

COMMEMORATING
50 OF THE CONSTITUTION
YEARS OF PAKISTAN

International Conference

The Constitution of Pakistan
Lessons for the Next 50 Years



CONFERENCE REPORT

'The Constitution of Pakistan: Lessons for the Next 50 Years'

18-19 Oct, 2023 | Fatima Jinnah Women University, Rawalpindi

The report summarizes the proceedings of the conference organized jointly by the Institute of Policy Studies, Islamabad, and Department of Law, Fatima Jinnah Women University, Rawalpindi. The content herein reflects the substantive deliberations and contributions generated through this conference.

Conference Organizers

Institute of Policy Studies

Institute of Policy Studies Islamabad (IPS) is an autonomous, not for profit, civil society organization, dedicated to promoting policy-oriented research, dialogue, human & technological development for better governance. IPS provides a forum for informed discussion and dialogue on national and international issues. The contributions spanning over forty-three years and the overall impact signifies the importance of pragmatic research on policy issues. The Institute highlights the role of think-tanks in modern democratic polity.

Address: MPCHS E-11/3, Islamabad

Website: www.ips.org.pk

Department of Law, Fatima Jinnah Women University

Fatima Jinnah Women University (FJWU) Rawalpindi, Pakistan is an institution with a vision to promoting and facilitating studies and research in various fields of Higher Education for women. This university has the honor of first women only university of Pakistan. It was established in 1998. FJWU is imparting education in 27 disciplines including law. Department of Law was established in 2015. It is imparting 5-years LLB Degree accredited by Pakistan Bar Council and Higher Education Commission of Pakistan. The Department of Law especially aims at inculcating in young aspirants a sense of balance and accommodation which is essentially required for upholding and advocating the cause of justice across the entire spectrum of societal as well as professional dispensation. Therefore, the entire educational endeavor is geared towards grooming the students into promising lawyers who are not only well acquainted with the basics of the legal discipline but are also adequately equipped with the latest trends in the field.

Address: The Mall, Rawalpindi

Website: www.fjwu.edu.pk

Coordinators

Syed Nadeem Farhat (Research Fellow, IPS), Dr. Nadia Khadam (Head of Department of Law, FJWU)

Management Team

IPS - Muhammad Wali Farooqi, Muneeba Rasikh, Raja Farrukh Zeb, Shafaq Sarfaraz

FJWU – Ms. Zahish Farid Khan, Ms. Hina Qayyum, Ms. Saba Nawaz, Ms. Misbah Sadiq, and a group of student volunteers

الله أكبر

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CONCEPT OF THE CONFERENCE

The constitution of Islamic Republic of Pakistan, 1973 embodies national consensus by documenting and defining the national identity and character. The national confidence in the apex law has given it the resilience to survive several adventures. Defining the national character and characteristics, it responds to the requirements and aspirations of the ethnic, linguistic, cultural, religious, and parochial cross-section of society. As a federal and parliamentary constitution, it strives to maintain a balance between all constituent units and segments of society through political representation and fiscal management. A thorough scheme for division of powers defines the exclusive domains as well as mutual relations and dependence of the major organs of the state. These mechanisms are elaborate enough to be practical and flexible enough to allow necessary improvisation.

Unfortunately, the deliberate flexibility as well as the explicit instructions have been sacrificed for short-term critical gains by successive governments. The balance of power has remained dwindling between different stake holders. This has hampered progress and disturbed national cohesion on many levels.

The Constitution of Pakistan, 1973 was passed by the Parliament on April 10, and it came into force on August 14. On completion of 50 years of the Constitution of Pakistan in 2023, there was a need to deliberate the next 50 years with a futuristic vision and focus on better governance, inclusive policies, and synergized frameworks. To commemorate the golden jubilee of the apex law of the country, the Institute of Policy Studies, Islamabad (IPS) and Fatima Jinnah Women University (FJWU), Rawalpindi, joined hands to organize an international conference. The hybrid conference brought together the law experts from among the academics, practitioners and students to deliberate important constitutional themes.

The themes and sub-themes of the conference were centered on legal, socio-political, and governance dimensions related to the political representation, center-province relations, civil-military relations, and legislature-judiciary relations. Each of the six themes and their respective sub-themes are reproduced below:

- **Constitution and National Integration**
 - Basic structure
 - Supremacy of law
 - Social and cultural inclusion
 - Scope and domain of Fundamental Rights and the Principles of Policy
 - Constitutional amendments and their impact
- **Democracy and Public Representation**
 - Current political structure and its effectiveness
 - Alternative schemes for effective political representation
 - Participation of minorities and other segments in political process
- **Relations between Federation and Provinces**
 - Provincial autonomy and national integration
 - Distribution of legislative and Administrative powers
 - Economic relations and division of financial resource

- **Civil-Military Relations in a Democratic Pakistan**
 - Constitutional scheme of civil-military relations in Pakistan
 - Experiments for institutionalizing civil-military relations
 - Models of civil-military relations from around the world
- **Legislation and Interpretation: Achieving balance in legislature-judiciary relations**
 - Legislative mandate of Parliament and judicial review
 - Legislation through adjudication
 - Judicial appointments and parliamentary oversight
- **Role of women towards a rule-based future**
 - Role of women in constitution-making
 - Role and contribution of women in upholding spirit of the Constitution
 - Women and political process

The following section offer a brief account of the proceedings of the conference to give a sense of the discussions to the readers. All the papers presented and presentations made at this conference will make part of a book by the IPS-Press.

INTRODUCTION

In the vibrant and intellectual ambiance of Fatima Jinnah Women University, the two-day hybrid international conference was held on the 18th and 19th of October 2023. This collaborative effort between Fatima Jinnah Women University and the Institute of Policy Studies marked a significant commemoration—50 years since the adoption of the Constitution of Pakistan in 1973. Recognizing the need to envision the next 50 years with a forward-thinking perspective, the conference aimed to delve into crucial aspects of governance, inclusive policies, and synergized frameworks.



The esteemed gathering of legal experts and practitioners engaged in insightful discussions on key constitutional themes during this milestone event. Distinguished speakers illuminated the proceedings on the first day, including luminaries such as Justice Jawad Hassan, Khalid Rahman, Muhammad Akram Shaikh, Hamid Khan, Haroon-ur-Rashid, Ahmer Bilal Soofi, Riffat Inam Butt, Justice Dr Syed Muhammad Anwer, Dr Tamara Sonn, Barrister Zafarullah Khan, Ambassador (r) Syed Abrar Hussain, and Professor Dr Fakhr-UI-Islam.

