

**SECOND CHAMBERS IN PARLIAMENTARY
FEDERATIONS: THE ROLE OF SENATE IN PAKISTAN**

BY

IMTIAZ AHMAD

REGISTRATION # 18012215002

Doctor of Philosophy

Department of Political Science & International Relations



UNIVERSITY OF GUJRAT

Session 2018-21

Imtiaz Ahmad

PhD in Political Science

2018-21

**SECOND CHAMBERS IN PARLIAMENTARY
FEDERATIONS: THE ROLE OF SENATE IN PAKISTAN**

**A Thesis Submitted in Partial Fulfillment of the Requirements for the
Award of Degree of**

Doctor of Philosophy

In

Political Science

BY

IMTIAZ AHMAD

REGISTRATION # 18012215002

Department of Political Science & International Relations



UNIVERSITY OF GUJRAT

Session 2018-21

ACKNOWLEDGMENT

I am deeply indebted to my dissertation supervisor, Dr. Muhammad Mushtaq, for his scholarly guidance, technical refinement of every portion of the thesis, and uninterrupted encouragement from the beginning to the final stage. He has proven himself as a real researcher and mentor for me. So, words cannot express my gratitude to him. I would like to extend my sincere thanks to Dr. Sultan Mubariz Khan and Dr. Muhammad Ramzan Shahid for their support and feedback on my thesis framework. Their invaluable advice is an incredible part of this dissertation.

This thesis would not have been possible without the unwavering support of my best friend Dr. Abdur Rehman. He not only enlightened me with academic knowledge but also gave me valuable advice whenever I needed it the most.

I owe my earnest gratitude to all the people who provided me with professional guidance throughout the research process and made the completion of this doctoral dissertation possible. Without their support, this dissertation could not have been accomplished. Foremost, I want to thank all of my family members who always encouraged me in my time of despair. I cannot describe the sacrifices made by all of my family members. My parents have been a motivating force for me. The success became possible because of the endless love, prayers, and support that came from my respected mother.

Besides these honoured personalities, there are many respected people who contributed a lot to my research efforts. I am highly thankful to all of my Ph. D. fellows who always supported and facilitated me during days of coursework and later research. I cannot remain silent about the sincere help and guidance rendered by Dr. Rizwan Ullah Kokab, who has a blessed heart for me. My thanks go to my head of department at the University of Jhang, Miss Anam Saleem, who kindly facilitated me throughout my dissertation period. His invaluable contribution cannot be expressed in words.

I will be indebted to all the respected personalities from whom I got support, namely, Mr. Fazeel Ashraf Qaisrani, Mr. Javed Qamar, and Mr. Muhammad Asif. I am also thankful to Dr. Syed Muhammad Kashif who shared his views on this dissertation and guided me technically. There are many invisible forces whom I would like to describe as spiritual ones. They wish me to be a Doctor of Philosophy. Their blessed feelings for me have always been an eternal source of undaunted courage and determination.

(Imtiaz Ahmad)

DEDICATION

I dedicated my dissertation work to my family. I have a special feeling of gratitude to my loving parents, Muhammad Younis and Razia Bibi. Words can hardly describe my thanks and appreciation to you. You have been my source of inspiration, support, and guidance. You have taught me to be unique, determined, to believe in myself, and to always persevere. I am truly thankful and honoured to have you as my parents. I also dedicated this thesis to my wife, Iram Tahira, who has been a constant source of support and encouragement during the challenges of doctoral work. I am truly thankful to have you in my life. To my children, Muhammad Abu Horaira Khan, Irtaza Fattir, and Widad Ahmad Khan, who have been affected in every way possible by this quest.

(Imtiaz Ahmad)

DECLARATION

I, Imtiaz Ahmad S/O Muhammad Younas, Roll # 18026115-002, scholar of PhD Political Science, Department of Political Science & International Relations, University of Gujrat, Punjab, Pakistan hereby solemnly declare that this thesis titled “Second Chambers in Parliamentary Federations: The Role of Senate in Pakistan” is based on genuine work and has not yet been submitted or published elsewhere. Furthermore, I shall not use this thesis for obtaining my other degrees from this University or any other Institution.

I also understand that if evidence of plagiarism is found in this thesis at any stage, even after the award of the degree, the degree may be cancelled and revoked by the University.

(Imtiaz Ahmad)

It is certified that Mr. Imtiaz Ahmad S/O Muhammad Younas, Roll # 18026115-002, scholar of PhD Political Science, Department of Political Science & International Relations, Faculty of Social Sciences, University of Gujrat, Punjab, Pakistan, worked under my supervision and above stated declaration is true to the best of my knowledge.

Dr. Muhammad Mushtaq (Research Supervisor)
Associate Professor
University of Gujrat, Punjab, Pakistan
Email: muhammad.mushatq@uog.edu.pk
Dated: _____

THESIS COMPLETION CERTIFICATE

It is certified that this thesis titled “Second Chambers in Parliamentary Federations: The Role of Senate in Pakistan” submitted by Imtiaz Ahmad S/O Muhammad Younas, Roll # 18026115-002, scholar of PhD Political Science, Department of Political Science & International Relations, University of Gujrat, Pakistan is evaluated and accepted for the award of degree “Doctor of Philosophy (Ph. D.)” in Political Science by the following members of Thesis/Dissection Viva Voce Examination Committee.

The evaluation report is available in the Directorate of Advance Studies and Research Board of the University.

Dr. Abdul Basit Khan
Assistant Professor
Department of Political Science & International Relations
GCU Faisalabad
Email: basitniazi@yahoo.com

Dr. Muhammad Mushtaq (Research Supervisor)
Associate Professor
University of Gujrat, Punjab, Pakistan
Email: muhammad.mushtaq@uog.edu.pk

Dr. Muhammad Mushtaq (Chairperson)
University of Gujrat, Punjab, Pakistan
Email: muhammad.mushtaq@uog.edu.pk
Office Dispatch #
Dated: _____

CERTIFICATE OF PLAGIARISM

It is certified that PhD Thesis titled “Second Chambers in Parliamentary Federations: The Role of Senate in Pakistan” by Imtiaz Ahmad has been examined by us. We undertake the follows:

- a. Thesis has significant new work/knowledge as compared already published or are under consideration to be published elsewhere. No sentence, equation, diagram, table, paragraph, or section has been copied verbatim from previous work unless it is placed under quotation marks and duly referenced.
- b. The work presented is original and own work of the author (i.e. there is no plagiarism). No ideas, processes, results, or words of others have been presented as Author own work.
- c. There is no fabrication of data or results which have been compiled/analyzed.
- d. There is no falsification by manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research record.
- e. The thesis has been checked using TURNITIN (copy of originality report attached) and found within limits as per HEC plagiarism Policy and instructions issued from time to time.
- f. While generating the Turnitin report, nothing has been excluded from the Abstract to the conclusion part of the thesis.

Imtiaz Ahmad (Research Scholar)
Roll No. 18026115-002
Department of Political Science & International Relations
University of Gujrat, Punjab, Pakistan

Dr. Muhammad Mushtaq (Research Supervisor)
Associate Professor
University of Gujrat, Punjab, Pakistan
Email: muhammad.mushatq@uog.edu.pk

TABLE OF CONTENTS

CONTENTS	PAGE
LIST OF FIGURES:	(xi)
LIST OF TABLES:	(xii)
LIST OF APPENDICES:	(xiii)
ABSTRACT:	01
CHAPTER 01: INTRODUCTION	02
1.1 Research Questions	03
1.2 Objectives of the Study	04
1.3 Research Methodology	04
1.4 Definitions and Terminologies	05
1.5 Significance of the Study	06
1.6 Structure of the Thesis	07
CHAPTER 02: LITERATURE REVIEW	09
CHAPTER 03: BICAMERAL FEDERATIONS: ORIGIN, GROWTH AND VARIETIES	29
3.1 Introduction	29
3.2 Origin of Bicameralism	29
3.3 Federal Bicameralism	31
3.4 Dimensions of Parliamentary Federal Bicameralism	33
3.4.1 Administrative and Demographic Divisions	34
3.4.2 Representation, Composition and Selection Methods	34
3.4.3 Role and Powers of Federal Second Chambers	36
3.5 Case Studies	40
3.6 United States of America (USA)	40
3.6.1 Administrative and Demographic Divisions	40
3.6.2 Representation, Composition and Selection Methods	41
3.6.3 Role and Powers of Federal Second Chambers	41
3.7 Switzerland	42
3.7.1 Administrative and Demographic Divisions	42
3.7.2 Representation, Composition and Selection Methods	42
3.7.3 Role and Powers of Federal Second Chambers	43
3.8 Canada	43
3.8.1 Administrative and Demographic Divisions	43
3.8.2 Representation, Composition and Selection Methods	44

3.8.3 Role and Powers of Federal Second Chambers	44
3.9 Australia	45
3.9.1 Administrative and Demographic Divisions	45
3.9.2 Representation, Composition and Selection Methods	45
3.9.3 Role and Powers of Federal Second Chambers	46
3.10 Malaysia	46
3.10.1 Administrative and Demographic Divisions	46
3.10.2 Representation, Composition and Selection Methods	47
3.10.3 Role and Powers of Federal Second Chambers	47
3.11 Belgium	48
3.11.1 Administrative and Demographic Divisions	48
3.11.2 Representation, Composition and Selection Methods	48
3.11.3 Role and Powers of Federal Second Chambers	49
3.12 India	50
3.12.1 Administrative and Demographic Divisions	50
3.12.2 Representation, Composition and Selection Methods	51
3.12.3 Role and Powers of Federal Second Chambers	51
3.13 Pakistan	52
3.13.1 Administrative and Demographic Divisions	52
3.13.2 Representation, Composition and Selection Methods	53
3.13.3 Role and Powers of Federal Second Chambers	53
CHAPTER 04: EMERGENCE OF SENATE IN PAKISTAN	57
4.1 Introduction	57
4.2 Development of Bicameral Parliament in British India	57
4.2.1 Development of Legislative Council of India (1600-1909)	58
4.2.2 Journey towards Second Chamber (1909-21)	59
4.2.3 Evolution of the Second Chamber (1921-47)	61
4.3 Designing Federal Bicameralism in Pakistan: Challenges, Efforts and Outcomes	62
4.3.1 The Developments of House of Federation in Pakistan from 1947 to1973	62
4.3.2 The Interim Report of “The Basic Principles Committee 1950”	64
4.3.3 The Final Report of “The Basic Principles Committee 1952”	65
4.3.4 Muhammad Ali Bogra Formula 1954	67
4.3.5 Constitution of 1956 and Federal Legislature	68
4.3.6 The Constitutional Commission 1960 and Federal Legislature	68
4.3.7 The Constitution of 1962 and Federal Legislature	69

4.4 The Birth of the Upper House, the Senate, and its Evolution	70
4.4.1 Composition of the Senate of Pakistan	71
4.4.2 General Zia-ul-Haq's Martial Law: The Ban on Democratic Parties	72
4.4.3 Elections in Senate of Pakistan	74
4.4.4 Powers of Senate of Pakistan	76
4.4.5 Empowerment through 18 th Constitutional Amendment (2010)	77
4.4.6 Empowerment in Term of Executives Accountability	79
4.4.7 The Territorial Institutions and the Senate of Pakistan	81
4.4.8 Legislative Reforms in the Senate of Pakistan	82
CHAPTER 05: LEGISLATIVE ROLE OF SENATE IN PAKISTAN	84
5.1 Introduction	84
5.2 Legislative Mechanism in the Parliament of Pakistan	85
5.3 Senate of Pakistan as a Second Sober Thought: Revisory Chamber	88
5.4 Financial Legislation	88
5.5 Constitutional Amendments	88
5.6 Ordinance as a Tool of Circumvent the Parliament and the Senate	92
5.7 Bills in the Senate of Pakistan	96
5.8 Joint Session in the Parliament of Pakistan	99
5.9 Legislation in the Senate of Pakistan: Quantitative Dimension	100
5.10 Legislation on the Issues of Pakistan	103
5.10.1 Legislation Regarding Social Sector Issues	103
5.10.2 Economy and Finance Related Legislation	105
5.10.3 Rights Based Legislation	107
5.10.4 Legislation on Climate Change, Environment, Natural Disaster and Emergency Management	110
5.10.5 Legislation Regarding Energy Crisis	112
5.10.6 Kashmir Dispute and the role of Senate	113
CHAPTER 06: ROLE OF SENATE IN EXECUTIVE ACCOUNTABILITY	114
6.1 Introduction	114
6.2 Executive Accountability Tools and Quantitative Dimensions in the Senate of Pakistan	115
6.2.1 Senate's Question Hour	116
6.2.2 Zero Hour	119
6.2.3 Calling Attention Notices	119
6.2.4 Adjournment Motion	121
6.2.5 Motion under Rule 218 in the Senate	122

6.2.6 Resolutions	123
6.2.7 Committee System	125
6.3 Executive Accountability in the Senate of Pakistan	126
6.3.1 Energy Sector	126
6.3.2 Issues Related to Issuance of Passport	129
6.3.3 Issues of Capital Islamabad Development	130
6.3.4 Education Sector	135
6.3.5 Health Sector	137
6.3.6 Finance, Revenue and Economic Affairs	140
6.3.7 Communication Sector	141
6.3.8 Parliamentary Affairs	142
6.3.9 Foreign Affairs	143
CHAPTER 07: THE TERRITORIAL ROLE OF SENATE IN PAKISTAN	147
7.1 Introduction	147
7.2 The Territorial Role of the Second Chamber in Relation to Specific Indicators ..	148
7.3 Territorial Representation in the Senate of Pakistan	150
7.3.1 Aliens in the House	152
7.3.2 Entire Representation in the Senate of Pakistan	153
7.3.3 Woman Representation in Senate	157
7.3.4 Patterns of Women's Representation in Senate of Pakistan	158
7.3.5 Gender Wise Composition of Senate in Pakistan	158
7.3.6 Women's Marginal Representation in the Senate of Pakistan	159
7.3.7 Women on General Seats in the Senate of Pakistan	159
7.4 Senate Representation in Executive	160
7.5 Territorial Representation in Committees	161
7.5.1 Territorial Role of Committee	162
7.5.2 Parliamentary Committee on Constitutional Reforms (PCCR)	163
7.5.3 Parliamentary Committee on Electoral Reform	163
7.5.4 Parliamentary Committee on National Security	163
7.6 Council of Chairs	164
7.7 Horse-trading and Rigging in the Senate Polls	164
7.7.1 Measures Taken to Prevent Rigging and Horse Trading in Senate Elections ...	165
7.8 The Issue of Enforced Disappearances or Missing Persons	165
7.9 Issue of Autonomy and the Role of Senate	166
7.10 Perspectives of Members of Senate on Certain Autonomy Issues	167
7.11 Ethno Regional Minorities of Pakistan and the Role of Senate	168

