In west, there is liberal capitalism but in china there is control capitalism. We can not buy land and bank in china. There political system is different from west because in china there is only one party system. It is belief of Chinese people, different ideologies divide the china. In china constitution, standing committee play crucial role. standing committee is constitutional body which are responsible for looking constitutional matter in the china.