The second day continued to foster intellectual exchange with prominent figures such as Raja Zafar-ul-Haq, Owais Ahmed Ghani, Amanullah Kanrani, Dr Saima Hamid, Prof Dr Shoaib Akhtar, Aftab Memon, Inayatullah Khan, Lt Gen (r) Naeem Khalid Lodhi, Ahmed Bilal Mehboob, Prof Dr Aziz-ur-Rahman, Dr Nadia Khadam, and the distinguished Prof Dr Fakhr-UI-Islam.

The conference overall included eight sessions on six major themes in which multi-disciplinary researchers from more than eight national and three international universities presented 25 papers on various research topics related to the 1973 Constitution.

Despite its brevity, this report offers the flavor of discussions which delved into the multifaceted realms of legal, socio-political, and governance dimensions of the Constitution. The exploration encompasses critical topics, including political representation, center-province relations, civil-military dynamics, and the interplay between the legislature and judiciary. The invaluable insights shared by distinguished voices undoubtedly elevated the discourse, cultivating a more informed and enlightened comprehension of Pakistan's constitutional journey.

SCHEDULE OF THE CONFERENCE

Day One - Oct 18, 2023 (Wednesday)		
Inaugural Session		
09:30 AM - 11:00 AM		
Moderator: Syed Nadeem Farhat, IPS		
Venue: New Auditorium, FJWU		
Telawah, National Anthem, & FJWU Anthem		
Introduction of the Conference		Dr. Nadia Khadam Head, Department of Law / Conference Coordinator, FJWU
Opening Remarks		Mr. Khalid Rahman Chairman IPS
Keynote Address	The Constitution of Pakistan: Deliberating the Next 50 Years for a Rule-Based Polity	Mr. Ahmer Bilal Soofi, ASC Former Minister of Law, Justice, Parliamentary Affairs & Human Rights
Guest of Honor		Mr. Haroon-ur-Rashid Senior Advocate Supreme Court of Pakistan / Vice Chairman, Pakistan Bar Council
Chief Guest		Justice Jawad Hassan Judge, Lahore High Court
Vote of Thanks		Prof. Dr. Fakhr-ul-Islam Director, Research and Academic Outreach, IPS
First Session-I		
Constitution and National Integration		
11:30 AM - 01:15 PM		
Moderator: Ms. Amna Zaheer		
Venue: New Auditorium, FJWU		
Paper one	Objectives Resolution - An Unfulfilled Objective: An analysis of the impact of Objective's Resolution in the Court in Pakistan since 1949	Mr. Syed Muaz Shah
Paper two	Basic Structure Theory and Pragmatism- Balancing Constitutional Interpretation and Practical Governance in Pakistan	Mr. Muhammad Saad Saleem, Ms. Aqsa Tasgheer

Paper three	Decolonizing the Constitution: Questioning the Legacy of Colonial Laws in Pakistan	Mr. Shahal Khoso
Q&A		
Chair of the Session		Mr. Hamid Khan, Senior Advocate Supreme Court of Pakistan
First Session-II Constitution and National Integration 11:30 AM - 01:15 PM Moderator: Ms. Misbah Shahid		
Venue: MP Hall, Education Block, FJWU		
Keynote Speech	Constitution of Pakistan and National Integration: Need to strengthen the Social Contract	Mr. Muhammad Akram Sheikh Senior Advocate Supreme Court of Pakistan
Paper one	The Constitution of Pakistan and Social Inclusion of Vulnerable population: Impeding factors and way forward	Dr. Muhammad Arif
Paper two	The Impact of 18th Amendment based Decentralization of Environmental Governance on Achieving Sustainable Development in Pakistan	Dr. Khalid Farooq Akbar
Paper three	The Right to Live in Pollution Free Environment: A Critical study with reference to Article 9 of Constitution of Pakistan	Ms. Shehr Bano, Mr. Husni Mubarak
Q&A		
Chair of the Session		Ms. Riffat Inam Butt, Secretary, Law & Justice Commission of Pakistan
Second Session Democracy and Public Representation 02:00 PM - 03:45 PM Moderator: Ms. Misbah Shahid		
Venue: MP Hall, Education Block, FJWU		
Keynote Speech	Democracy and Public Representation in a Muslim Polity	Dr. Tamara Sonn Georgetown University, Washington, DC.
Paper one	Political and Governance System in Pakistan	Mr. Muhammad Wali Farooqi
Paper two	Digital Democracy and E-Governance: Transforming Political Participation	Dr. Fouzia Ghani, Mr. Omer Khawar

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Paper three	Local Governance and Grassroots Democracy: Strengthening Political Representation	Ms. Marriam Mubashar, Dr. Fouzia Ghani
Q&A		
Chair of the Session		Mr. Khalid Rahman Chairman IPS
Third Session Operationalizing the Constitution: The Role of Executive 02:00 PM - 03:45 PM Moderator: Ms. Amna Zaheer		
Venue: New Auditorium, FJWU		
Keynote Speech	Operationalizing the Constitution: The Role of Executive	Barrister Zafarullah Khan Advocate Supreme Court of Pakistan
Paper one	Scope and Limitation of Delegated Legislation in Pakistan: A Critical Analysis	Ms. Ammara Nosheen
Paper two	Analysis of The Concept Of Delegated Legislation And Implementation in Pakistan	Ms. Sidra Zaman
Paper three	From Policies to Implementation: A Quantitative Study into Obstacles to Women's Empowerment in Pakistan	Ms. Tayyaba Khurshid, Mr. Hamza Zaman
Q&A		
Chair of the Session		Justice Dr. Syed M. Anwer Judge, Federal Shariat Court

Day Two – Oct 19, 2023 (Thursday)

Fourth Session-I

Relations between Center and Provinces

09:30 AM - 11:15 AM

Moderator: Ms. Anna Zaheer

Venue: New Auditorium, FJWU

Keynote Speech	Relations between Center and Provinces	Mr. Inayatullah Khan Former Minister, Khyber Pakhtunkhwa
Paper one	Center-state relations in Malaysian Constitution	Dr. Shamrahayu Ab. Aziz, IIUM
Paper two	Constitution of Pakistan: Fostering Interprovincial Harmony and Fraternity	Mr. Rizwan Ahmed
Paper three	Federalism as a Tool for Ethnic Conflict Resolution: A Case Study of The 18th Amendment to the Constitution of Pakistan	Ms. Eman Farooq
Q&A		
Chair of the Session		Mr. Amanullah Kanrani Provincial Minister for Law, Parliamentary Affairs & Prosecution, Government of Balochistan