7.12 Role of Senate for Empowering Ethno Regional Minorities in Pakistan	168
7.13 Seating Arrangements and Voting Patterns in the Senate	169
7.14 An Analysis of a Parliamentary Year of Senators Performance	170
7.15 Issues of Backward Areas and the Role of Senate	171
CHAPTER 08: CONCLUSION	174
REFERENCES	178
APPENDICES	190

LIST OF FIGURES

CONTENTS	PAGE
Figure-3.1: Bicameralism and Unicameralism in the World	31
Figure-3.2: Worldwide Electoral Systems for Second Chambers	35
Figure-4.1: Comparison of Senate Composition Throughout History	74
Figure-5.1: Legislative Process in the Parliament of Pakistan	87
Figure-5.2: Constitutional Amendments Passed by the Senate 1974-2018	90
Figure-5.3: Constitutional Amendment Bills: A Comparison of National Assembly and the Senate of Pakistan	92
Figure-5.4: Laws Passed in the Parliament of Pakistan	101
Figure-6.1: Executive Accountability Tools in the Senate of Pakistan	115
Figure-6.2: Question Hours in the Senate of Pakistan	117
Figure-6.3: Question Hour Senate Comparison with National Assembly of Pakistan	118
Figure-6.4: Replied Questions in National Assembly and in the Senate of Pakistan	118
Figure-6.5: Calling Attention Notices in National Assembly and Senate of Pakistan	120
Figure-6.6: Calling Attention Notices Taken in National Assembly and Senate of Pakistan	121
Figure-6.7: Adjournment Motions Taken in the Senate of Pakistan	122
Figure-6.8: Resolutions Moved in National Assembly and in Senate of Pakistan	124
Figure-6.9: Resolutions Adopted by the National Assembly and Senate of Pakistan	124
Figure-7.1: Female and Male Representation in the Senate of Pakistan	159
Figure-7.2: Territory Wise Committee Membership	161
Figure-7.3: Territory wise Committee Chairmanship	162
Figure-7.4: Ranking of Senator's Performance (2015-2016)	171

LIST OF TABLES

CONTENTS	PAGE
Table 3.1: Federal Parliamentary Second Chambers of the World	55
Table 4.1: Indian Council of State under India Act 1919	60
Table 4.2: Composition of Council of State in 1935	61
Table 4.3: The Distribution of Seats of West Pakistan	63
Table 4.4: “Basic Principle Committee Recommended Composition of Upper House”	66
Table 4.5: Division of Seats proposed in Muhammad Ali Bogra Formula 1954	67
Table 4.6: Proposed Composition of Senate in Constitutional Commission 1960	69
Table 4.7: Composition of First Senate of Pakistan 1973	71
Table 4.8: Distribution of Seats in Senate of Pakistan (1973-2021)	72
Table 4.9: Composition of Senate of Pakistan In 1977	72
Table 5.1: Ordinances Laid In the Senate of Pakistan	95
Table 5.2: Government Bills -2010 to June 2021	97
Table 5.3: Bills Passed By the National Assembly and Senate of Pakistan	98
Table 5.4: Private Members Bills 2012-2021	98
Table 5.5: Acts Passed In The Senate of Pakistan	99
Table 5.6: Existing Composition of the Parliament of Pakistan	99
Table 6.1: Received and Taken Up Calling Attention Notices in the Senate of Pakistan (2008-2021)	121
Table 6.2: Motions under Rule 218 in the Senate of Pakistan (2015-2021)	123
Table 6.3: Committees in the Senate of Pakistan	126
Table 7.1: Senator from other Provinces 2012-2024	153
Table 7.2: Entire Representation During 2012-24	154
Table 7.3: Entire Representation 2021-27	155

LIST OF APPENDICES

CONTENTS	PAGE
APPENDIX-01: Abbreviations Used in the Thesis.....	190
APPENDIX-02: Turnitin Originality Report	194

ABSTRACT

The study aims to answer the primary question of how the Senate of Pakistan performed its assigned tasks in the legislative and parliamentary history of Pakistan. The central tenet of this thesis is to ascertain the fact that the lower house prevails over the upper house in terms of legislative and executive functions assigned by the constitution to the lower houses. In the federal parliamentary system, the lower house restricts the functions of the upper houses. Broadly speaking, the thesis not only seconds the mentioned facts of the parliamentary federations but also delineates the functions of the upper house (Senate) of Pakistan. The performance of the Senate has been assessed in the domains of legislation, executive accountability, and the issues of the territorial units. Furthermore, the performance has been assessed by comparing the role of the Senate with the functionality of the lower house (National Assembly) of Pakistan. The study strengthens its worth by providing evidence from other parliamentary federations of the world, ranging from the developed world to the developing world. The study includes the evolution of the senate of Pakistan. It assesses the constitutionally assigned functions of the Senate of Pakistan.

Pakistan emerged as an independent entity in the subcontinent on August 14, 1947. For the functioning of the newly born state's constitutional organs, the founders of Pakistan borrowed the Indian Act of 1935 as a constitutional document with slight changes. Due to political instability, Pakistan could not adopt federal bicameralism till 1973. Pakistan remained a unique federal country with a unicameral legislature in the subcontinent until the breakup of this federal entity. The constitution of 1973 established a second chamber for the parliament of Pakistan. The constitution assigned the legislative and executive accountability functions to the Senate of Pakistan. The constitution also broadens the functions of the senate by empowering the house of the federation to initiate legislation and to hold the executive accountable on issues related to the territorial units of Pakistan.

Initially, the Senate of Pakistan could not perform its assigned functions due to political instability in the country. The martial law tenures of Zia-ul-Haq and Pervez Musharraf did not allow the Senate to strengthen its functional foundations. However, the 18th constitutional amendment passed in 2010 has empowered the functions and scope of the Senate of Pakistan. The study reveals that the Senate of Pakistan is not a dormant house, rather it has been exerting its role effectively in the domains of legislation and executive accountability. The tools of legislation and executive accountability seem operative in the assigned functions to the Senate of Pakistan.

INTRODUCTION

The genesis of bicameralism remained prevalent in the primitive social structure of society. In that structure, the commoners and the nobility were available to generate revenue for the ruling class. Over time, the commoners and the nobility started to discuss their concerns in separate meetings. The beginning of the separate meetings gave birth to the parliamentary institutions. The sophisticated form of this parliamentary structure emerged in the United Kingdom, where the legislature began to perform legislative and executive functions (Mughan, 1999). The tendency towards discussing the relevant issues in separate meetings among the commoners and the nobility continued until the formation of the House of Commons and the House of Lords (Alun, 2002). However, it was the American federal bicameral legislature that specified the dynamics and functions of the contemporary houses of the federation operating in the world. The underlying rationale behind the formation of the upper house has been to provide parity representation to the constituent units. The federal second chamber has always tended to empower the minority units. The conception of the separation of powers has always remained functional in the legislative and executive accountability functions of the federal second chambers. Pakistan also received substantial influence from the legislative structures of the U.K. and the USA.

After getting independence from the U. K., the first constitutional document that got approval from the first constituent assembly of Pakistan was "the Objective Resolution". In the resolution, the principle specified that, in the future, Pakistan would be a federation. Till the implementation of the first constitution of Pakistan, the first challenge faced by the newly born state was to formulate a formula or mechanism to provide parity representation to all the constituent units. The issue of representation lingered on. The constitutions of 1956 and 1962 could not manage the challenge of parity representation. Bengal became a separate province in 1955 under the title of East Pakistan. East Pakistan got separation from West Pakistan in 1971. Pakistan adopted a new constitution that was promulgated on August 14, 1973. The constitution of 1973 provided federal bicameralism in Pakistan in which all the four constituent units, namely Punjab, Sindh, NWFP (now KP) and Balochistan, got parity representation in the house of the federation. The constitution of 1973 specified legislative and executive accountability functions for the house of the federation. The very particular constitution also empowered the house of the federation to initiate legislation on the issues of the territorial units. Equally, the house of the federation was also empowered by the constitution of 1973 to activate tools of executive accountability to protect the rights of the territorial units. In principle, the critical analysis of the constitutional history of Pakistan has

revealed that it was the 18th amendment of the constitution of 1973 passed in 2010, that empowered the functional dynamics of the Senate or the house of the federation of Pakistan.

The study provides an overview of the political and constitutional history of Pakistan. The political issues hindering the formation of the house of the federation have also been elaborated. Due to three martial laws imposed by generals of the armed forces, Pakistan as a democratic country could not see the flourishing roots of democracy. However, the democratic forces of Pakistan always focus on the vibrant role of the Senate. After 2010, the Senate demonstrates that it began to play a more active role in the areas of legislation, executive accountability and territorial interest protection. The senate seemed to protect the issues of minority provinces through the tools of legislation and executive accountability. The vibrant role of the Senate has been presented in the comparative context of this study. The study, by making a comparison between the Senate and the National Assembly, has demonstrated that the Senate of Pakistan did not remain a passive or dormant house.

The study primarily investigates the question of “How did the Senate of Pakistan perform its assigned tasks in the legislative and parliamentary history of Pakistan?” To address this question, three sub-questions have been raised. These sub-questions include: a) How did the senate of Pakistan contribute to the legislation of Pakistan? b) How did the senate of Pakistan exert its role in the domain of executive accountability and c) How did the senate of Pakistan safeguard the interests of its territorial units?

The major objective has been to make an analysis of the Senate in the assigned domains, namely legislation, executive accountability, and protection of small provinces. By focusing on a few areas like social issues, the functionality of the Senate has been investigated in the domains of legislation, accountability or oversight, and protection of minority provinces in this study.

1.1 Research Questions

The overarching research question of this study is:

- i) How did the Senate of Pakistan perform the assigned tasks in the legislative/parliamentary history of Pakistan?

To address this question further three sub-question have been raised. The sub-questions comprise:

- i) How did the senate of Pakistan contribute to the legislation of Pakistan?
- ii) How did the senate of Pakistan exert its role in the domain of executive accountability?

iii) How did the senate of Pakistan safeguard the interests of its territorial units?

1.2 Objectives of the Study

Firstly, the study intends to evaluate the role of the Senate of Pakistan in the domains of legislation and accountability. In the domain of legislation, the study is directed to encompass legislative measures taken by the Senate of Pakistan in the areas of finance, constitutional amendments, and the social sectors. Secondly, the study is directed to assess the assertive role of the Senate of Pakistan under the tools of executive accountability employed by the senators of Pakistan. Lastly, the study analyses the territorial functions of the Senate of Pakistan. In all the sections, the dominant objective is to evaluate the assertive role of the Senate of Pakistan. The extent to which the Senate has been a powerful forum for initiating legislation and utilizing executive accountability tools is a recurring objective in this study.

1.3 Research Methodology

The thesis mainly explores the role of the Senate in the domains of legislation, executive accountability, and protection of the interests of territorial units through the techniques of qualitative and quantitative methodology. The quantitative dimensions remain operative in legislation and executive accountability. The qualitative dimensions of the research methodology remain operative in the selected issues taken to assess the legislative and executive accountability role of the Senate. The argumentative method was used to address the chapter on the literature review. The chapters on contemporary federations and the emergence of the Senate in Pakistan have been discussed using the qualitative method.

The main purpose of the study was to inductively generalize the specific data. Generalization shaped the relationship between the second chamber of parliament and regional interests. Models have been drawn from several theoretical backgrounds including strong federalism and fundamental bicameralism. The focus of the study was the different regimes of the second chamber of Pakistan. The focus on these regimes is intentional because they were in recent democratic government eras.

Furthermore, an interdisciplinary approach was used for the detailed research and conclusion of the overall role of the Senate of Pakistan. Variables, to consider when researching Pakistan's Senate, include the nature of the federal system, the composition of the house, the role and power of the second chamber, legislative efficiency, the nature of the system under which the Senate operates (presidential or parliamentary), and the dominant environment, culture, and political norms of Pakistan have been focused. To measure indicators or variables, the structural-functional approach was quite useful.

Both primary and secondary tools of data collection have been utilized. The secondary sources include books, journal articles, reports, conference papers, and newspapers. The primary sources of data include debates available on the official websites of the National Assembly and the Senate of Pakistan. The house debates of the National Assembly and the Senate and the committee reports have been analysed and coated in the thesis. The primary data have also been taken from the websites of the Free and Fair Election Network (FAFEN), Pakistan institute of legislative development and transparency (PILDAT), Pakistan institute of parliamentary services (PIPS), Council of Common Interests (CCI), National Economic Commission (NEC), Upper Chambers of the Federations and Inter-parliamentary Union.

1.4 Definitions and Terminologies

The term "parliament" was used by Simon De Montfort for the house of elected representatives. Representatives of the nobility, higher clergy, and the shires were also elected to the aforementioned parliament. Later on, in 1295, the lower clergy also began to be elected to the parliament.

The hierarchical system existed before the parliamentary bicameral legislature in the U.K. It was influenced by the formation of various other legislatures. The rationale behind the creation of the parliamentary bicameral system was to engage the members of different levels in parliamentary discussions. The so-called hierarchical system was converted into bicameralism. In modern times, almost all the contemporary federal legislatures are bicameral.

A single transferable vote (STV) is an electoral method in which voters vote for a candidate in the order of preference. Until all available seats are filled, candidates who meet a predetermined electoral threshold are elected, and their excess votes are distributed to the remaining candidates. With this method, the outcomes fairly represent the electorate's preferences and, consequently, their support for both candidates and political parties. Even while the system gives minor parties representation, single transferable vote (STV) election outcomes have often demonstrated that tiny centrist parties profit from the system while minor radical parties suffer. In the Senate of Pakistan, this method was used from the establishment of the upper house to date.

Proportional representation (PR) and coalition governments are both useful for making choices in the best interests of all. The choices which are decided as a result of consensus are more likely to last than policies that are imposed. Mostly, the minor countries benefited from proportional representation in international trade. For small countries, PR was a source of strength rather than weakness. Consensual institutions, likewise, have a significant impact on

inflation and unemployment. They are capable of dealing with the economic pressures imposed by international organizations. Representative democracies are better suited to combat violence. The representative form of democracy is the kinder and gentler kind of democracy.

Executive accountability referred to a social relationship in which the members (an individual or institution) feel a responsibility to justify and explain their actions in front of some substantial government. Ensuring executive accountability makes parliamentary democracy advanced. In parliamentary systems, executives are accountable before both houses of the parliament. In the Senate of Pakistan, members used different tools to make responsible executives.

