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Name: Aiman Munir

Question no 2 26th and 27th Consti- tional Amendment

1 Introduction:

Constitutional amendments in Pakistan have never been merely legal instruments rather they have reflected the underlying power struggle between civil institutions, the judiciary and the military establishment. 26th and 27th constitutional amendment must be understood in this broader historical context of constitutional instability, judicial activism versus restraint and civil-military imbalance. These amendments are not isolated developments instead they represent the latest phase in Pakistan's long standing effort to redefine the balance of power within the state. Their impact on the political

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landscape is therefore deep, structural and long term.

2- Change of political landscape through 26th amendment:

(i) Insertion of Article 191A - Constitutional Benches:

26th amendment created specialised constitutional benches of the Supreme Court, restricted constitutional jurisdiction (Articles 184, 185(3), 186) to these benches only. The political landscape change this procedural filter limits access to constitutional justice and curtails judicial activism by controlling which judges hear politically sensitive cases.

(ii) Insertion of 186-A (Case Transfer):

The 26th amendment allowed structural transfer of constitutional cases between courts. Its political impact enhanced institutional control over case

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allocation indirectly strengthening executive influence.

(iii) Changes affecting article 175A (Judicial Commission):

The 26th amendment altered appointment and nomination dynamics. The political landscape change reduced judicial autonomy and increased parliamentary and executive leverage over judicial careers.

3- Change of Political landscape Through 27th Amendment:

(i) Amendment of Article 175 - Creation of Federal Constitutional Court (FCC):

The 27th amendment established a separate federal constitutional court. This amendment transferred constitutional jurisdiction away from the Supreme Court.

instead of writing political impact..... mention the crux of that impact as heading.....

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Political impact:

This fundamentally weakens the Supreme Court's role as guardian of the Constitution and places constitutional interpretation in a newly constituted body.

(ii) Omission of Article 191A:

The 21st amendment removed the constitutional bench framework created by the 26th amendment.

Political landscape change:

It completes the transition of constitutional authority from the Supreme Court to the FCC.

(iii) Amendment to articles 175 A and 200:

The articles 175 A and 200 restructured judicial commission and expanded transfer powers of judges.

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Political impact:

Judicial independence is compromised as judges become more vulnerable to political pressure and transfers.

(iv) Amendment of Article 239(5) – Non Justiciability Clause:

The 21st amendment declared that constitutional amendments cannot be challenged in any court.

Political landscape change:

Eliminates judicial review of constitutional changes, undermining the concept of constitutional supremacy.

(v) Expansion of Immunities (Article 248):

The 21st amendment broadened protection from legal proceeding for key office holders.

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Political impact:

It reduces accountability and strengthens executive insulation from legal scrutiny.

(vi) Amendment to Article 243 (Military command structure):

This amendment combined offices of Chief of Army Staff and Chief of Defence forces. It introduced constitutional protections and privileges for senior military leadership.

Political impact:

It formally entrenches the military's role within the constitutional framework reinforcing Pakistan's hybrid governance model.

4. Combined impacts on Pakistan's political landscape:

(i) Altered Separation of powers:

Combined impact to both constitutional amendment and judiciary is institutionally restrained, executive and legislature gain dominance and military influence receives constitutional recognition. This disrupts the **trichotomy of power** envisioned in the 1973 constitution.

(ii) Weakening of Judicial independence:

These amendments reduced scope of judicial review, politicised appointments and transfers and diminished public trust in courts.

(iii) Centralisation and federal strain:

Impact of both of the amendment is opposition marginalisation, rise

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in protests and constitutional litigation and provinces lose an independent constitutional forum.

5- Conclusion:

The 26th and 27th constitutional Amendments represent one of the most consequential constitutional Transformations since 1973. By restructuring judicial authority (Article 175, 175A, 191A, 239) expanding executive and military protection (Article 243, 248) and limiting judicial review, these amendments reshape the Pakistan's political landscape.

Question no 2

Economy of Pakistan fragile or resilient?

1- Introduction:

Pakistan's economy faces structural weaknesses and heavy

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external pressures that make it fragile today, yet it repeatedly shows resilience through remittances, a flexible private sector, social capital and periodic policy support (IMF, friendly states), that prevent outright collapse.

2- How Pakistan's economy is fragile?

(i) High public and external debt burden:

Public debt has risen sharply (public debt stock reported at very large PKR levels and external debt above \$130 bn), leaving little fiscal space for shocks and making debt servicing a major constraint.

(ii) Chronic dependence on IMF and official financing:

Pakistan is under a major IMF program and has a long

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history of program resilience which indicates recurring balance of payment vulnerability and policy conditionally. That dependence itself is an indicator of fragility.

(iii) Thin foreign exchange reserves relative to needs:

State Bank of Pakistan fiscal reserves have been low by historical standards (fluctuating around the mid-teens of USD billions in recent weeks), which constrains imports, debt rollover and exchange rate stability a classic fragility signal.

(iv) Large legal imbalance and narrow tax base:

Pakistan runs structural fiscal deficits has a relatively low tax to GDP ratio and high

add and highlight references/examples against these arguments.....

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interest costs making fiscal consolidation politically painful and vulnerable to shocks (energy price spikes, floods, political instability)

(v) Exposure to political and geopolitical risk:

Political transitions, security incidents or sudden shifts in external partners support can quickly tighten financial conditions (markets and creditors react) magnifying fragility.

(vi) External vulnerability to commodity and climate shocks:

Pakistan's economy depends on agriculture and energy imports, climate events (floods) and global commodity swings can quickly hit output and fiscal accounts reinforcing fragility.

take a stance and argue.....

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3- Why it is also resilient?

(i) Large and steady remittance:

Remittances

from the Pakistani diaspora are a reliable foreign exchange cushion that have consistently helped the current account, a major stabilizer in crisis episodes. This recurrent inflow is a resilience factor (2026 projected real GDP 2.7 percent) ~~was~~.

(ii) Recent signs of easing inflation and stabilisation:

Consumer price

inflation showed signs of easing (reports of a slowdown to inflation to 5.6 percent mid single digits in December) which reduces immediate social and political pressure and gives the central bank a bit more policy room.

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4- Policy actions that would move Pakistan's ^{economy} from fragile to resilient:

(i) Broaden the tax and raise revenue:

Pakistan

should broaden the tax and raise revenue and reduce reliance on debt.

The total public debt of Pakistan has reached ~~PKR 8.6 trillion~~.

as of June 2025. By broadening tax, Pakistan will reduce its debt.

(ii) Structural reforms to improve competitiveness:

Pakistan have to

make structural reforms on energy, logistics, trade facilitation, value-added exports and IT. ~~3.05 percent~~ change per annual GDP growth in

2024.

(iii) Climate and disaster resilience

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investment:

Pakistan should make policy on structural reforms to improve investment to reduce output volatility from floods/droughts to make Pakistan resilient from fragile.

(iv) Credible, Transparent policy implementation under an IMF policy:

Credib-

ility matters as much as the numbers so Pakistan should make credible and Transparent IMF policies - 2026 projected Real GDP 2.7% change in 2026 and projected consumer prices to 4.5 percent change.

5- Conclusion:

Pakistan's economy is fragile in a structural sense (high debt, external dependence, political

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commodity and climate exposure) but resilient in operational terms to remittances, creditor cushions (IMF/World Bank) and a adaptive private sector. Without sustained structural reforms and predictable financing, fragility will keep recurring with creable reforms and stable support.

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