Fourth Session-II

Relations between Center and Provinces

09:30 AM - 11:15 AM

Moderator: Ms. Misbah Shahid

Venue: MP Hall, Education Block, FJWU

Keynote Speech	Relations between Center and Provinces	Mr. Aftab Memon, Former Secretary Interprovincial Coordination/ Columnist
Paper one	Centre-Province Relations after 18th Amendment: An Analysis of Council of Common Interests (CCI)	Prof. Dr. Adam Saud
Paper two	Implementing 18th Amendment in Balochistan: Contentions and Way Ahead	Mr. Bakht Noor Khan, Mr. Muhammad Farooq, Ms. Mariam Khan
Paper three	Exploring Possibilities for Evolvement Of AJ&K-GB Within the Contours of Constitution: A Comparative Analysis of Autonomy of Provinces Vis-A-Vis Administered Territories	Mr. Khizar Ahmad

Q&A		
Chair of the Session		Mr. Owais Ahmed Ghani Former Governor, Balochistan & Khyber Pakhtunkhwa
Fifth Session		
Civil-Military Relations in a Democratic Pakistan		
11:45 AM - 01:35 PM		
Moderator: Ms. Misbah Shahid		
Venue: MP Hall, Education Block, FJWU		
Keynote Speech	Civil-Military Relations in a Democratic Pakistan	Mr. Ahmed Bilal Mehboob President PILDAT (Pakistan Institute of Legislative Development and Transparency)
Paper one	Civil Military Relations and Democracy	Mr. Muhammad Yunas Khan
Paper two	Discourse on "Hybrid Governance" under National Security Committee	Ms. Anum Akhlaq
Paper three	Military Court Trials of Civilians in Pakistan: Between Constitutional Rights, International Obligations and Sustainable Justice	Mr. Muhammad Hassan
Paper four	Democratic Oversight in Transition: Exploring Civil-Military Relations in Pakistan within Global Contexts	Ms. Adrish Anwar
Q&A		
Chair of the Session		Lt. Gen. (r) Naeem Khalid Lodhi, HI(M), Former Federal Minister for National Security
Sixth Session		
Legislation and Interpretation		
Achieving Balance between Legislature & Judiciary		
11:45 AM - 01:35 PM		
Moderator: Ms. Anna Zaheer		
Venue: New Auditorium, FJWU		
Keynote Speech	Legislation and Interpretation: Achieving a balance in legislature-judiciary relations	Prof. Dr. Aziz ur Rahman Director, School of Law, Quaid-i-Azam University, Islamabad
Paper one	Examining Confirmity of Existing Laws with Injunctions of Islam by Federal Shariat Court of Pakistan	Dr. Ahsan Ullah, Mr. Muhammad Inayat
Paper two	Democratizing Justice: Charting a Path for Transparent Judicial Appointments in Pakistan	Ms. Attika Rehman
Paper three	Legislation Through Adjudication in Family Laws: A Case Study of Pakistan	Dr. Mudrasa Sabreen

Paper four	Representative Legislature and Superior Judiciary: Balancing Impacts on the Policy and Governance Structure of Pakistan	Mr. Syed Abdullah Anwer
Q&A		
Chair of the Session		Mr. Raja Zafar ul Haq Former Senator
Concluding Session 02:15 PM - 03:30 PM Moderator: Syed Nadeem Farhat, IPS		
Venue: New Auditorium, FJWU		
Key take-away messages		Dr. Nadia Khadam Head, Department of Law/Conference Coordinator, FJWU
Chief Guest		Dr Saima Hamid, Former VC, FJWU
Looking ahead		Mr. Khalid Rahman, Chairman IPS
Vote of Thanks/conclusion		Prof. Dr. Shoaib Akhtar Dean FLCMAS, FJWU
Presentation of Souvenirs and Group Photo		

SUMMARY OF THE PROCEEDINGS

DAY 1 | (18th October 2023)



The conference was addressed on the first day, among others, by Justice Jawad Hassan, Judge, Lahore High Court, Khalid Rahman, chairman, IPS, Muhammad Akram Shaikh, senior advocate, Supreme Court of Pakistan, Hamid Khan, senior advocate, Supreme Court of Pakistan & author, Haroon-ur-Rashid, vice chairman, Pakistan Bar Council, Ahmer Bilal Soofi, senior advocate, Supreme Court of Pakistan & former federal minister of law, Riffat Inam But, secretary, Law & Justice Commission of Pakistan, Justice Dr Syed Muhammad Anwer, Federal Shariat Court, Dr Tamara Sonn, Georgetown University, Washington DC, Barrister Zafarullah Khan, senior advocate, Supreme Court of Pakistan & former special assistant to the PM on law, Ambassador (r) Syed Abrar Hussain, vice chairman, IPS, and Professor Dr Fakhur-ul-Islam, advisor research at IPS and former DG, Pakistan Study Centre, University of Peshawar.

Harmonizing post-18th amendment scenario among federating units and all constitutional stakeholders, which is marred with differences creating numerous governance challenges, in tandem with ensuring timely elections for democratic continuity, remains indispensable for reconciling and preserving the spirit of the 1973 Constitution of Pakistan for a stable and prosperous future of the country.

A functional Council of Common Interests (CCI) with its rules of business, consistent National Finance Commission (NFC) Award governed through subordinate legislation, and devolution of political, financial, and administrative authority empowering local governments are also

imperative to create the right environment to renew Pakistan's commitment to federalism, uphold the constitution's mandate, and protect its basics for the next 50 years.

A civil-military dialogue is the only solution to the dilemma persisting between the need for a professional army and military influence in politics. The best forum for this purpose is the National Security Committee (NSC), which needs to effectively function as a platform for regular dialogue and consultation. In addition, both military and civil stakeholders must commit to the Constitution, as well as people's welfare beyond the power dynamics.



Another dilemma is that Pakistan still needs to define itself as a welfare state or security state. Striking a balance between the two is critical to ensuring a strong democratic framework in which the military's role is subordinate to civilian rule.

This all was highlighted by veteran statesmen, jurists, and constitutional experts during the inaugural session of the two-day international conference.



"Pakistan's constitution is one of the best," remarked Justice Jawad Hassan in his speech as the chief guest of the inaugural session.

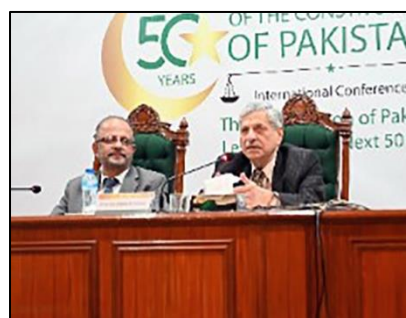
He noted that the strength of the constitution is rooted in the will and empowerment of people as enshrined in various articles such as Article 4, 'the protection of the law' as the right of the individual, Article 5, the obedience of constitution as 'the inviolable obligation of every citizen,' and Article 189, decisions of Supreme Court are binding on other courts.