The term "Entire Representation" verifies the demand of remote cities in Pakistan. The public of remote areas raises questions about the credibility of the second chamber of Pakistan which is the house of territorial representation. The remote areas of all the federating units of Pakistan have remained underrepresented. There seems to be equal representation in the federating units, FATA, and Islamabad Capital Territory, but in reality, the underrepresentation of some groups remains a striking issue in the history of the second chamber (Adeny, 2012). For example, improper representation of Saraiki speaking, Pashtu speaking, Barhavi speaking and Balochi speaking in rural areas has been an important issue. The senate election is held on the basis of a single transferable vote on the pattern of proportional representation. Every constituent unit elects equal members for the second chamber based on proportional representation. Indirect election through proportional representation causes an improper representation of all territories of Pakistan. Besides, each political party takes a share in the second chamber based on its strength in provincial legislatures.

The term "Aliens in the House" used in this study identifies the members of the House of Federation who belong to other provinces of Pakistan and who have been representing some other provinces. Notably, the purpose of the establishment of the Pakistani House of Federation was to ensure the equal representation of all the provinces. The act to elect the members of the House of Federation from irrelevant provinces limits the house's role.

1.5 Significance of the Study

The study is a systematic effort directed toward the prognosis of the functionality of the Senate of Pakistan in the domains of legislation, executive accountability, and issues of the territorial units. The study carries substantial worth in the context of exploring three constitutional roles assigned by the constitution of 1973 to the Senate of Pakistan. The study not only explains the emergence of the senate of Pakistan but also clarifies its nature and

composition. It also takes some areas, like the social issues, where the functionality of the senate of Pakistan can be observed and measured. The study also highlights political issues hindering its performance. It is a case study where the comparative analysis has been implied by discussing the functions of the second chambers of different federal countries around the world. The study provides a comprehensive account of the evolution of the Senate of Pakistan. It also provides a structured account bearing diagrams for readers interested in the politics of Pakistan, particularly in the study of the Senate of Pakistan. The last portion of the thesis provides recommendations to improve the functionality of the Senate of Pakistan. The laborious work is a helpful effort to broaden the understanding of the academia, policymakers, and politicians of Pakistan.

1.6 Structure of the Thesis

The literature on federalism and bicameralism has been reviewed extensively. The chapter on literature review makes a review of the literature available in the areas of bicameralism, federalism, and majoritarian democracy. In this thesis, the technique of the argumentative method has been employed to comprehend available literature on the different dimensions of federal bicameralism. A substantial amount of research has been conducted on the design of federal bicameralism in advanced and developing countries. Similarly, the literature on the constitutional and political history of Pakistan has been critically evaluated. The gaps found in the literature have been pointed out comprehensively. The chapter opens new areas of research based on the analysis done keeping in view the available literature on the federal history of Pakistan.

The third chapter discusses the origin and growth of federal bicameralism. In this chapter, the history of the parliamentary form of democracy has been critically analyzed. The different modes of bicameralism have also been discussed. A large portion of the chapter has been devoted to understanding the operation of federal second chambers in the United States, Switzerland, Canada, Australia, and Belgium. The chapter elaborates on the functioning of federal bicameralism in the selected countries of advanced democracies. India and Malaysia are examples of developing countries. Keeping in mind the various dimensions discussed in the contexts of advanced and developing country federal designs, the final section of the chapter establishes a foundation for the federal design of the Pakistani parliament.

The fourth chapter opens with a discussion on the development of the legislative chamber established during the era of British India. Till 1956, the political institutions of Pakistan functioned under the modified form of the Indian Act of 1935. During this time, a kind of divergence on the nature of representation in the upper house and granting power to the

second chambers remained a crucial issue. The chapter explains salient developments in the constitution of Pakistan. The chapter's central theme is to highlight the nature of representation and the functions of Pakistan's senate.

The fifth chapter explores legislative measures taken by the Senate of Pakistan. Financial legislation, constitutional amendments, and ordinance requests have all been thoroughly investigated using the quantitative technique. The chapter also focuses on the legislative measures taken in the selected domains like legislation on women, the education sector, health care, the judiciary and climate change. The next chapter assesses the effectiveness of the role of the Senate in the context of executive oversight or executive accountability. The legislative measures of the Senate have been checked through the tools of executive accountability like questions, calling attention notices, resolutions, and committees. The chapter, further, explores the quantitative dimensions of the tools of executive accountability. The last part of this chapter assesses the functioning of the tools of executive accountability in the selected areas.

The final role, namely the territorial role of the Senate, has been discussed in chapter number seven. In this chapter, the nature of the territorial institution and the specific indicators for the territorial role of the second chamber have been discussed. The issues like representation and the aliens in the house have been explored in depth. The territorial role of the upper house of Pakistan has been examined in light of the 18th constitutional amendment. Having discussed the specified role of the Senate in different chapters, the thesis moves to the area of results and discussion. The last part of this thesis not only presents recommendations to enhance the role of the Senate but also concludes the thesis as well.

LITERATURE REVIEW

A great deal of literature is available on bicameralism. However, less attention is paid to bicameralism in federations. Even more bicameralism in the parliamentary federation is overlooked by scholars. It is noteworthy that there is not a single empirical study available on the senate of Pakistan. The literature review reviews the literature on bicameralism and bicameralism in parliamentary federations, specifically, the role of the senate in the federation.

The literature on bicameralism and federalism is available abundantly from the perspective of majoritarian and consensus democracy, executive accountability, scrutiny of legislative measures, ethnolinguistic diversity, and extra legislative functions of the upper houses. Most of the literature on federalism compares the bicameral legislative bodies of the different political systems. In simple words, presenting different federal designs of the government under comparative analysis has been a favourite domain of writers like Ronald Watts, Happacher, Wilfried Sweden, Hicks, Blais, David Decherty, Samuel Patterson, Anthony Mughan, Arend Lijphrat, Meg Russell, and Donald Shell. The valuable work of these writers provides rich information on different dimensions of bicameralism and federalism. Based on the academic contributions provided by the scholars, the different dimensions of the federal design of government are being discussed. The case of Pakistan is overlooked, almost, throughout the quality literature on federalism and bicameralism.

The literature in this thesis has been reviewed under the technique of ‘Argumentative Method’. Through this method, the different dimensions of federal bicameralism have been debated and discussed, keeping in view the different federal designs of the government in the contemporary world. Having reviewed different dimensions of federal bicameralism in the writings of different scholars, the literature has been practically probed in the case studies that are relatively more relevant to the case study of Pakistan such as the USA, Malaysia, India, etc. In the last section of this chapter, the existing gap in the literature on bicameralism and the senate of Pakistan is explored. The subsequent work has been carried out to fulfill this existing gap in the literature.

The academic scholars having an interest in the political system of Pakistan contributed to the perspectives on the history of federalism, problems of federalism, and the 18th constitutional amendment introduced in 2010. Pakistan adopted a unicameral legislature in the 1956 and 1962 constitutions of Pakistan. The unicameral legislature was adopted as all efforts to establish consensus over the principle of representation and powers of the two houses

remained unsuccessful. Therefore, most of the literature on political and constitutional history highlights the features and problems of the unicameral legislature of Pakistan. The 1973 constitution of Pakistan adopted a bicameral legislature and provided parity representation to all provinces irrespective of their population size. Therefore, the studies on bicameralism and federalism in Pakistan investigate the phenomenon in the post-1973 period. The Senate was assigned a subservient role in comparison to the popularly elected house, the National Assembly owing to the parliamentary nature of the system of government. However, the 18th amendment has enhanced the role of the Senate and now not only do minority provinces value it but it has started getting relatively more scholarly attention in the context of power-sharing and safeguarding regional interests at the federal level. However, before reviewing the literature on the senate of Pakistan, it is imperative to present a brief overview of the literature on bicameralism produced by international scholars.

Samuel Patterson and Anthony Mughan (2001) analyse the fundamentals of institutional designs in which they further investigate the functions and powers of parliamentary second chambers. They argue that, except for the upper houses of the United States and the United Kingdom, the world's parliamentary second chambers have received little attention. Recently, the focus has been on the analysis of the role of the institutions of the upper houses in the parliamentary second chambers. To assess the functionality of the upper houses, they divide bicameral legislatures into symmetric and asymmetric. They argue that the upper houses of the U. K., France, Russia, Japan, Poland, Spain, and Ireland are subordinate to the lower houses. In some of the upper houses, an assertive role is played by the upper houses through committees. For example, in the Australian Senate, 16 committees are functional. Similarly, in the US Senate, 18 committees are operating. They conclude that the parliamentary second chambers can become granters of institutional and constitutional continuity. In some cases, Senate approval becomes a prerequisite for the appointment of judges and the making of amendments to the constitution.

Peterson and Mughan (1999), Marriot (1910), and Tesbelis and Money (1997) have been among the few writers who undertook an initiative to develop a theory of bicameralism, keeping in mind that the literary contribution came from Greek political philosophers. These writers have concluded that the upper chambers collectively perform the functions of representation and review.

The valuable work of Arned Lijhprat in the broader contexts of majoritarian and consensus democracy introduces thirty-six democracies. Lijhphrat's analysis of thirty-six cases under two broader dimensions, which are the executive party dimensions and the territorial division, Lijhphart has described the types of bicameral legislative assemblies that are determined based

on decentralization. According to him, based on decentralization there are two types of legislative assemblies. He builds his arguments on the symmetry and congruence aspects. The countries that have symmetrical and congruence-based upper houses are considered strong bicameralism. Examples of strong bicameralism are the USA, Australia, Switzerland, and Germany. The country, which is missing one of the four mentioned aspects, stands in the middle. The countries that do not have both aspects are called "weak bicameral legislative bodies." Weak bicameralism based on asymmetrical and congruent chambers Austria, Ireland Sweden, Bahamas Jamaica (New Zealand before 1950) Barbados and Trinidad (Lijphart, 2012).

In the book "Bicameralism," Tsebelis and Money argue that the existence of interaction between the two houses of the legislature is vital to comprehend each other's behavior. They examine the processes of legislative production in fifty countries. They pursue cooperative and non-cooperative game-theoretic models. The cooperative models enhance the stability of working relations and reduce inter-cameral differences. The non-cooperative models are used to investigate institutional devices governing relations occurring at an inter-cameral level (Money, 1997).

Bicameralism is one of the insufficiently studied domains of political science. In particular, the academic and political elites have been ignoring comparative aspects of the upper chambers of the world. Another critical issue related to the upper chamber has been unaddressed scholarly attention on the nature of the upper chambers. Literature on the lower chambers is abundantly available. The elected officials of the lower houses have also contributed sufficient material on the workings of the houses of the people. There is a dearth of systematic research on upper chambers. Some of the upper chambers have a mixed method of selection in practice; some of the upper chambers are directly elected while others are elected indirectly. Bicameralism has been "under researched and under theorized" (Uhr, 1999).

Donald Shell evaluates the evolution of bicameralism and argues that different ideas caused the emergence of two-chamber legislatures. According to him, the second chamber represented the aristocratic society in the pre-democratic era. With time, democratic ideas gained momentum, and the aristocratic nature of the second chamber came under severe strain from the proponents of popular governments. Although some adjustments were introduced to make the second chamber a democratic forum, the elitist character of the second chamber sustained its position. The American Revolution became a pioneer in the context of the emergence of second chambers in federal states. The most popular justification given in defence of the second chamber is that it provides checks and balances on the legislative and

executive measures of the second chamber. The notion of checks and balances remained in practice during the eras of ancient Greece and Rome. However, the incessant feature of the second chamber has been the domination of the elite in the second chamber. This domination is quite visible in the second chambers of the USA, U. K., India, Canada, Malaysia, and Pakistan (Shell, 2010).

Meg Russell has analysed bicameral legislatures under three-dimensional approaches. Before that, Lijphart analysed bicameral legislatures under two-dimensional approaches. These two-dimensional approaches include majoritarian and consensus democracy and the formal powers of the bicameral legislatures. In having discussed the two-dimensional approaches of Arend Lijphart, Russell includes another approach which is the legitimacy of bicameralism, and in this way, her three-dimensional approaches gain the theoretical foundations to comprehend legislative arrangement under bicameralism. In terms of the formal powers of second chambers, the seeds of such powers are contained by the constitution. So far as the legitimacy of bicameralism is concerned, it is imperative to note that in 2011, out of seventy-one upper chambers, twenty-one were elected. In general, elected second chambers gain more legitimacy, and their contributions become more firmly entrenched in legislative arrangements (Russell M., 2013).

The work of Samuel Patterson and Anthony Mughan specifies that one-third of the world's parliaments are in practice on the pattern of bicameralism. Recently, in stable and emerging democracies, bicameralism has come under scrutiny by both academics and political readers. The upper houses of the U. K. and Canada have been under pressure because of their undemocratic structures. In contrast, the upper houses of Germany and Italy had taken an active role in government affairs. In this volume, different writers make debates in the upper houses of countries like the U. K., USA, Germany, Italy, Canada, Australia, etc. In every country, a comparative approach is followed to access variables like the organisational structure of the upper houses, electoral bases, party infrastructure, decision-making process, constitutional powers, and propensity for change of an upper house (Mughan, 1999).

James Barnett presents an overview of different bicameral legislatures around the world. He focuses on the nature of the domain of legislative functions of the state legislatures. He argues that the bicameral system is an integral part of checks and balances. Individual rights are protected. Through legislatures, the executive and judiciary are protected against encroachments. The federal constitution places restrictions upon the legislative measures of the state. He believes that the bicameral system operates as a hurdle against the corrupting influences of the legislature. The bicameral legislature can arguably be defended as an instrument to introduce influences to protect different interests under different principles.

Lastly, he suggests that closer cooperation between the executive and the legislature is fundamentally required to avoid ill-advised legislative measures. Thus, the deliberative functions of the bicameral legislatures, particularly the upper chambers, are principally recognized to enhance the credibility of state legislation (Barnett, 1915).

Carolyn Griffith argues that bicameral legislatures operate to maintain checks and balances in a political system. The constitutional designs assign roles and responsibilities to each chamber, covering legislative, financial, political, and administrative processes. According to the writer, the possibility of separating powers between the lower house and upper house in a bicameral legislature is guided by the historical account of that country. The role of the upper chamber is not always limited to legislative ones. The upper house performs its role in the bicameral legislature through the mechanisms of judicial review, executive oversight, the electing of national leaders and the arranging of international issues. The upper house in a federal design of government is considered the guardian of territorial representation. The writer critically evaluates the taxonomy of powers working in the upper chambers of bicameral legislatures in the political systems of Europe and Africa (Griffith, 2020).