He further said that, as a guardian of justice and democracy, the 1973 Constitution continues to evolve and adapt to the needs of the nation, and through the role of the judiciary, ensures its people remain empowered and protected.

Khalid Rahman talked about the empowerment of people as a prerequisite to governance. He said that the struggle for empowerment should be against the elite capture and for that education and political awareness must be embedded in national life.

Ahmer Bilal, in his keynote speech, maintained that Pakistan's constitution serves as a finely balanced institution that united four provincial units and all other diverse groups and regions of the country. This consensus, followed by voluntary following, is an achievement.

However, new challenges emerged after the 18th amendment, emphasizing the need for a more comprehensive and dedicated approach to its enforcement. To address this issue and ensure the continued integrity of the constitution, he stressed that concerted efforts are required to make the 18th amendment work effectively.



'The Constitution of Pakistan: Lessons for the Next 50 Years'

Following the inaugural, three sessions were held on first day on three major themes: 'Constitution and National Integration,' 'Democracy and Public Representation,' and 'Operationalizing the Constitution: The Role of Executive', in which multi-disciplinary researchers from more than eight national and three international universities presented their papers on various research topics related to the constitution.

Senior statesmen, and constitutional and legal experts addressing the sessions emphasized that providing protection and benefit of fundamental rights through state policies and rules are guarantees for national integration. However, there is a need to make procedural rules to ensure the protection that the law provides. Equally significant is social inclusion in national integration and the consideration of the societal implications of decisions in light of fundamental rights and Principles of Policies.

Furthermore, to ensure the efficient operationalization of the constitution, integration, and the rule of law, state institutions, and executive authorities must practice within their limits as delegated by the constitution.

The speakers also stressed on the importance of the constitution with regard to international relations as it sets the policy guidelines and direction for treaties, agreements, and foreign policy. This is especially important in today's highly polarized world.



DAY 2 | (19th October 2023)



The prominent speakers on the second day included Raja Zafar-ul-Haq, former senator, Owais Ahmed Ghani, former governor, Balochistan and KP, Amanullah Kanrani, Balochistan's interim law minister, Dr Saima Hamid, former vice chancellor, FJWU, Prof Dr Shoab Akhtar, dean, FJWU, Aftab Memon, former federal secretary, Ministry of Interprovincial Coordination, Inayatuallah Khan, former minister for local governments, Khyber Pakhtunkhwa, Lt Gen (r) Naeem Khalid Lodhi, former federal minister for national security, Ahmed Bilal Mehboob, president, PILDAT (Pakistan Institute of Legislative Development and Transparency), Prof Dr Aziz-ur-Rahman, director, School of Law, Quaid-i-Azam University, Islamabad, Dr Nadia Khadam, head, Department of Law, FJWU, and Prof Dr Fakhr-ul-Islam, advisor research IPS and former DG, Pakistan Study Centre, University of Peshawar.

Emphasizing the fundamental principles upon which Pakistan was founded – unity amidst diversity and a strong federal structure – the speakers on the second day highlighted concerns related to the Council of Common Interests (CCI) and National Finance Commission (NFC) Award, underscoring the need for meaningful reforms.

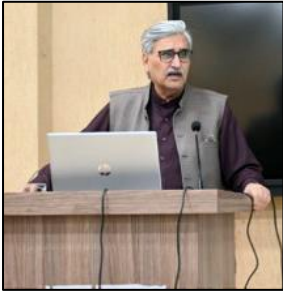
As the 1973 Constitution inherently carries the characteristic of federalism, aimed at safeguarding provincial rights and fostering equitable socio-economic development, this unity remains pivotal to Pakistan's survival.

However, there are rising concerns about the functionality of the CCI, meant to safeguard and protect the rights of the provinces, as its secretariat remains nonfunctional for all practical purposes, said Inayatuallah Khan.



The issue has been compounded because there are no rules of business for the CCI even after 50 years, added Amanullah Kanrani.

The speakers said this dysfunctionality is undermining the spirit of federalism and fueling dissatisfaction among provinces because their rights are not being upheld.



Furthermore, the National Finance Commission (NFC) has failed to implement its Awards to the provinces. Since 2010, the succeeding NFCs have struggled to reach a consensus and implement awards within their stipulated time period, in violation of the constitution. Subordinated legislation is needed to govern NFC awards for consistency, emphasized the speakers.

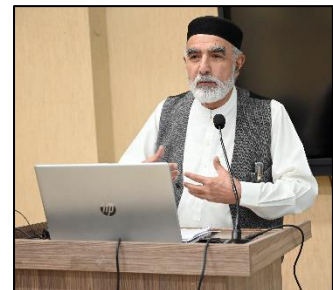
The disarray in the relations between the center and provinces has compromised the inclusiveness of diverse ethnicities and units, said Aftab Memon. The 18th Amendment has created problems for the country in terms of financial inclusion and distribution of resources. He said it is imperative to revisit key federal issues such as the 18th Amendment and the separation of judiciary from the executive to address the challenges effectively.

The experts said an underlying issue is the post-18th Amendment scenario, in which the center failed to restructure devolved departments, resulting in a reduction in federal fiscal space. This reduction, they said, could be used to prepare grounds to invalidate the 18th Amendment, which would be an injustice to the country.

The speakers suggested that concerted coordination between the NFC and the provinces to provide funds may be a realistic alternative. The solution to the post-18th Amendment interprovincial disparities lies in Article 140(A) of the amendment, i.e., devolution of political, financial, and administrative authorities to local governments.

Moreover, a chapter should be included in the constitution regarding local governments so that the provincial governments cannot hinder the local government elections, as is currently being done, said the speakers. This will ensure the protection of the powers of local governments and elections at regular intervals for Pakistan's democratic future.

"Failure of the political system means failure of the constitution," said Owais Ghani while highlighting the false dynamics of the national political system. He underscored that political systems and national policies should be designed keeping in view that Pakistan is a natural state.



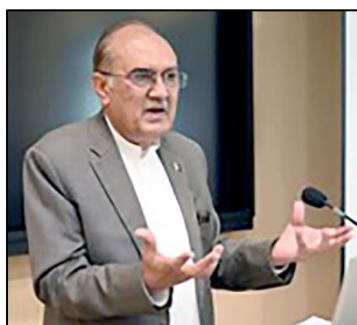
Khalid Rahman also stressed reform of the electoral system and adoption of the proportional representation system. He also urged revival of the local bodies in their true form as these act as nurseries for grooming future politicians.

On the other hand, Raja Zafar-ul-Haq and Prof. Dr. Aziz ur Rahman urged for strengthening the bond between the legislature and judiciary so that the constitution can remain a beacon of hope for the people.