Meg Russell argues that the upper house performs functions of scrutiny and revision of legislative measures initiated by the lower house in a parliament. Besides these functions, some of the upper houses represent the territorial interests of constituting units of a state. The territorial functions can be traced back to when the Swiss Confederation, the German Confederation of the 19th century, and the US federation were established. For example, the founder of the US constitution had to face the issue of representation from small states in terms of population. The issue was resolved by granting equal representation to all the constituent units of the US federation. The most plausible method that protected the territorial interests through the upper house was the granting of powers to the upper house to retain a check on the legislative measures pursued by the lower house. In the USA, a law could be agreed upon if supported by the majority of state representatives. The US, Australian, and Canadian upper houses can veto any government bill. The US and Australian Senates are constituted by directly elected members. Contrary to the Australian and US Senates, the Canadian Senate is formed through appointments. As a result, the Canadian Senate does not enjoy the same powers as those being enjoyed by the US and Australian Senates (Russell, 2001).

Roger Scully's view of the relationship between the executive and the legislature appears complex. According to Scully, the influential role of the executive remains influential because of quality dominance in the legislature. The legislative dominance exercised by the executive can be checked in the presence of different conditions. For example, the absence of a majority

of a party in the legislature controls the dominant influence of the executive in the lower house. Besides that, the existence of this unity among the coalition partners or parties can check the unbridled role of the executive. For these reasons, the presence of a powerful second chamber imposes a dominant response by the executive in the policy process. To impose some kind of check on the executive, the second chamber must enjoy some kind of formal powers. Scully currently believes that it would be appropriate to comprehend executive-legislative relations in the context of interconnected ones rather than for separation of powers (Scully, 2010).

Philip Norton and Nizam Ahmad focus on the legislatures of Asia, and they assert that, except for the Indian parliament and the Japanese Diet, the other Asian legislatures could not receive a proper scientific academic inquiry. Most of the work on the Asian legislature is available in the form of country-specific and descriptive ones. The studies with comparative analysis characteristics were regarded as void. They argue that the external environment and internal characteristics are broader variables to analyse the functioning of a legislature in Asia. Political culture, administrative structure, party and electoral systems, constitutions, committees, and interest groups are all variables that would aid in the understanding of Asian legislatures (Ahmed, Norton, & Nizam, 1998).

Ronald Watts, while presenting a comparison of different federal designs of the government like Spain, South Africa, Russia, Belgium, the European Union, and the Czech Republic, argues that some kind of paradigm shift has occurred in the domain of sovereignty. From a single Centre domain of sovereignty to multiple tiered domains of sovereignty has occurred in the federal structures of the government. While presenting a comparative analysis of different structures in the states, he believes that the Canadian federal system can learn lessons to implement constitutional reforms. He classifies federations of eleven political systems into four types, in which he compares variables like distribution of powers, the process of adjustment, symmetry and asymmetry of legislature composition, and distribution of finances. The recurrent theme of his study revolves around the adoption of constitutional adjustment by the Canadian federal system rather than achieving comprehensive constitutional change. He gave a coherent analysis of the second chamber with a comparison to the Canadian Senate (Watts, 1996).

Jan Erk and Lawrence Anderson assert that the federal design of the government recognises ethnolinguistic diversity. The underlying intention behind this recognition is to manage political and economic divisions. They further assert that a federal arrangement can cause the disintegration of a state established on ethnic-linguistic compromises. The territorial recognition of minority groups helps in managing ethnolinguistic conflict. In some cases,

federalism manages ethnolinguistic differences. In some other cases, particularly under newly designed federal arrangements, ethnic diversities can cause eventual secession (Anderson, 2009).

Happacher argues that most of the discussion in the upper chambers of the federal designs of the government remains specific to legislation. There has been a dearth of literature on the extra legislative and non-legislative functions of the executive and judiciary. The author compares the extra legislative functions of the upper houses of federations such as Belgium, Italy, Spain, and Germany. By analysing the role of the second chambers in these political systems under variables like relations of the upper chambers with the government, appointment of key officials, ratification of international treaties, and perspective on the European Union, He analysed the effectiveness of this bicameralism. The writer also explores the width of regional representation in these bicameralisms to a great extent. For example, the said bicameral legislature performs extra legislative functions. The Spanish Senate conducts inquiries related to the regions under the title of "General Committee for the Autonomous Communities" (Happacher, 2018).

Paleker argues that most of the research work on federalism revolves around legislative, financial, and administrative links between the central government and units. He focuses on theories of federalism to comprehend the dimensions of federalism. He briefly explains the different dimensions of the classical theory of federalism, the origin of the theory of federalism, and the functional theory of federalism. All the theories explain the political system in which the major focus remains on centre-unit relations. A single theory cannot exclusively explain all the dimensions of the federal design of the government. All these theories, despite some inadequacies, help in understanding federalism in the proper context (Paleker, 2006).

Wilfried Swenden argues that for a strong bicameral legislature, both chambers must enjoy the same powers. In actuality, there are only a few second chambers that can be titled "powerful second chambers." It has been observed that most of the second chambers lack powers in terms of the introduction or amending of legislation. The second chamber cannot veto legislation, or they cannot amend or veto bills related to finance in most cases. Similarly, the majority of the second chambers are unable to set meeting agendas. Wilfried Swenden presents a comparative analysis of twelve federal democracies and he concludes that the upper houses of Argentina, Brazil, Switzerland, the USA, Germany, and Australia could be framed under the title of "strong bicameralism" as compared to the bicameral legislatures of Belgium, Canada, India, Spain, Russia, and Austria. He further asserts that weak bicameral

legislatures are part of parliamentary federations. The exceptions in terms of parliamentary strong federations are found in Australia and Germany (Swenden, 2010).

Hicks and Blais (2008) focus on the restructuring dimensions of the Canadian Senate under the mechanism of an election. They make a debate on proposed acts, namely the Senate Appointment Consultation Act 2006 and the Act of Parliament 2006. The underlying objective of these proposed legislative measures was to transform the structure of the senate from an appointed one to an elected one. Through these legislative measures, the federal government intends to grant proportional representation. Proportional representation and directly elected senators have gained popularity in federal bicameralism. The appointed and hereditary nature of the upper house is casting an undemocratic influence on the legislative norms. The bills were introduced in the Canadian parliament, but those acts were not passed by the parliament (Bruce M. Hicks, 2008). Like Hicks and Blais, Docherty also highlights issues of the Canadian Senate in which he criticises the appointed nature of the upper house of the Canadian Federation. He argues that the appointed mechanism of the upper house of the Canadian Parliament has not fulfilled constitutionally conceived objectives. The Canadian Senate, working under anti-democratic foundations, has not been raising its voice for regional interests. The non-democratic nature of the upper house has halted its role as a legitimate voice of the constituent units. In these circumstances, federal-provincial cooperation has been serving the interests of the provinces. Meanwhile, regional interests have not taken part in discussions in the parliament owing to the appointed nature of the Senate (Docherty, 2002).

Dandoy, Dodeigne, Reuchamps, and Vandeleene (2015) discuss Belgian Federalism's evolutionary measures. Constitutional reform was introduced in Belgium in 2012–14 to broaden the scope of powers in Brussels, Flanders, and Wallonia. The said constitutional reforms targeted the Senate, in which the composition of the Belgian Upper House falls into three categories: directly elected Senators, indirectly elected Senators, and co-opted ones. Before 2014, the mechanism for constituting the upper house in the Belgian Federation was based on direct and community-based elections. Direct and community-based elections have been replaced by indirect and mixed regional and community-based elections. Through this article, the writers make a comparative analysis of the Belgian upper chamber, and they argue that the constitutional reform of 2012–14 neither affected the subtle balance of the Belgian Federal design of the government nor altered the mechanism of profiles of the senators. In this way, the elections of 2014 gave the Belgian upper chamber its first representation consisting of senators from community parliaments, regional parliaments and co-opted senators (Dandoy, Dodeigne, Reuchamps, & Vandeleene, 2015).

David Docherty criticises the Canadian Senate on the grounds of its appointment nature and impassive role. He argues that the ant-democratic foundations of the Canadian Senate are because of the nature of constituting the upper house, in which members are appointed rather than selected. As the members of the Senate are appointed, they do not become vocal advocates for regional interests. Many efforts have been made to restructure and reform the Canadian Senate on democratic lines. The measures taken to democratise the Canadian Senate were because such measures remained a tiny part of larger constitutional reform packages. The writer certainly believes that the structure of the Canadian Senate can be restructured along democratic lines if an initiative is taken exclusively to restructure it (Cocherty, 2010).

Reforming the Dewan Negara did not remain a top agenda item of public discussion. In 2011, a debate on reforming elections ensued. Currently, the reforms related to elections are directed at determining how individuals become part of Dewan Rakyat. Equally, the reform process would determine the methods of selecting candidates by the political parties and their funding mechanisms. The underlying objective of the debates and reform process related to the elections of the Malaysian upper house has been directed at improving effectiveness, democratising the electoral process, and increasing public confidence in the legislatures. Thus, Tunku and Abidin Muhriz suggest that political commentators should ponder over measures to make the second chamber an effective body of legislation (Muhriz, 2012).

Mahobob Hussain highlights the evolutionary process of parliament as an institution in Pakistan. The Charter Act of 1833 demonstrated the origin of the parliamentary system in which legislative meetings were separated from executive meetings in United India. Pakistan inherited a unicameral legislature after the elections of 1946. The first parliament of Pakistan was constituted of the elected members of the provincial assemblies. The performance of the first assembly had been quite slow. During the lifetime of the first Prime Minister of Pakistan, the Assembly worked on the introduction of Objective Resolution. After Liaqat Ali Khan, the Assembly worked on the Basic Principles Committee and the Bogra Formula. All the work of parliament remained under the influence of issues like representation, language controversy, and the distribution of powers. The provincial assemblies also acted as electoral colleges for the second parliament of Pakistan in 1955. Landlords, industrialists, businessmen, tribal chiefs, lawyers, and rulers of princely states became involved overwhelmingly in the second parliament. The second parliament prepared a constitution in 1956, having a unicameral legislature comprising 300 members. With the imposition of martial law in 1958, the constitution of 1956 ceased to function. The constitutional commission of 1960 suggested a bicameral legislature in the constitution of 1962 unicameral legislature was adopted. As a result of indirect elections, the lack of effective powers, the overwhelming majority of the

government party in the Assembly, and the pessimism of opposition members, the effectiveness of parliament as an institution has been limited (Hussain, 2011).

Baxter evaluates the development of federalism under constitutional measures in Pakistan, in which his major focus remains on two issues, namely center-province relations and the Islamic character of the Pakistani state. He presents major developments germane to federalism in Pakistan, in which he describes salient features of the constitutions of 1956, 1962, and 1973. He uses heavy descriptive language to denote historical development. He argues that all the variants of the introduced constitutions have consensus on Pakistan as an Islamic state. However, the strenuous battle remains unresolved on the distribution of powers between the national government and provincial governments (Baxter, 1974). Baxter evaluates scholarly center province relations of Pakistan but he did leave huge gaps in terms of the role of the upper house of Pakistan.

Ali (1995) explored the factors that caused the adoption of the unicameral design of governance in Pakistan. Before December 1971, the early constitutions of 1956 and 1962 introduced a unicameral legislature in Pakistan. Bicameralism could not have been adopted till the separation of East Pakistan from West Pakistan. Since 1973, bicameralism has been adopted as the most acceptable mechanism to run the affairs of the state. The logic presented by Syed Azhar Ali germane to the ignoring of bicameralism during 1956 and 1962 is that the framers of the early constitutions did not have cognizance of the potential impacts of the second chamber in the context of the guaranty contained by bicameralism. Parallel to it, the issue of representation in the units of East and West Pakistan, the absence of mutual trust, and geographical distance were among the few factors that halted bicameralism in Pakistan (Ali, 1995).

According to Muhammad Waseem, Pakistan was a federation from 1947 to 1971 because of the constitutional legacy and result of necessity. He analysed constitutional arrangements to manage ethnic problems in Pakistan. He analyses center-province relations in the domains of public policy. He argues that the federal government's operating under both civilian and military arrangements influenced financial issues related to the constituent units. Federalism, which is considered a mark of shared autonomy, remained an elusive concept. Since the 18th amendment, the federation of Pakistan has been moving towards liberalization of cooperation between the Centre and provinces (Waseem, 2010). Like as Baxter Muhammad Wasim ignored the role of an upper house in his work for the shared sovereignty

G.W. Chaudhary throws light on the different issues, features, and aspects of the constitution of 1956. He specified that the underlying objective of the 1956 constitution was to present a

synthesis of Islamic principles under a federal polity. Keeping in view the competing perspectives of orthodox religious figures and progressive intellectuals, the constitution of 1956 presented a synthesis of Islamic principles based on modern needs. Eight directive principles of state policy were made part of the constitution of 1956. Of these eight directive principles of state policy, two of them reaffirm the Islamic character of the constitution. The other principles dealt with issues of prejudice, safeguarding the legitimate rights of minorities, promoting the educational and economic interests of the deprived class, and securing the well-being of the general masses. Secondly, the unicameral federal legislature having parity representation was adopted even though the Basic Principle Committee's reports and the Bogra Formula had already suggested a federal bicameral legislature. The nature of the distribution of powers between the national and provincial governments has been based mainly on the Indian Act of 1935. The constitution of 1956 had a strong tilt towards the central government. The centralised aspects of the 1956 constitution aroused controversy between the two wings of Pakistan (Chaudhry, 1959).

Khalid Bin Sayeed points out issues related to the federation of Pakistan. He argues that a unitary element under the title of Islam existed between the two wings of Pakistan, however, the two wings could not transform themselves into a unitary state due to factors like geographical disconnection, linguistic differences, and cultural dissimilarities. Equally, the political elite of East Pakistan had a blurred vision of provincial autonomy. For example, Mr. Fazal-Ul-Haq (ex-chief minister of East Bengal) conceded that the central government should deal only with issues of defence and foreign affairs. Moreover, the acceptance of the Bengali language at the national level should be accepted by the central government as a demand raised by the political elite of East Pakistan. Contrary to Mr. Fazal-Ul-Haq, Moulana Bhashani (a politician of East Bengal) demanded that East Bengal should control the entire national government. Demanding an entire national government based on a majority population could not be justified on constitutional grounds. Although the work of Khalid is a good attempt in terms of provincial autonomy and the issues of representation, it is being skipped the importance of bicameral assemblies. The demand of Moulana Bhashani was a reversal of provincial autonomy (Sayeed, 1954).