The fifth session of the conference was on the “Civil-Military Relations”. “Civil-military relations are the most crucial aspect of the future democratic framework of Pakistan,” remarked Mehboob during a second-day session titled ‘Civil-Military Relations in a Democratic Pakistan’.



He underscored that “traditional civil-military relations are not sustainable” as “the current mess in economy, polity, and society cannot be separated from the so-called hybrid model of governance.” It is critical to adapt to the current challenges and develop a new, more dynamic approach to civil-military relations, he added.



He stressed the only way forward is through healthy and constructive civil-military dialogue, for which an active “National Security Committee (NSC) provides an excellent forum” as it can facilitate open communication, develop mutual understanding, and help define a course for Pakistan’s civil-military relations in the future.

The debate around civil-military relations centers heavily on the role of the military and power dynamics between military and civilians. “The problems in civil-to-civil relations, as part of civil-military relations, are often overlooked,” said Lt Gen (r) Lodhi.

He underscored the need to broaden the scope of the civil-military relations dialogue to encompass civil-civil relations, which he remarked, were not functioning well, too, given the executive-judiciary, and federation-provinces-local bodies power dynamics.

Furthermore, he referred to civilian politicians seeking favors with the military to acquire power. He emphasized the significance of assessing the performance of civilian institutions and actors, as the level of collaboration and professionalism across civilian institutions is equally critical to democratic growth.

Regarding the perception that the military defines the country’s national interest, Lodhi said it is a consensus among states that national interest is the welfare and well-being of the people. So, it does not matter who defines it as long as it fulfills the purpose, he maintained.



In his analogy, the military is ‘the muscle’ of the state, and civilians ‘the brain.’ Therefore, both must work together to drive national growth. In this regard, “people’s welfare and well-being must be the common goal of both” the military and civilians, he stated. However, he added that politicians should show their capability instead of just seeking popularity.

‘The Constitution of Pakistan: Lessons for the Next 50 Years’

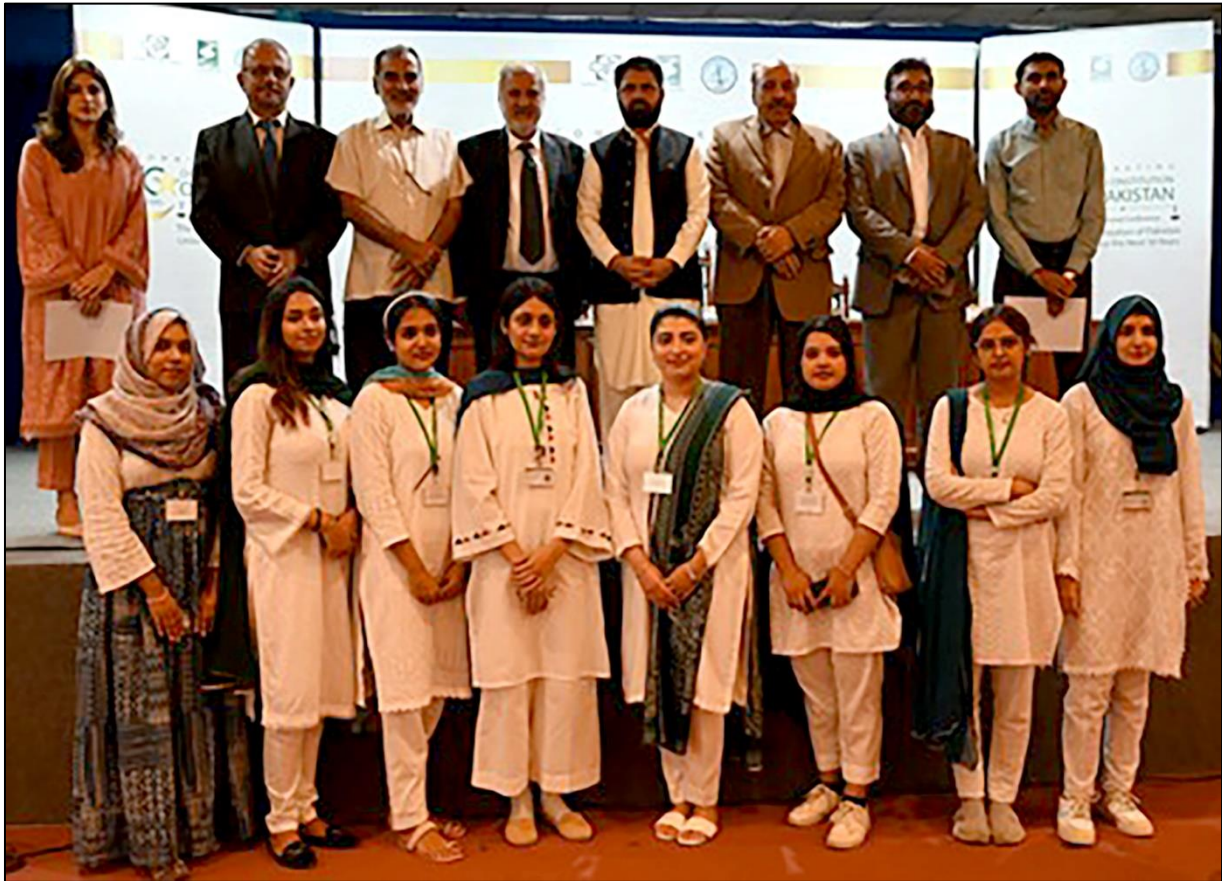
The conference overall included eight sessions on six major themes in which multi-disciplinary researchers from more than eight national and three international universities presented 25 papers on various research topics related to the 1973 Constitution.



GLIMPSES OF THE PROCEEDINGS



'The Constitution of Pakistan: Lessons for the Next 50 Years'



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MEDIA COVERAGE

DAY 1 | (18th October 2023)

The News

<https://www.thenews.com.pk/print/1120904-stakeholders-urged-to-harmonise-differences-post-18th-constitutional-amendment>
<https://e.thenews.com.pk/pindi/20-10-2023/page14>
(E-paper (Islamabad) | Page 14)

Roznama Jang

<https://e.jang.com.pk/detail/555230>
<https://e.jang.com.pk/detail/555104>

Pakistan Observer

<https://pakobserver.net/stakeholders-urged-to-harmonize-differences-post-18th-amendment/>
<https://epaper.pakobserver.net/?s=2023-10-20#lg=1&slide=2>
(E-Paper | Page 3)

Islamabad Post

<https://islamabadpost.com.pk/ips/>
<https://islamabadpost.com.pk/wp-content/uploads/2023/10/Islamabad-Post-20-10-2023.pdf> (Page 4)

INTERNATIONAL
THE NEWS
October 20, 2023

Stakeholders urged to harmonise differences post-18th Constitutional Amendment

Jinnah Institute
The conference was addressed, among others, by Justice Jawad Hashmi of the Lahore High Court, IPS chairman Khalid Rahman, senior lawyers Muhammad Akram Shaikh and Hamid Khan, vice-chairman of the Pakistan Bar Council Khair-uz-Zafar, legal expert Ahmer Bilal Soofi, secretary Law & Justice Commission of Pakistan, Justice Dr Syed Mahmood Ahmad, Federal Shariat Court, Dr Tamara Sonn, Georgetown University, Washington DC, senior inspector Zafarullah Khan, former ambassador and IPS vice-chairman Syed Muneer Hussaini, and Justice Dr Syed Mahmood Ahmad, Federal Shariat Court, Islamabad. The conference was inaugurated by Justice Dr Syed Mahmood Ahmad, Federal Shariat Court, Islamabad. He noted that the strength of the constitution is tested in the will and engagement of people as embodied in various articles.