Sharif-ul-Mujahid argues that continuous failure to manage internal diversity has been one of the greatest challenges to the national unity of Pakistan. The constitutional makers and their practitioners failed to forge a balance between unity and diversity. In other words, a tug-of-war between federalism and provincialism made the accommodation of unity and diversity a herculean task. The early days of independence witnessed dissenting voices from the population of East Pakistan on the issue of the acceptance of Bengali as a second national

language in the upcoming constitution of United Pakistan. During the 1950s, Khawja Nazimuddin, Fazul-ul- Haq, and Hussain Shaheed Suhwerdi were accommodated in the central government to provide a sense of participation to the political elite of East Pakistan. From the 1950s onwards, the rise of sub-identities parallel to regional identities has been an unending issue on the part of Pakistan's federalism. Besides regional identities, sub-regional identities like Saraki, Pothohari, and Muhajirs have become serious challenges for unity in diversity in Pakistan. National unity, governance, stability, and democracy cannot be fully realised in Pakistan unless grievances of regional and sub-regional identities are addressed at the national level. The writings of Mujahid indicate the issues of diversity in Pakistan but he could not interpret the importance of the house of the federation for the recognition of diversities (Mujahid, 2012).

Dr. Riaz Ahmad describes efforts to design a constitution taken by the first Constituent Assembly of Pakistan. He evaluates major initiatives taken during the era of 1947 to 1954. During that time, the Basic Principle Committee was designed to chalk out a framework to design the political system of Pakistan. The Basic Principles Committee presented two reports. Both of the reports specified the federal design of the government's having a bicameral legislature. The writer points out stumbling blocks like Bengali nationalism, Pakhtoonistan, domination of Punjab, ethnic diversity, etc. in the way of adopting the constitution of Pakistan. After the BPC reports, Mr. Muhammad Ali Bogra took the initiative to resolve issues of center-province power distribution and the issue of representation among the constituent units. The framework given by Muhammad Ali Bogra specified the federal design of the government having two houses of legislation. The writer argues that contrary to reports of the BPC that met with heavy criticism from the political elites of East Pakistan and West Pakistan, The Bogra Formula brought viable and rational solutions before the first Constituent Assembly of Pakistan. During the era of 1947–54, the Bogra Formula was the last systematic effort to make Pakistan a federal state (Ahmad, 2002).

Rid (2019) explains the phases related to the development of the upper house in the constitutional account of Pakistan. While explaining, the evolution of the upper house, he describes salient features of different constitutional measures taken by the constituent assemblies from 1947 to 2010. He explicitly argues that parliamentarians debated the formation of strong bicameralism from 1947 to 1954. During that time, the prominent measures taken in that regard were the formation of the Basic Principle Committee and the Bogra Formula. The project of a bicameral legislature was abandoned in 1955 after the creation of one unit. As a result, the constitutions of 1956 and 1962 provided for a unicameral legislature. For the first time, bicameralism under the title of the National Assembly and the

Senate as the lower house and upper house, respectively, was introduced under the 1973 constitution. Under the 1973 constitution, the Senate appeared as a truthless institution. Interestingly, the Senate started to become a powerful institution under military rulers. The 18th constitutional amendment introduced in 2010 has enhanced the role of the Senate in the true sense. However, according to Rid, the legislature of Pakistan cannot be proclaimed as strong bicameralism. One plausible justification for not having strong bicameralism is the mode of electing members of the upper house in Pakistan (Rid, 2019).

Dr. Rizwan Malik delineated the process of constitution-making initiated by the first Constituent Assembly of Pakistan. He remained focused on the issues and events that occurred from 1947 to 1956. The early fledgling government had to face formidable tasks germane to the writing of the constitution. The two issues constantly caused delays in the process of constitution-making. The first one was related to Islam, and the second one was related to representation. Pakistan was gained in the name of Islam and the objective resolution vested sovereignty in Allah Almighty. The Hindu majority raised severe criticism of the Islamic provisions of the objective resolution. The non-Muslim members of the first constituent Assembly considered the Objective Resolution as an assault on the rights of the minorities living in united Pakistan. Another serious issue that contributed to the delay in drafting the constitution was the development of a mechanism for distributing representation between East and West Pakistan. In united Pakistan, East Pakistan (Bengal) was the most populated as compared to all the constituent units of West Pakistan. Because of the majority province, East Pakistan demanded a share in the central legislature. Contrary to East Pakistan, West Pakistan demanded territorial representation in the central legislature. Three of Pakistan's four constituent units, namely Punjab, KPK, and Sindh, were located in West Pakistan. The formula, if adopted based on the constituent units, would have granted the privilege to West Pakistan. The Ulema and the intelligentsia held opposing perspectives on Islam. Both of these factors could not be managed by the political elite of that time (Malik, 2001).

Federal government designs preserve diversity, and it should be noted that no ideal type of federal government is currently operating in the world. The federal designs of the government contain diversity on the ground of their democratic status. Some of the federal designs of government have multi-national characteristics, while others have territorial features. So far as the issue of diversity is concerned, the federations recognise diversity, and the point of difference, it appears is how federations manage that diversity. Adeney argues that federalism under the 1956 constitution did not embody multi-national characteristics. The Pakistani federation cannot be proclaimed as a multi-national one because the units of the Pakistani

federation were not designed on the lines of territorial communities. The other problem with the Pakistani federation is that it could not become a democratic state from 1958 to 1970, 1977 to 1988, and 1999-2002. From 1971 to the present, Punjab has outperformed the other units of the Pakistani federation. As a result, most of the problems of the Pakistani federation are related to the majority dominance of Punjab in terms of population. Punjabis wield considerable power in the army, bureaucracy, and fund resource allocation. The plausible solution to manage the issues of the Pakistani federation is to divide Punjab into further units because the Punjabis do not preserve monolithic characteristics (Adeney, 2007).

Muntzra Nazir argues that federalism appeared as a viable constitutional and legal framework to accommodate the ethnic and linguistic diversities of East and West Pakistan during the initial years of independence. The national government has felt the magnitude of problems germane to managing diversities intended to employ Islam as a tool. The framers of the constitution perceived that Islamic principles would establish unity and that these principles would cause a participatory political system by eliminating parochial sentiments. The common feature of all the introduced constitutional measures was the tilt towards a strong centre, inherited from the British Indians who introduced constitutional measures. After independence, ethnic identities began to rise. Those identities demanded constitutional rights based on regional and parochial sentiments. Aside from population, culture, economy, and linguistic differences, geographical non-contiguity between East and West Pakistan was a major impediment to the establishment of a successful political system based on federalism. (Nazir, 2008).

Rizwan Ullah Kokab highlights fundamental issues of constitution-making in Pakistan in which demand for provincial autonomy on the part of East Pakistan remained prominent during the era of 1947 to 1958. The demand for provincial autonomy was so severe that East Pakistan demanded a setup based on a confederation, not on a federation. The author certainly asserts that one of the major factors that aggravated situations on the occasions of language controversy, parity representation, passing of reports by Pakistan's constituent Assembly, and so on, had been delayed aptitude on the part of the central legislature (Kokab, 2011). For example, on the issue of the passing of BPC, the analysis presented by Sris Chandra Chattopadhyaya carries substantial worth. He argued,

"We have considerably delayed the framing of the constitution and, in the case of further delays, Bengalis would say that we are not the real representatives of the people because we were not, they say, elected by adult franchise and let there be fresh elections" (Constituent Assembly Debates, 1953).

Rashiduzzaman describes the nature and composition of the legislative body formed under the constitution of 1962. His way of writing is historical and descriptive, and he remained focused on the unicameral legislature of 1962. He did not employ analytical and technical techniques to comprehend the functions of the legislative assembly of 1962. The National Assembly of Pakistan was unicameral and federal in the presidential system framed by the 1962 constitution. Originally, 156 members were supposed to be elected through the Electoral College based on parity representation. In 1967, the eight amendments to the constitution of 1962 were introduced. That amendment increased the strength of the members of the National Assembly from 156 to 218 members. The seats were distributed equally because the principle of parity representation was in practice. The National Assembly of 1962 could not deliver the desired results. The underlying reason for passive work was indirect elections and the absence of effective powers. It is common in the political system that the central legislature often plays a moderate role in the presidential system. Such a thing happened in the case of Pakistan in 1962. The National Assembly could not impose checks on the authoritarian actions taken by President Ayub Khan (Rashiduzzaman, 1969-70).

Kundi (2002) discusses problems with federalism in Pakistan. He argues that debate on federal-provincial relations ensued when Pakistan was established. Since the establishment of Pakistan, the predominance of Punjab in terms of its influence in the bureaucracy and army has been an Achilles heel for Pakistan's federalism. Besides that, the central government and federal agencies have been dominating the affairs of constituting units under both military and democratic regimes. The central government's dominance in the legislative, economic, and administrative domains has caused discontent in Pakistan's smaller provinces. He suggests that a healthy distribution of powers between the centre and units can frame good federalism. The Authorities, for example, the "National Finance Commission" (NFC) and the "Council of Common Interests" (CCI) have been constituted to address the grievances of smaller provinces in particular. Through constitutional institutions, healthy federalism can be framed (Kundi, 2002).

Alaa Bokhari makes an analysis of the challenges faced by the constitution makers of Pakistan. He throws light on the issues faced by the framers of the early two versions of the constitution. He believes that the lack of agreement between the political elites of East and West Pakistan on issues such as the space of Islamic provisions in the constitution and the acceptance of Bengali as a co-equal national language with Urdu has resulted in political chaos in the newly formed state. It took nine years to sort out the first version of the constitution that could not meet the slandered touchstone of federalism. The constitution lasted only two years. In actuality, Pakistan has faced a serious crisis of political leadership.

Such a crisis has not been faced by the United States and India before. The founding fathers of India and the United States framed the constitutions. They accommodated diversity and created unity in diversity. The leadership of India and the United States managed issues of framing the constitution and managing diversity based on legitimacy vested in their personalities. The constitutional history of Pakistan seems to overlap with issues of diversity, strong center, lack of consensus, domination of the army, and absence of sincere leadership. The parliamentary form of government has been unable to address the aforementioned issues. Therefore, it is wise and possible on the part of the contemporary political elite to revisit mistakes committed in the past in the domain of constitution-making and practicing as well. Having done these acts, Pakistan should redesign its constitutional framework, keeping in view its national requirements (Bokhari, 2008).

Tahir Mehmood analyses the functioning of the upper houses of Pakistan and the USA in a comparative manner in which he particularly emphasises the workings of the committee system. Practically speaking, the committee system in the USA has become an inevitable part of the legislative measures taken by the US Senate. If the US Senate is compared with the Pakistani Senate, the US Senate seems like a very powerful upper chamber and it takes precedence over the lower house of the US bicameral legislature. The decisions taken by the committees of the US Senate are binding on the government. The Senate committees influence the administrative, oversight, investigative, and legislative functions of the US Senate. In Pakistan, the committee system is gaining ground. The decisions taken by the Pakistani Senate bear only a recommendatory nature (Mahmood, 2015).

Ambreen Javed and Zainab Ahmad shed light on the worth of the Senate in Pakistan. They analyse the role of the Senate in Pakistan before and after the introduction of the 18th amendment to the 1973 constitution. The Senate provides equal representation to all the units, irrespective of their numerical strength. Theoretically, it is assumed that the Senate would provide impartiality and second deliberation on the legislative measures initiated and moved by the lower house of Pakistan. In the constitutional history of Pakistan, provincial autonomy has been a demanded right of the smaller provinces. That demand has been realised in the shape of the 18th amendment. Pakistani society exhibits multi-ethnic characteristics. Therefore, the upper house was formed to manage ethnic diversity. The Senate was also supposed to address the grievances of small provinces as part of the policy of countering Punjab's dominance in the National Assembly. With the arrival of the 18th amendment, the Senate has gained legislative parity with the National Assembly under the shadow of theoretical explanations. Practically, there is still a long way to manage issues of such an

ethnically divided society in Pakistan under the constitutional measures of the Senate (Javed & Ahmad, 2017).

Kishwer Khan makes an analysis of measures promoting federal designs of government in Pakistan, with particular reference to the role of the upper chamber in Pakistan. The establishment of the Senate was suggested to accommodate the territorial diversity of the constituent units. From 1947 to 1973, a unicameral legislature ran the political system of Pakistan. The framers of the 1956 and 1962 constitutions suggested the formation of the Senate to strengthen federalism in Pakistan. Unfortunately, the Senate could not deliver its demanded role because of intermittent martial law. The 18th amendment has been a serious effort to make a bicameral legislature a true federation of Pakistan. Equally, the writer also presents suggestions to enhance the functions of the Senate. He believes that if senators were directly elected, they would deliver and have the authority to initiate legislation on money bills. All the regions, particularly the neglected ones, should be given representation in the Senate. Moreover, the senate should also be empowered in the domains of law-making and deliberation (Khan, 2017).

BU. K.hari and Faisal make an analysis of Pakistani federalism in the context of the 18th amendment, and they also make a comparative analysis of Pakistan's federal design of governance with the federation of the USA. They argue that significant transformations in the institutional domain, administrative domain, political sphere, and economic areas have taken place after the 18th amendment. They conclude that consensus-oriented federalism has been appearing after the 18th amendment because of institutionalised functioning under a decentralised environment. According to them, a move has occurred in which centralised governance has seen a tilt towards a losing phase of federalism. In this way, a kind of balance similar to the US model of federalism has emerged to some extent in Pakistan (Faisal, 2013).

With the spirit of power-sharing under federal institutions in mind, Muhammad Mushtaq examines federalism in power minority groups and applies federal theory to the case of Pakistan, with a particular focus on the role of the Senate. He argues that the smaller provinces illustrate their power in the upper chamber through the instruments of putting questions, logging adjournment motions, and calling attention motions. He makes a critical analysis of the debates of the parliamentary year 2015-16 in which he critically scrutinises the proportional representation of the Senators in the parliamentary debates under the purview of putting questions, adjournment motions, and calling attention motions. He argues that during the parliamentary year 2015-16, approximately 1230 were asked by the Senators. The Senators belonging to KP and Sindh asked approximately 728 questions. Similarly, in terms of adjournment motions, 41 % and 33 % of motions were submitted by the Senators of KP

and Sindh, respectively. Equally, 70 % of the calling attention notices were submitted by the Senators of KP and Sindh in 2015-16. This evidence suggests that the smaller units intend to play a greater role in the upper house of the Pakistani Federal Design of the government (Mushtaq, 2017).