Pakistan OBSERVER

October 20, 2023

Stakeholders urged to harmonize differences post 18th amendment

STAFF REPORTER

Harmonizing post-18th amendment scenario among federating units and all constitutional stakeholders, which is marred with differences creating numerous governance challenges, in tandem with ensuring timely elections for democratic continuity, remains indispensable for reconciling and preserving the spirit of the 1973 Constitution of Pakistan for a stable and prosperous future of the country.

This was highlighted by veteran statesmen, jurists, and constitutional experts during the inaugural session of the two-day conference on "The Constitution of Pakistan: Lessons for Next 50 Years" co-organized by the Institute of Policy Studies (IPS), Islamabad, and Fatima

Jinnah Women University (FJWU), Rawalpindi.

The conference was addressed, among others, by Justice Jawad Hashmi, IPS, Muhammad Akram Shaikh, senior advocate, Supreme Court of Pakistan, Hamid Khan, senior advocate, Supreme Court of Pakistan & author, Haroon-ur-Rashid, vice chairman, Pakistan Bar Council, Ahmer Bilal Soofi, senior advocate, Supreme Court of Pakistan & former federal minister of law, Riffat Inam But, secretary, Law & Justice Commission of Pakistan, Justice Dr Syed Muhammad Anwer, Federal Shariat Court, Dr Tamara Sonn, Georgetown University, Washington DC, Barrister Zafarullah Khan, senior

Islamabad POST
Friday, October 20, 2023

IPS-FJWU hold moot on 50 years of constitution

Stakeholders urged to harmonize differences post-18th amendment



The conference was inaugurated by Justice Dr Syed Mahmood Ahmad, Federal Shariat Court, Islamabad. He noted that the strength of the constitution is tested in the will and engagement of people as embodied in various articles. He stressed that the 18th amendment work effectively. Senior statesmen, jurists, and constitutional experts addressing different sessions emphasized the need for a more comprehensive and deliberate approach to its endorsement. "To address this issue and ensure the overall integrity of the constitution, he stressed that concerted efforts are required to make the 18th amendment work effectively."

'The Constitution of Pakistan: Lessons for the Next 50 Years'

The Financial Daily

<https://epaper.thefinancialdaily.com/epaper/edition/1837/the-financial-daily-epaper-20-10-2023%09/page/3> (Page 3)

The Financial Daily
International

October 20, 2023

IPS and FJWU hold 2-day Conference on 50 Years of the Constitution of Pakistan Call to match differences post-18th Amendment

ISLAMABAD: Honouring post-18th amendment anniversary among academics and the socio-political establishment, which witnessed the 50th anniversary of the 1973 Constitution of Pakistan, IPS and FJWU held a two-day conference on 'The Constitution of Pakistan: Lessons for Next 50 Years' at the Institute of Policy Studies (IPS), Islamabad, and Fatima Jinnah Women University (FJWU), Rawalpindi.

The conference was addressed, among others, by Justice Iqbal Hussain, Judge Lahore High Court, Khalid Rahman, Chairman, IPS, Muhammad Usman Sheikh, senior advocate, Supreme Court of Pakistan, Faraz Khan, senior advocate, Supreme Court of Pakistan, Dr. Saad Ahmad, senior advocate, Supreme Court of Pakistan, and Justice Iqbal Hussain, Judge Lahore High Court, Secretary, Law & Justice Commission of Pakistan, Justice Dr. Saad Ahmad, senior advocate, Federal Shariat Court, Dr. Tariq Azeem, Chairman, Zakat & Ushr, senior advocate, Supreme Court of Pakistan & senior special assistant to PM on law, Muhammad (Shah) Faraz Khan, Honorary Chairman, IPS, and Justice Dr. Faraz Khan, former DC, Pakistan Study Centre, University of Oxford.

"Pakistan's constitution is one of the best" remarked Justice Iqbal Hussain in his speech on the third guest of the inaugural session.

He noted that the strength of the constitution is rooted in the will and empowerment of people as enshrined in various articles such as Article 4. The protection of the law is the right of the individual. Article 4, the absence of constitution is the available obligation of every citizen, and Article 199, decisions of Supreme Court are binding on other courts.

He further said that as a guardian of justice and democracy, the 1973 Constitution continues to evolve and adapt to the needs of the nation, and through the role of the judiciary, citizens' rights remain unimpeded and protected.

Khalid Rahman talked about the empowerment of people as propensities to governance. He said that the strength of empowerment should be supported ethics and for that education and political awareness must be instilled in societal

Justice Iqbal, in his keynote speech, mentioned that Pakistan's constitution serves as a flexible instrument that meets the practical needs and addresses diverse problems and regions of the country. The constitution, drafted by consensus, is an achievement.

Honouring the 50th anniversary of the 1973 amendment, emphasizing the need for a non-partisan and fair, balanced approach to its enforcement. To uphold the rule and secure the integrity and sanctity of the constitution, he stressed that concerted efforts are required to make the 18th amendment work effectively.



Urdu Point

<https://www.urdupoint.com/en/pakistan/ips-fjwu-hold-two-day-conference-on-50-years-1758511.html>

Daily Frontier Star

<https://dailyfrontierstar.com/ips-fjwu-hold-two-day-conference-on-50-years-of-the-constitution-of-pakistan/>

Roznama Nida-e-Khalq



SABAH News (English)

<https://sabahnews.net/english/news/ips-fjwu-hold-two-day-conference-on-50-years-of-the-constitution-of-pakistan/>

SABAH News (Urdu)

<https://sabahnews.net/archives/147843>

DAY 2 | (19th October 2023)

INTERNATIONAL
THE NEWS
Saturday
October 21, 2023

The News (Islamabad)

<https://www.thenews.com.pk/print/1121263-experts-call-for-fiscal-devolution-empowering-local-governments>

<https://e.thenews.com.pk/pindi/21-10-2023/page13> (E-paper (Islamabad) | Page 12)

50 YEARS OF THE CONSTITUTION OF PAKISTAN Experts call for fiscal devolution, empowering local governments

ISLAMABAD: Honouring the 50th anniversary of the 1973 Constitution of Pakistan, IPS and FJWU held a two-day conference on 'The Constitution of Pakistan: Lessons for Next 50 Years' at the Institute of Policy Studies (IPS), Islamabad, and Fatima Jinnah Women University (FJWU), Rawalpindi.