Kathrine Adeney talks about inclusive federalism in Pakistan and she argues that the 18th amendment was a decisive step taken to manage challenges being faced by core ethnic regions. According to her, the core ethnic groups (Sindhi, Punjabi, Blochi, and Pashtuns) are present in the core regions, namely the provinces of Pakistan. Historical experiences reveal that a centralised majoritarian federation could not bring Pakistan out of the dangers of core ethnic regions. The danger exists between the domination of Punjabis and other ethnic groups. If Pakistan is compared with other majoritarian federations, it can be assumed that the secessionist movements cannot be successful because Pakistan preserves a strong army. Besides having a strong army, the 7th NFC award under the 18th amendment was a significant step in terms of resource distribution. In this regard, steps are being taken regularly to address the grievances of all the ethnic groups found involved in anti-state activities in the light of the eighteenth amendment. Currently, the situation seems tense in Baluchistan, where groups are factionalized and extrajudicial killings are on the way. It seems proper to concentrate on issues like economic development, the end of exploitation, the promotion of good governance, the inclusion of the marginalised segments of society into political and economic activities, and the ending of corruption. If diversity and identities are recognised formally and provinces are created based on ethnolinguistic identity, Pakistan can become a good case study of unity in diversity (Adeney, 2012).

Muhammad Mushtaq's analysis of issues of Pakistani federalism in the context of accommodating ethnic diversities builds argument on the notion that a federal system operating as a unitary system has less capacity to manage ethnic and territorial gaps. He asserts that the exclusive design of power mechanisms having centralised governance produces a sense of marginality. A society based on ethnic lines starts to seek power along ethnic lines when power is not shared. He also evaluates the ethnic composition of Pakistan and different ethnic movements like Bengali Separatism, Pashtun Separatism, Sindhi Regionalism, Mohajir Nationalism, Bloch Nationalism, and Saraki Nationalism launched in Pakistan during different times in the political history of Pakistan. The writer, certainly, believes that centralised and inclusive governance is the most practicable mechanism to manage the ethnic identities living in Pakistan. The Pakistani federation can function properly if there is legislative decentralization, fiscal decentralization, and political decentralization. (Mushtaq, 2009).

Muhammad Mushtaq and Sultan Mubariz Khan evaluate the territorial role of the Pakistani federal chamber. They build their thesis on the notion that parliamentary federations minimize the territorial role of the upper houses due to relative party discipline and the supremacy of the lower houses. They testify to the aforementioned notion or proposition in the context of debates launched over the 18th constitutional amendment of 2010. They select legislative debates as a source to determine the outcome. They argue that the Pakistan People's Party was the largest in parliament in 2010. Therefore, members of the National Assembly and the Senators belonging to the Pakistan People's Party Parliamentarians (PPPP) who participated in the debates on the 18th amendment favored the issue of provincial autonomy. The support of the parliamentarians belonging to the Pakistan People's Party has been in line with party policy or party discipline. Likewise, PML (Q) also had better representation because of a sufficient presence in the Senate. The MNAs and Senators belonging to PML-Q favored autonomy issues, but they opposed issues of creating new provinces in KPK and Punjab, and they also opposed the naming of NWFP as KPK. They opposed the abovementioned measures as per party policy. They conclude that indirect elections, party discipline, and popularly elected lower houses have always been major hindrances for senators to go against party policy. In this way, serious issues concerning backward areas often remain in the papers (Mustaq & Khan, 2018).

Muhammad Mushtaq considers regional identities demanding separate provinces a challenge for the Pakistani federation. He argues that the provinces of Pakistan have their names based on ethnolinguistic groups, namely Punjab with Punjabi, Baluchistan with Bloch's, Sindh with Sindhi and Khyber Pakhtun Khaw with Pashtuns. The critical evaluation of the ethnolinguistic composition of Pakistan reveals that every province has substantial minority groups. For example, in Punjab, Punjabis occupy 75% of the population on a linguistic basis. While Sraiki-speaking people occupy 17.4% of the population of Punjab, Likewise, Pashtuns in Baluchistan, Mohjirs in Sindh and Hazawals in the Hazara region of KPK represent substantial populations. They can be called provincial minorities and they have been demanding the creation of new provinces in their respective provincial regions. Among the demands of the provincial minorities, the Saraiki and Hazaras have shown vibrant and effective roles. They have popular support in their respective provinces. The other important aspect related to the creation of new provinces is that the provincial majorities like Punjabis, Pashtuns and Blochs have been showing uneasiness about such demands. In this situation, the federation also seems to be reluctant to create new provinces along the lines of ethnic identities because the new provinces would open a Pandora Box of representation. Here, the need is to follow rational approaches. The issue of separate provinces should not be

politicized. The demands of Saraikis and Hazaras have logic and they should be entertained accordingly (Mushtaq, 2016).

The present thesis covers different dimensions of the federal bicameral legislature while focusing on Pakistan in particular. Having presented a description of the working and functioning of different bicameral legislatures, a few case studies have also been explored. The study of the different federal constitutions sharpens conceptions about the nature and functions of the second chamber. Subsequently, the history and issues of Pakistan's federal second chambers have been discussed in detail. Later on, the roles of federal second chambers like legislative, executive accountability, and territorial were critically examined. In this way, the present study comprehensively covers the legislative, executive accountability, and territorial roles of the federal second chambers of Pakistan. The previous studies on the constitutional history of Pakistan did not address questions related to the three roles of the federal second chambers. Those studies primarily focused on problems of representation in the second chamber of the Pakistani bicameral legislature.

The survey of this literature suggests that bicameralism in federations has attracted enormous attention from scholars. However, there is not any empirical study on the role of the Senate in the bicameral parliament of Pakistan. Therefore, this study aims to fill this gap and investigate the role of a senate regarding legislation, executive accountability and representing the federating units.

BICAMERAL FEDERATIONS: ORIGIN, GROWTH AND VARIETIES

3.1 Introduction

In the previous chapter, published literature on bicameralism, federal bicameralism, parliamentary federal second chambers, and the Senate of Pakistan has been reviewed. After reviewing the aforementioned literature, this chapter looks closely at the experience of federal bicameralism in some parliamentary federations. This chapter will explain the origin, growth, and varieties of federal bicameralism, specifically in parliamentary federations. Although almost sixteen federal states have parliamentary bicameral legislatures (Inter-Parliamentary Union, 2022). It is not possible to discuss all the parliamentary federations in this chapter. For this purpose, some of these parliamentary federations have been taken as case studies, which have similarities with the political system of Pakistan.

The first recognizable legislature can be found in the form of the English parliament. Earlier, it emerged as a unicameral legislature. Later on, it became a bicameral legislature in the early fourteenth century. The rationale for the formation of the second chamber was the distribution of power among various individuals and institutions. Parallel to that, the need to accumulate wisdom from the voices of the distinguished and experienced nationals in the government was also felt severely. Actually, the European society of the mediaeval era was composed of nobility, clergy, and commoners. The distinctive point about the British parliament is that the parliament did not eliminate the powers of the Crown abruptly. The bicameral legislature emerged gradually and both houses recognized the legitimacy of the Crown (Mughan & Patterson, 1999). The nobility and the clergy of Britain secured their place in the upper house known as the House of Lords and the commoners started to exert influence in the lower house known as the House of Commons. The institution of the Senate was present in the Roman Republic and it signified the presence of individuals having wisdom and sagacity. However, the bifurcation of parliament emerged gradually in the 13th and 14th centuries. The Great Council included feudal and aristocrats. With the passage of time, the common people started to assemble themselves and they elected their speaker in 1377. In this way, a bicameral legislature appeared systematically. During the 13th and 14th centuries, bodies resembling bicameralism were found in different countries of Europe. (Shell, 2001).

3.2 Origin of Bicameralism

The origin of bicameralism can be traced back to primitive social order. These roots have a close connection with the mediaeval societies of Europe. A kind of rigid hierarchy used to exist in the mediaeval societies of Europe. Initially, the commoners and the nobility were

used to generate revenue for the kings. Both the commoners and the nobility used to provide a framework for collecting taxes for the kings in separate sessions. With the passage of time, these separate meetings adopted the shape of parliamentary institutions (Mughan, 1999). One major example of such a parliamentary origin is the evolution of bicameralism in the United Kingdom (U.K), which is currently known as "Parliament". The origin of the U. K. parliament is ambiguous. Insufficient pieces of evidence are found in the available literature on the evolutionary study of Parliament in the U. K. (Preece, 2001). It was at the end of the thirteenth century when Parliament was functioning as an institution that was to raise and subsidize revenue for the royal office. At the same time, it started to practise legislative functions and a chain of motions (Baston, 2009). The constituent assembly of the U. K. was the same in its origin and composition as the constituent assemblies of other European countries were in practice at that time. The notable exception was that they had a single house. Later on, that assembly was converted into the House of Commons and the House of Lords. It came to the surface that managerial issues germane to different clauses, namely commoners and clergy, supported the classification of two houses under the titles "House of Common" and "House of Lords." The institution of the king also supported that classification. In general meetings, the participants of the elite class used to assemble in front of the hall and the participants of the marginalized class (commoners) used to sit at the back of the assembly (Preece, 2001).

The system of two houses originated from the off-record sessions. In those off-record sessions, representatives of the shires, cities, and districts used to debate the issues being confronted by nationals of the U. K. During that time, the practice of speaking in front of elite class representatives by a member of a marginalised group was suppressed in a highly ruthless manner. During that time, the privilege to raise questions was granted to members of marginalised groups. They were entitled to select their members to approach the representatives of the elite class. In fact, those members became not only collective voices, but they also acted as a result of collective decisions of the lower class before the elite class (Alun. A, 2002, p. 71). By the end of the fourteenth century, a new trend in the appointment of the speaker was introduced. The speaker was to communicate decisions made by the commoners to the king. In this regard, the speaker enjoyed unrestricted powers (Longford, 1998).

One common issue confronted by the political elite during the evolutionary period of bicameralism was qualifications for the members of the second chamber as well as for the electors of the second chamber. It was a recognizable feature that the first chamber represented the people while the second chamber represented property. However, the notion

that a chamber should be there to fill the gap between the powers of the people and the powers of the executive was prevalent during the 16th and 17th centuries. It was felt by the constitutionalists that the second chamber should retain its independence, but the House of Lords could not maintain its independence from the British crown. It could not embody the epitome of the classical mixed constitution.

The statistics of the existing world legislatures demonstrate that almost 79 countries in the world have legislatures of bicameral nature or bicameral legislatures. On the other hand, 114 countries have unicameral legislatures in the world. The existing literature on contemporary world legislatures discloses that 30 to 40% of bicameral systems are in practice worldwide (Drexhage, 2015). In September 2018, the Inter-parliamentary Union Database released a report in which it was asserted that 59.07 per cent of unicameral systems and almost 40.93 per cent of bicameral systems had been in practice worldwide. The unitary countries of the world can be divided into unicameral and bicameral legislative houses.

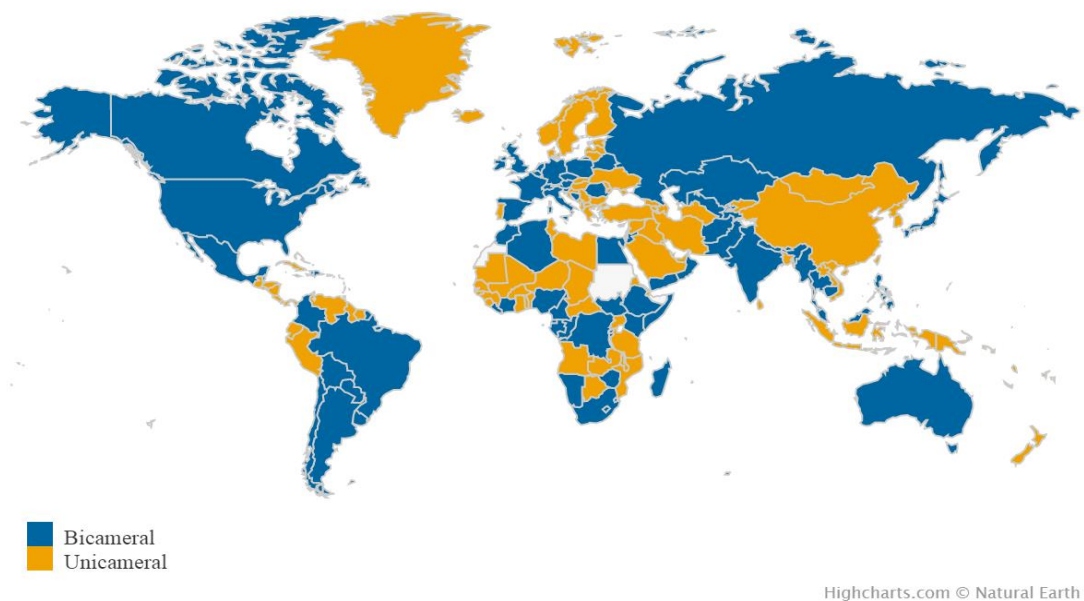


Figure-3.1: Bicameralism and Unicameralism in the World (Inter-Parliamentary Union website)

3.3 Federal Bicameralism

Bicameralism has become an essential feature of contemporary federal legislatures. Parallel to that, the noteworthy dimension of the study of federalism is that only a few federations do not have a bicameral federal legislature. Ethiopia and the United Arab Emirates are notable examples of a unicameral federal legislature. An overview of the development of

bicameralism in the federal legislature makes it clear that the issue of representation in the federal legislature has always been striking. The central tenet of that issue revolved around the provision of representation to the constituting units in the federal legislature. The question of whether representation should be provided on the basis of population or constituting units has always been an integral part of federalism. For the first time, the issue of representation in the federal legislature was resolved in 1787 at the Philadelphia convention under the Connecticut Compromise. A bicameral federal legislature under the names of the House of Representatives and the Senate came into being in the USA. Representation in the House of Representatives was ensured on the basis of the population of the USA. In terms of representation in the Senate or the upper house/federal legislature, the principle of equal representation for the constituting units was ensured. Originally, the state legislatures were to elect members of the Senate in the United States. Since 1913, the citizens of the constituent units have been electing members of the Senate, the federal second chamber.

In the contemporary world, almost all federations have bicameral legislative assemblies. A Well-known scholar on bicameralism, Meg Russell projected that there were only sixty-six bicameral legislatures (Russell 2013). All of these states are not democratic ones, but a few of them are federal democracies. The incorporation of bicameral legislative parliaments in all the federations reflects the strong connection between federalism and bicameralism. The strong connection between federalism and bicameralism resembles the function of federal theory. The strong spirit lying behind the federal theory is the provision of parity representation for the upper house. For example, James Madison discussed that the Senate would be capable of giving "state governments such an agency in the formation of the Federal Government as must secure the authority of the former, and can shape an easy link between the federal and state systems (Madison, 1788). Similarly, Smiley and Watts considered the upper house as one significant mechanism of 'intra-state federalism."