The conference was addressed, among others, by Justice Iqbal Hussain, Judge Lahore High Court, Khalid Rahman, Chairman, IPS, Muhammad Usman Sheikh, senior advocate, Supreme Court of Pakistan, Faraz Khan, senior advocate, Supreme Court of Pakistan, Dr. Saad Ahmad, senior advocate, Supreme Court of Pakistan, and Justice Iqbal Hussain, Judge Lahore High Court, Secretary, Law & Justice Commission of Pakistan, Justice Dr. Saad Ahmad, senior advocate, Federal Shariat Court, Dr. Tariq Azeem, Chairman, Zakat & Ushr, senior advocate, Supreme Court of Pakistan & senior special assistant to PM on law, Muhammad (Shah) Faraz Khan, Honorary Chairman, IPS, and Justice Dr. Faraz Khan, former DC, Pakistan Study Centre, University of Oxford.

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Experts call for fiscal...

Justice Iqbal, in his keynote speech, mentioned that Pakistan's constitution serves as a flexible instrument that meets the practical needs and addresses diverse problems and regions of the country. The constitution, drafted by consensus, is an achievement.

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The News (National)

<https://www.thenews.com.pk/print/1121355-50-years-of-the-constitution-of-pakistan-experts-call-for-fiscal-devolution-empowering-local-governments>

<https://e.thenews.com.pk/karachi/21-10-2023/page5> (E-paper (Karachi) | Page 5)

<https://e.thenews.com.pk/lahore/21-10-2023/page5> (E-paper (Lahore) | Page 5)

Roznama Jang

<https://e.jang.com.pk/detail/555864>

<https://e.jang.com.pk/pindi/21-10-2023/page2> (E-paper | Page 2)



Pakistan Observer

<https://pakobserver.net/experts-call-for-fiscal-devolution-empowering-cci-ig/>

<https://epaper.pakobserver.net/?s=2023-10-21#lg=1&slide=2> (E-Paper (Islamabad) | Page 3)

Pakistan OBSERVER

Saturday, October 21, 2023

Experts call for fiscal devolution, empowering CCI, IG

STAFF REPORTER

A national Council of Governors (NCG) meeting in Islamabad, with the participation of the former federal minister for provincial security, Ahmad Bilal Mirza, and the current provincial secretary, Dr. Akbar Hussian, discussed the role of the CCI and IG in the devolution of financial and administrative powers to the provinces. The meeting was held in the presence of the former federal minister for provincial security, Ahmad Bilal Mirza, and the current provincial secretary, Dr. Akbar Hussian. The meeting was held in the presence of the former federal minister for provincial security, Ahmad Bilal Mirza, and the current provincial secretary, Dr. Akbar Hussian. The meeting was held in the presence of the former federal minister for provincial security, Ahmad Bilal Mirza, and the current provincial secretary, Dr. Akbar Hussian. The meeting was held in the presence of the former federal minister for provincial security, Ahmad Bilal Mirza, and the current provincial secretary, Dr. Akbar Hussian.

Business Recorder

<https://www.brecorder.com/news/40269228>

<https://www.brecorder.com/news/40269228/federalism-constitutions-mandate-experts-highlight-significance-of-cci-and-nfc-award>

BUSINESS RECORDER

October 21, 2023

Experts highlight significance of CCI and NFC Award

The National Council of Governors (NCG) meeting in Islamabad, with the participation of the former federal minister for provincial security, Ahmad Bilal Mirza, and the current provincial secretary, Dr. Akbar Hussian, discussed the role of the CCI and IG in the devolution of financial and administrative powers to the provinces. The meeting was held in the presence of the former federal minister for provincial security, Ahmad Bilal Mirza, and the current provincial secretary, Dr. Akbar Hussian. The meeting was held in the presence of the former federal minister for provincial security, Ahmad Bilal Mirza, and the current provincial secretary, Dr. Akbar Hussian. The meeting was held in the presence of the former federal minister for provincial security, Ahmad Bilal Mirza, and the current provincial secretary, Dr. Akbar Hussian.

Business Recorder (Karachi)

<https://epaper.brecorder.com/2023/10/21/5-page/974974-news.html>

<https://epaper.brecorder.com/2023/10/21/5-page.html> (E-Paper (Karachi) | Page 5)

'The Constitution of Pakistan: Lessons for the Next 50 Years'

The Financial Daily

<https://epaper.thefinancialdaily.com/epaper/edition/1838/the-financial-daily-epaper-22-10-2023%09/page/3>



Islamabad Post

<https://islamabadpost.com.pk/ips-fjwu-conference-on-50-years-of-the-constitution-of-pakistan/>



The Catchline

<https://thecatchline.pk/experts-call-for-fiscal-devolution-empowering-cci-local-governments-highlight-role-of-nfc-for-federal-harmony/>

Daily Muballigh

<https://dailymuballigh.pk/pakistan/703/>

Roznama Nida-e-Khalq



Urdu Point

<https://www.urdupoint.com/daily/livenews/2023-10-20/news-3775687.html>

The Pakistan Times

<https://thepakistantimes.com.pk/ips-fjwu-hold-two-day-conference-on-50-years-of-the-constitution-of-pakistan/>

Awaz Pakistan

<https://awaz-pakistan.com/%D8%A2%D8%A6%DB%8C-%D9%BE%DB%8C-%D8%A7%DB%8C%D8%B3-%D8%A7%D9%88%D8%B1-%D9%81%D8%A7%D8%B7%D9%85%DB%81-%D8%AC%D9%86%D8%A7%D8%AD->

<https://www.dnainews.com.pk/ips-fjwu-conference-on-50-years-of-the-constitution-of-pakistan/>

Diplomatic News Agency (DNA)

<https://dnanews.com.pk/ips-fjwu-conference-on-50-years-of-the-constitution-of-pakistan/>

SABAH News (English)

<https://sabahnews.net/english/news/ips-fjwu-conference-on-50-years-of-the-constitution-of-pakistan/>

SABAH News (Urdu)