The systematic direction towards the bicameral legislature came from the American constitution makers, who thought that there should be checks and balances in the bicameral legislature. The Federalist Papers of the USA talked about the different dimensions of the bicameral legislature. For example, paper 51 talked about two branches of the legislature. It also asserted that the legislature should be constituted in different ways. Paper 62 outlines the objectives of the second chamber (Madison, 1788). The second chamber was conceived as a necessary constitutional safeguard on the grounds that the administrators of the government often forget their obligations to their constituents. In this way, the second chamber would "double the security of the people by requiring the concurrence of two distinct bodies." Paper 63 talked about the responsibility of the senate with reference to foreign affairs. It was

assumed that the senators would show sagacity and experience in matters of foreign policy. Such a sense of responsibility has been found to be void in the popularly elected chamber. Similarly, the longer term of the Senate enhanced a sense of responsibility and avoided irregular passion on the part of the senators. It was also expected that the Senate would be a body of citizens bearing the characteristics of courage, reason, truth, and justice (Shell, 2001).

By and large, all contemporary federal constitutions have adopted bicameral legislatures to provide effective representation for the smaller constituent units in federal decision-making. The federations provide weighted or parity representation to the constituent units in the second chamber, which is also known as the federal chamber. Typically, in the first chamber, federations provide representation to units based on population. The rationale for favouring a bicameral legislature in federal systems is that it allows constituent units to participate in federal decision-making, particularly those with a lower membership in the lower house. The term of the federal second chamber varies from one country to another country in the world. The parliamentary terms of the federal second chambers of Brazil and Malaysia are eight years and three years respectively. The federal second chambers of the countries like Switzerland, Belgium, Spain, Nigeria, and Bosnia enjoy four years parliamentary term. The constitutions of the countries like Pakistan, the USA, India, Argentina, Australia, Austria, and Mexico set six years parliamentary term for the federal second chamber. Ethiopia and South Africa are the federal countries which have fixed five years parliamentary terms for their respective federal second chamber. The case of Canada implies distinction in terms of granting lifetime parliamentary privilege to members of federal second chambers.

To what extent the federal second chamber empowers the minority units depends on how much policy-making power has been assigned constitutionally to the House. It is also worth noting that the legislative powers of the federal second chambers are not always exercised in accordance with the letter and spirit of the law in order to protect territorial interests. The reason behind this situation is that Federal chambers in parliamentary federations often operate in accordance with the interests of political parties, owing to relative party discipline in parliamentary systems (Mushtaq, 2017). The federations differ greatly in relation to their constitutional rules, the form of political institutions, and the composition of societies, political cultures, and levels of institutional development.

3.4 Dimensions of Parliamentary Federal Bicameralism

In the contemporary world, the existing parliamentary bicameral legislatures have some features that indicate whether the federation has strong or weak bicameralism. Commonly, in parliamentary federal systems, the role of the upper house is considered limited. In this

section of the chapter, some major dimensions like administrative and demographic divisions of the federation, representation, composition, parliamentary term of the upper house, and the role and powers of the federal second chambers will be discussed.

3.4.1 Administrative and Demographic Divisions

The institutional design of the legislature is not subject to the nature or size of the population. Actually, the structure of the legislature depends upon the parliamentary traditions, context, and history of the nation. For example, China has a population of approximately 1.3 billion and a designed unicameral legislature. The Chinese case, in terms of population and land size, stands against the spirit of federal constitutional designs. Contrary to the Chinese case of a unicameral legislature, the institutional design of Saint Lucia, with a population of approximately 170,000 people, has a bicameral legislature. Another perspective on the design of the legislature depends on the needs of the state. For example, Pakistan and Tunisia were converted into bicameral legislatures in 1973 and 2005, respectively, with the addition of the upper house. The basic objective of the adoption of a bicameral legislature was to provide adequate territorial representation (Inter-Parliamentary Union, 2018). According to the inter-parliamentary union database, out of twenty-five federations, seventeen have a parliamentary federal bicameral legislature. The parliamentary federations, which have similar features to Pakistan, will be discussed in the chapter.

3.4.2 Representation, Composition and Selection Methods

Numerous models related to second chambers are working in the world. The method for membership in these second chambers is also different (Watts, 1990). It was decided first time in 1787 that the issue of representation should be resolved on territorial basis. The number of states increased at the time of the framing of the first federation of the world, the United States (Watt, 1990). This concern was settled at the Philadelphia Convention in 1787 after a long debate. The problem was settled with the adoption of the bicameral legislature in the United States. A bicameral legislative body was constituted having the House of Representatives and the Senate. The House of Representatives represented the population of the USA. Contrary to the House of Representatives the second chamber or Senate got representation from the states on the basis of 'parity representation'. On the other hand, representation in the second chamber was given on parity bases from the states (Watts, 1990). The federal second chambers of the world can be categorized on the basis of tenure, the criterion of representation, and the electoral method for the selection of representatives vary from one federal political system to another federal political system. The detail of the different dimensions like on the basis of tenure, the criterion of representation, and the electoral method for the selection of representative is given below in the diagrams.

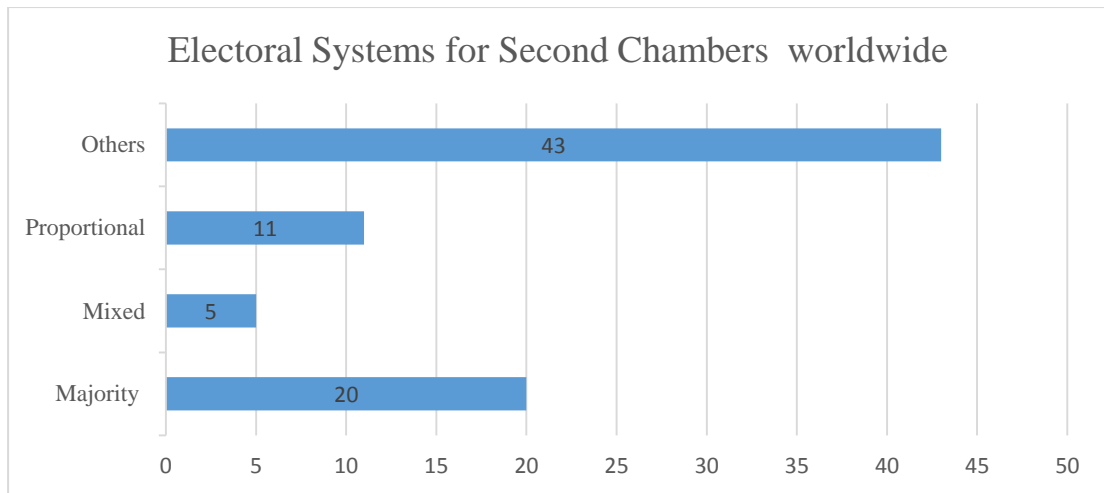


Figure-3.2: Worldwide Electoral Systems for Second Chambers (Inter-Parliamentary Union website)

In terms of criterion for the selection of representatives for the federal second chamber, three methods proportional, majority and mixed representations are followed dominantly in the federal countries of the world. The countries like Australia, Nigeria and Pakistan follow the method of proportional representation. Contrary to these countries, the countries like Spain and Ethiopia follow the majority representation method. Some countries like Australia, Brazil, and Malaysia have been following a mixture of proportional and majority representation.

The comparative analysis of the upper chambers of the world indicates that the issue of representation has structural differences. The common mode of representation in the upper chamber is geographic. Although meals are assigned to the geographic units in the federal countries, the issues of equal representation remain a constant part of the criticism of the federal design of the government. The popular method for selecting representatives of the upper house is direct elections. Countries like Australia, the United States, Brazil, the Czech Republic, Hattie Poland, Palau, Kyrgyzstan, the Dominican Republic, Romania, Paraguay, Colombia, and Switzerland have a direct selection method for representation in the upper house.

An elected upper house seems like a different creature from an appointed one. The elected upper house feels the legitimacy conferred on it through democratic elections. The elected members of the upper house feel less abashed about the utilization of the powers granted to them through the constitution. In the countries where members of the upper house are elected, whether directly or indirectly, they raise their voices about the rights of their respective territories, and in this way, they protect the rights of their respective territories. In the upper chambers, where members are appointed by provincial governments, they show a tilt towards

the protection of the interests of the provincial government, not territorial interests. In the case of appointment by the central government, those members of the upper chamber invest their energies in the interests of the federal government rather than regional interests (Blais, 2008) contend that bicameralism "appears to have little effect on the relationship between the legislature and the executive". One of the significant aspects of bicameralism is its role in legislation, not in governance. The areas of legislation (bifurcated into a bicameral legislature) are determined by the constitutions of the states (Wildavsky, 1967).

3.4.3 Role and Powers of Federal Second Chambers

The underlying rationale behind the formation of the second chamber is the separation of powers. Through the separation of powers, a possible abuse related to the concentration of power into a single chamber, namely the first chamber, is avoided. A diversified base related to legislation and executive is sorted through the second chamber. The notion of checks and balances keeps legislative functions smooth. The second chamber, mostly representing the interests of subnational units, participation at the level of the second chamber in central decision making provides compensation to the sub-national units for the loss of their sovereignty. The second chamber provides links between the parliament and regional legislatures.

In terms of the powers of the second chamber relative to the first chamber, there is some variation in the current federal legislatures. The federal legislatures of the USA and Switzerland have had equal power. Moreover, the federal chamber of the USA enjoys additional powers in terms of ratification of treaties. In parliamentary executives, normally the first chamber exercises more powers. Furthermore, a question is often raised in parliamentary federations whether the second chambers have sufficient regional representation or influence in the apparatus of central decision-making. The issue of regional representation has gained prominence where party discipline prevails in the parliamentary federations. The exceptional cases in parliamentary federations are the Australian Senate and the German Bundesrat, which have been exerting considerable influence on legislative and executive measures. The German Bundesrat enjoyed absolute veto power over all federal legislation in the domain of concurrent jurisdiction. The German Bundesrat has been facilitating intergovernmental cooperation. The notable feature which makes the German Bundesrat a powerful second chamber in the parliamentary federation is its representation based on instructed delegates of the Land government.

The major functions of the second chamber are related to oversight and controlling the activities of the government. In this way, the second chamber assumes functions of an

administrative nature. Votes of confidence, votes of no confidence, raising of the voice, criticizing governmental policies, putting questions to the government, presenting suggestions to improve governmental activities, and scrutinizing governmental actions are some of the prominent instruments implied by the second chamber in relation to oversight and control of governmental activities. Questions put to the national executive, logging of motions to provide political directions to the executive, conducting inquiries, and presenting reports in committees are some of the prominent measures to scrutinize governmental activities. The investigative measures are linked to the general functions of oversight. The second chamber exerts political pressure through these measures on the governmental activities related to regional issues. The General Committee for the Autonomous Communities in the Spanish Senate conducts inquiries on regional issues.

Some of the constitutions empower the upper chamber to either remove judges from their positions or start judicial review. The upper chamber of Austria may apply to conduct a review of federal law. The German Bundesrat may ask the constitutional court to rule on the requirement for legislation related to the states. The upper chambers of Mexico and the United States have the authority to grant approval to international treaties. The Swiss bicameral legislature empowers both chambers to pass a treaty. Some of the upper chambers have the constitutional prerogative to elect some of the members of the judicial and executive branches. In Spain, the Senate appoints members of the court of auditors (Griffith, 2020).

The second chamber exerts influence related to appointments in the executive branch and the judicial branch. The Spanish Senate appoints six members of the Court of Auditors. In Italy, the Senate and the Chamber of Deputies jointly elect the Head of State in accordance with Articles 83(1 & 2) of the Constitution. According to Article 94(1), the Spanish constitution discusses the powers of the second chamber related to international affairs. For example, treaties related to matters of paramount importance, treaties related to political nature, treaties related to territorial integrity, and treaties related to amendments or repealing of laws can be ratified subject to the consent of the Cortes Generales consisting of the Congress and the Senate. The Spanish Senate also appoints one-third of the constitutional court judges. The proposed list of candidates for the Constitutional Court is provided by the assemblies of the autonomous communities. According to article 166 of the Swiss constitution, which stipulates that the Council of States and the Federal Assembly engage in foreign policy issues, both of these chambers supervise foreign relations and approve international treaties for Switzerland. The Belgian Senate recommends candidates for the constitutional court to the King. The King appoints these recommended candidates for life. Belgian federal bicameralism accommodates territorial interests and linguistic group interests. Six judges should belong to the Dutch

language group, while six of the judges should belong to the French language group (Happacher, 2018). Legislative responsibilities are not the sole business of the upper house. One of the significant responsibilities performed by the upper chamber is the garnering of the constitutional order. The guarantee of constitutional order can be ensured in the forms of executive oversight, electing national leaders, initiating a judicial review and organizing international affairs. The upper house demonstrates its authority when appointments of different members of the executive take place. In Mexico, the federal executive selects three candidates to be declared members of the Governing Board of the National Institute for the Evaluation of Education. Among these three candidates, one is chosen by the House of Senators to become a member of the Governing Board. In some cases, it has been observed that the executive assumes powers to declare an emergency, but before declaring an emergency, it is imperative to seek legislative approval either from the upper chamber or from both legislative chambers. In Argentina, a state of emergency can be declared if the Senate grants approval (Griffith, 2020).

Article 155 of the Spanish Constitution elevates the functions of the second chamber by granting it powers to forward a suggestion to the federal government to remove the president of an autonomous community (Scully, 2001). The German Bundesrat may impeach the president provided that he or she commits an act of violation of the basic law. One of the common tools to maintain an accountability check in the bicameral legislature is known as question time. Question time is when members of parliament ask the leader of the house or cabinet questions about the Prime Minister's and his cabinet's actions. The Italian constitution confers authority on each member of the upper chamber to pose questions to any minister. The Russian upper house can initiate the process of impeachment of the president on the charges provided by the lower house (Griffith, 2020). In light of article 61 of the Basic Law, the German Bundesrat has the authority to impeach the federal president by a 2/3 majority. Article 84(1) stipulates that the German Bundesrat has the authority to elect half of the members of the German Constitutional Court. In Germany, the Basic Law, in light of Article 53 (3), stipulates that the Bundesrat should be informed by the federal government on all government business. The Bundesrat can summon members of the federal government to participate in meetings related to the overviewing of all government businesses. Article 59(2) of the German Basic Law stipulates that treaties can be incorporated by federal law provided that consent or participation is provided by the German Bundesrat. The German Bundesrat exercises veto rights in the domain of international treaties. Article 93(1) of the Basic Law stipulates that the German Bundesrat can file an application to the Federal Constitution to review federal laws on concurrent legislative powers. In this way, the German Bundesrat safeguards the constitutional order with reference to territorial interests (Happacher, 2018).