<https://sabahnews.net/archives/148169>

Centreline Magazine

<https://centreline.com.pk/2023/10/20/ips-fjwu-conference-on-50-years-of-the-constitution-of-pakistan/>

Alif Urdu

<https://alifurdu.pk/latest-news/43403/>

The News

<https://www.thenews.com.pk/print/1121876-pakistan-has-to-define-itself-as-a-welfare-state-or-security-state>

Roznama Jang

<https://e.jang.com.pk/detail/556902%22>

Nawa-i-Waqt

<https://www.nawaiwaqt.com.pk/23-Oct-2023/1741642>

Pakistan Observer

<https://pakobserver.net/pakistan-needs-to-balance-between-a-welfare-state-and-a-security-state/>

Pakistan OBSERVER

Sunday
October 22, 2023

Pakistan needs to balance between a welfare state and a security state

STAFF REPORTER

A civil-military dialogue is the only solution to the dilemma persisting between the need for a professional army and military influence in politics. The best forum for this purpose is the National Security Committee (NSC), which needs to effectively function as a platform for regular dialogue and consultation. In addition, both military and civil stakeholders must commit to the Constitution, as well as people's welfare beyond the power dynamics.

Pakistan still needs to define itself as a welfare state or security state. Striking a balance between the two is critical to ensuring a strong democratic framework in which the military's role is subordinate to civilian rule. This was observed during a session titled 'Civil-Military Relations in a Democratic Pakistan', held as part of the two-day conference titled 'The Constitution of Pakistan: Lessons for the Next 50 Years' co-organized by the Institute of Policy Studies (IPS), Islamabad, and the Department of Law, Fatima Jinnah Women University (FJUW), Rawalpindi. The conference was addressed by veteran statesmen, jurists, and constitutional experts. The session, chaired by Lt Gen (r) Naeem Khalid Lodhi, former federal minister for national security, was addressed as keynote speaker by Ahmed Bilal Mehbub, president of Pakistan Institute of Legislative Development and Transparency (PILDAT), while researchers from various national and international universities presented their papers related to this theme. 'Civil-military relations are the most crucial aspect of the future democratic framework of Pakistan,' remarked Mehbub.

Pakistan OBSERVER

October 22, 2023

Pakistan needs to balance between a welfare state and a security state

Staff Reporter
Pakistan still needs to define itself as a welfare state or security state. Striking a balance between the two is critical to ensuring a strong democratic framework in which the military's role is subordinate to civilian rule. This was observed during a session titled 'Civil-Military Relations in a Democratic Pakistan', held as part of the two-day conference titled 'The Constitution of Pakistan: Lessons for the Next 50 Years' co-organized by the Institute of Policy Studies (IPS), Islamabad, and the Department of Law, Fatima Jinnah Women University (FJUW), Rawalpindi. The conference was addressed by veteran statesmen, jurists, and constitutional experts. The session, chaired by Lt Gen (r) Naeem Khalid Lodhi, former federal minister for national security, was addressed as keynote speaker by Ahmed Bilal Mehbub, president of Pakistan Institute of Legislative Development and Transparency (PILDAT), while researchers from various national and international universities presented their papers related to this theme. 'Civil-military relations are the most crucial aspect of the future democratic framework of Pakistan,' remarked Mehbub.

Reporters' Diary Welfare or security state

Speakers emphasize the need to balance between military, civil influence
In a two-day conference titled 'The Constitution of Pakistan: Lessons for the Next 50 Years' co-organized by the Institute of Policy Studies (IPS), Islamabad, and the Department of Law, Fatima Jinnah Women University (FJUW), Rawalpindi, speakers emphasized the need to balance between military and civil influence. The session, chaired by Lt Gen (r) Naeem Khalid Lodhi, former federal minister for national security, was addressed as keynote speaker by Ahmed Bilal Mehbub, president of Pakistan Institute of Legislative Development and Transparency (PILDAT). Mehbub stressed that Pakistan must define itself as a welfare state or security state, and that the military's role should be subordinate to civilian rule. He called for a strong democratic framework in which the military's role is subordinate to civilian rule. This was observed during a session titled 'Civil-Military Relations in a Democratic Pakistan', held as part of the two-day conference titled 'The Constitution of Pakistan: Lessons for the Next 50 Years' co-organized by the Institute of Policy Studies (IPS), Islamabad, and the Department of Law, Fatima Jinnah Women University (FJUW), Rawalpindi. The conference was addressed by veteran statesmen, jurists, and constitutional experts. The session, chaired by Lt Gen (r) Naeem Khalid Lodhi, former federal minister for national security, was addressed as keynote speaker by Ahmed Bilal Mehbub, president of Pakistan Institute of Legislative Development and Transparency (PILDAT), while researchers from various national and international universities presented their papers related to this theme. 'Civil-military relations are the most crucial aspect of the future democratic framework of Pakistan,' remarked Mehbub.

<https://epaper.pakobserver.net/#lg=1&slide=1> (E-Paper (Islamabad) | Page 3)
<https://pakobserver.net/welfare-or-security-state-speakers-emphasize-the-need-to-balance-between-military-civil-influence/>

Islamabad Post

<https://islamabadpost.com.pk/pakistan-needs-to-balance-itself-between-a-welfare-state-and-a-security-state-experts/>

Daily Frontier Star

<https://dailyfrontierstar.com/ips-fjwu-conference-on-50-years-of-the-constitution-of-pakistan-2/>

Balochistan 24.com

<https://balochistan24.com/en/2023/10/22/pakistan-needs-to-balance-between-a-welfare-state-and-a-security-state/>

Roznama Nida-e-Khalq



اسلام آباد: IPS کے نایاب سہ ماہی سائنس دانوں کی موجودگی میں جرنل (رائیم بولس جلیڈاٹ کے سربراہ) نے ایف جی وی کے سربراہان شریکین

Diplomatic News Agency (DNA)

<https://dnanews.com.pk/pakistan-needs-to-balance-itself-between-a-welfare-state-and-a-security-state-experts/>

SABAH News (English)

<https://sabahnews.net/english/news/ips-fjwu-conference-on-50-years-of-the-constitution-of-pakistan-2/>

SABAH News (Urdu)

<https://sabahnews.net/archives/148366>

Weekly Tania

<https://taniaislamabad.com/uncategorized/%d8%b7%d8%a7%d9%82%d8%aa-%d8%a7%d9%88%d8%b1-%d8%a7%d9%82%d8%aa%d8%af%d8%a7%d8%b1-%da%a9%db%8c-%d8%ad%d8%b1%da%a9%db%8c%d8%a7%d8%aa/>

Centreline Magazine

<https://centreline.com.pk/2023/10/21/pakistan-needs-to-balance-itself-between-a-welfare-state-and-a-security-state-experts/>

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