In terms of the authority of the referral of laws, the Austrian and the German federal designs of government can be referred to. According to Article 140(1) (a) (2) of the Austrian constitution, the Bundesrat, with the approval of 1/3 of the members, can file an application to review a federal law with the constitutional court, provided that the challenging law is contrary to federal constitutional law. In terms of authority to ratify and implement international treaties, the second chamber participates in national treaty-making powers. In the light of Article 50(2), the Federal Constitutional Law of Austria grants authority to the Bundesrat to give consent to each political effecting treaty. Article 100 of the Austrian federal constitutional law enables the federal government to make a request for the dissolution of a land parliament to the federal president with the consensus of Bundersrat (Happacher, 2018).

Most of the bicameral legislative frameworks empower the upper chambers with information from the executive on different issues. One of the most popular forms of power in this context is the summoning of the executive. Questions such as who can be summoned and when they can be summoned differ from country to country. The German Bundesrat may summon a member of the federal government to be informed of some action by the government. In the USA, the committees and sub-committees of the Senate may demand necessary documents from the executive for investigations. In Mexico, the Senate summons the heads of the Federal Telecommunication Institute and the Federal Economic Competition Commission every year (Griffith, 2020).

Palermo and Nicolony make a classification of the powers of the federal second chamber under the titles of "shared," "parallel," "exclusive" and "joint". The parallel functions are assigned to both chambers. The oversight powers related to the national executive are exercised separately by both chambers. Both of the chambers exercise these functions separately. In terms of exclusive functions, powers are attributed to the second chamber only. When authorities are assigned to more than one constitutional organ, this situation is known as a "shared one." For example, appointment functions fall into the category of shared functions. Article 157 of the Swiss Constitution empowers the National Council and the Council of States to make necessary arrangements for the election of the judges of the federal Supreme Court (Article 157, Constitution of Australia). Similarly, the Austrian Bundesrat and the National Council jointly proposed members of the Austrian Constitutional Court judges. In light of the proposal forwarded by the Bundesrat and the National Council, the federal president of Austria appoints judges to the Austrian Constitutional Court (Happacher, 2018).

3.5 Case Studies

The upper house enjoying co-equal powers with the lower house is a relatively rare phenomenon in the democratic world. One of the obvious examples is the US Senate. In some senses, the US Senate seems superior to the House of Representatives. It becomes superior because of possession or a greater role in the appointments of executives. The US Senate has become a stronger chamber because of its prerogative to ratify treaties related to foreign relations. In contrast to the major example of a powerful upper house working in the presidential bicameral legislature, a few examples of strong upper houses are present in the parliamentary system. For example, the German Bundesrat enjoys equal rights with the Bundestag. Similarly, Italy grants more or less equal powers to the upper house (Scully, 2001). There are currently about twenty-five countries in the world with a federal political system. Seventeen of these have a parliamentary system of government (Inter-Parliamentary Union). It is impossible to discuss all of them in this research study. Therefore, the subsequent part of this chapter will give a comprehensive analysis of some of the parliamentary federations that have more similar characteristics to the case of Pakistan. The USA is a non-parliamentary federation. The case of the USA is included because it is the first modern bicameral federation and it has strong bicameralism. So it is important to compare the second chamber of Pakistan with the US Senate. In addition, there are other parliamentary federations, and a comprehensive commentary on Canada, Australia, Germany, India, Malaysia, Switzerland, and Belgium has been given.

3.6 United States of America (USA)

The USA became the United States when thirteen British North American Colonies challenged the British colonial empire in the eighteenth century. These thirteen colonies declared themselves independent under the title of the United States of America in 1776. After independence from British rule, some grievances related to the autonomy of the units of the USA exacerbated tensions among the newly independent thirteen former colonies of British North America.

3.6.1 Administrative and Demographic Divisions

Currently, the USA is a federal constitutional republic consisting of fifty states, one federal district (Washington DC), Palmyra Atoll (incorporated territory), and some other inhabited and uninhabited territories. The US legislature consists of the House of Representatives and the Senate, which are the lower house and upper house respectively. The legislature is independent of the executive. The president of the USA preserved his position as the head of the state and also secured his status as the head of the government simultaneously

(Wildavsky, 1967). The judicial structure of the USA consists of the “Supreme Court” and the “Lower Federal Courts”. “The Supreme Court” interprets the constitution and federal laws and it also resolves disputes between the executive and the legislature. The federal institutions have been operating on the principle of the separation of powers. In the Senate, all states have equal representation. Since 1912, the members of the Senate have been elected directly by the populations of their respective states (Wildavsky, 1967).

In the USA, every state has its government in which its executive, legislative, and judicial wings perform their functions according to the constitutions designed by individual states. The most prominent point in this context is the authority of every state to make laws in the areas where power has been granted by the federal constitution. The states can make legislation in the domains of education, contract law, and most criminal law. Popularly elected governors are the executive heads of the states. Every state except Nebraska has a bicameral legislature.

3.6.2 Representation, Composition and Selection Methods

When the modern federation was established for the first time, it was debated regarding representation in the federal legislature, whether on the basis of population or in terms of state. The Philadelphia convention resolved the aforementioned issue in 1787. It provided representation to the lower house on the basis of population and in the second chamber on territorial basis. Article (1) of the USA Constitution provides for a bicameral legislature. The second chamber (Senate) of the USA consisted of one hundred seats. The members of the Senate are representatives of their state and state entities. It has provided equal representation to every state, irrespective of their size of population or area. Before 1913, the members of the USA's second chamber were appointed.

In 2013, the 17th amendment to the constitution of the USA was passed after which members of the senate are elected directly by their respective states. Two senators from each state are directly elected. An elected upper house seems like a different creature from an appointed one. The elected upper house feels the legitimacy conferred on it through democratic elections. The directly elected members of the upper house feel less abashed about the utilization of the powers granted to them through the constitution.

3.6.3 Role and Powers of Federal Second Chambers

Since 1789, the division of powers has been the subject of heated contestation between Washington and the states. Since 2001, issues like healthcare spending, gun control measures, the legalization of cannabis and education standards have become pertinent issues of the

distribution of powers between the central legislature and the state legislatures. However, after the USA, all the subsequent federations attempted the constitutional design of the USA while forming federal structures all over the world.

The framers of the USA constitution considered it an indispensable component of a bicameral legislature for the purpose of separation of powers (Alexander Hamilton, 1961). In the US federal legislature, both houses have equal legislative powers while the upper house has some additional powers, for instance, the powers regarding presidential endorsement of appointments as well as the ratification of treaties (Watts R. L., 1990, p. 86). Furthermore, the Senate has special law-making powers and some exclusive powers in terms of impeachment of the US president in cases of wrongdoings and high crimes (Mughan, 1999).

3.7 Switzerland

3.7.1 Administrative and Demographic Divisions

The seeds of the Swiss confederation can be traced back to the thirteenth century. It did, however, join the federation in 1848, following the Sonder-Bund civil war. The Swiss federation consists of twenty-six units known as cantons. Among these cantons, six are designated as half cantons. The Roman Catholics and Protestants in Switzerland represent territorial cleavages. Among the twenty-six cantons, there are seventeen unilingual German, four unilingual French, one Italian, and three bilingual German and French. One canton, known as Graubünden, becomes trilingual because of the German, Italian, and Romansh languages.

3.7.2 Representation, Composition and Selection Methods

The federal legislature of Switzerland is constituted as bicameral. It has two legislative houses namely "The National Council" and "The Council of States" The extent to which minority representation is truly meaningful is determined by the election method and whether powers are delegated to the upper house. The aforementioned conditions are more or less incorporated into the political system of Switzerland. Hence, the Swiss federation has met the criteria of strong bicameralism. (Lijphart, 2012, p. 38).

The Swiss second chamber consists of forty-six members and has adopted the method of direct elections. The members of the Swiss second chamber are elected for a term of four years. In the Swiss parliament, the second chamber has an equal parliamentary term with the first chamber. The members of the second chamber in Switzerland are allocated to Swiss cantons according to their proportion of the population.

The method of direct election has been adopted for the upper house of the Swiss federation. The Swiss council of states elected the two categories. Twenty cantons elect two members each, and six are elected by the six half cantons in the Swiss council of states (Lijphart, 2012). The Canton representation is provided through a weighted formula (Russell, 2012).

3.7.3 Role and Powers of Federal Second Chambers

In terms of the constitutional distribution of powers, the Swiss federal government gains a significant proportion. The residual powers are vested in the Cantons. A degree of decentralization is in practice in the Swiss federation. The federal government depends heavily upon the cantons for the administration of central legislation. The notion of the separation of powers is seen in its application in the Swiss federation. The Swiss federation is based on the pattern of a bicameral legislature. The upper house of the Swiss legislature is known as the Council of States (Standerat). One distinguishing feature of the Swiss political process is the use of referendums and initiative on a large scale. Dual membership in the Cantonal and federal legislatures is also a unique feature of the Swiss federation. One-fifth of federal legislators also enjoy membership in the Cantonal legislature (Fleiner, 2006).

In the parliamentary federations, in case of an issue or conflict between both legislative houses, members of both houses meet together in a joint session for the purpose of debating and resolving the issue. (Lijphart, 2012) But the case of Switzerland has distinctiveness as it initially used the mechanism of a shuttle but only for the purpose of setting up a committee. The committee consisted of members of both houses and was for the purpose of drafting a compromise document. The Swiss constitution provides that both chambers can vote again on a compromise document. However, with a less numerous chamber, the Swiss Council of States has attained compensation in the conflict resolving process (Drexhage, 2015, p. 24).

3.8 Canada

3.8.1 Administrative and Demographic Divisions

The Canadian federation incorporates a parliamentary government in which the executive and legislature see the fusion. Australia also, to a great extent, followed the Canadian federal design of government. The Canadian federation consists of ten provinces and two northern territories. The French-English duality makes the Canadian federation a distinct one. The constitution designates three kinds of legislative powers, namely exclusive federal powers, exclusive provincial powers, and concurrent powers. The residual powers have been assigned to the federal government (Watt, 1990).

The contemporary Canadian federation has 35.95 million population (Inter-Parliamentary Union, 2022). Approximately, 80 per cent population in Quebec is French-speaking and Ontario has a mostly English-speaking population. (Watt, 1990). Canadian Federation adopted a Parliamentary form of government and bicameral legislature. The legislature consisted of the House of Commons (lower house) and the Senate (upper house).

3.8.2 Representation, Composition and Selection Methods

The initial Senate had 72 members (Docherty, 2002). The 72 members were distributed in such a way that there were 24 for each province in Ontario. Currently, the total strength of the Canadian Senate is 105 seats. The selection of members in the senate of Canada is quite different relative to other large federations. All the representatives are appointed by the Canadian Governor General with respect to Prime Minister Advice (Docherty, 2012, p. 30). Canadian senators may hold office until their age of retirement, which is 75 years old (Watt, 1990, p. 87). The members of the Canadian senate are appointed instead of elected, the reason is that throughout Canadian history the second chamber has been mostly non-partisan regarding government business as well as the best margins to the fundamental democratic process. Subsequently, the Canadian Senate operated in such a way that it looks to have a different and more influential position as both a voice of the people and a legitimate opposition (Mughan & Patterson, 1999). In the Senate of Canada, the representation of component units is not equal the larger unit is underrepresented whereas the smaller unit is overrepresented (Lijphart, 2012).

The members of the Canadian senate are appointed for a lifetime by the federal government depending on the nomination by the provincial government. These members are appointed on the basis of their expertise in different fields like teachers, judges, community leaders and senior civil servants in the best interest of the Canadian people. These senators belong to different socio-economic and cultural backgrounds and use their vast experience and wisdom to protect the rights of minorities in the parliament (Official website Government of Canada, 2020).

3.8.3 Role and Powers of Federal Second Chambers

The Canadian Senate, like other upper houses of the world, is viewed as a reflective body. It is also known as the "chamber of sober second thoughts." It examines and passes legislative measures sent by the lower house (the House of Commons). Protecting regional interests has been an incessant function of the Canadian Senate. Due to the non-democratic nature of the Canadian Senate, it could not become a legitimate voice of the territories.

The mechanism of the shuttle has been adopted for disputes or conflict management in the Canadian senate. The bill goes back or forth to the first legislative chamber and numerous repeated process until the same texts are adopted for both chambers or withdrawn from that bill draft or the controversial agenda.

The Canadian senate has equal powers in legislation as compared to the House of Commons except for those bills that were applicable for public revenues or the bills that are for imposing a tax; this type of bill must be originated from the house of commons (Mughan & Patterson, 1999). In terms of a constitutional amendment, the Canadian Senate has the right to amend while it has no power to increase money bills but as received from the House of Commons. Further, the legislation regarding government or private, public or private, senators can introduce prior in the Senate or members may introduce it in the House of Commons. The most significant power is that the Senate has the right to reject legislation (Heard, 1991).

3.9 Australia

3.9.1 Administrative and Demographic Divisions

In 1901, the Australian federal constitution fused self-governing British colonies. Because of the geographic vastness and concentration of the population in state capitals, the federal design of government has made the natural option for Australians (Bellamy, 2006). In Australia, the House of Federation is filled by the popularly elected Senators. The parliamentary system of the government has considerable influence on the Senate, which in turn has made the Senate a "Party House" rather than a "Regional House".

Australia has about 23.80 million population (Inter-Parliamentary Union Archives, 2020) which is a relatively homogeneous society. The individuals for the most part plummeted from British and European immigrants, the Australian national census 2016 indicated the religious and cultural face of Australia. According to that census, Australia is enduring to convert at a rapid rate (Alanna Kamp, 2017). However, the geographic extent and concentrations of the populace in dispersed state capitals respectively serving its own locality have made federation an expected type of political organization.

3.9.2 Representation, Composition and Selection Methods

The Australian Senate has 76 members total in strength. Each state's constituent unit is represented by 12 senators. Two members are elected from each territory. The constitution of Australia has determined that the strength of the Senate should be half that of the lower house. The elections for the members of the lower chamber and the senators of the territories are

held simultaneously (Sharman, 2007). Half members of the Australian Senate are reelected after every three years. The parliamentary term of the Australian second chamber is based on regular intervals and it is a permanent house of the parliament for a term of 06 years which is double relative to the Australian lower house.

3.9.3 Role and Powers of Federal Second Chambers

“The Constitution of 1901” sets up a bicameral parliament comprising a “House of Representatives” and a “Senate” with practically equal powers. The conception concerning the adoption of hybrids in the political institutions of Australia is because of far from the captured and new models like as Westminster model (Thompson, 1980). The notion that in the political system of Australia bicameralism mixes a vision of democracy or a competing model is also a sound arrangement (Steffen Ganghof, 2018) and it is recognized that the Australian Federation has a system of government that is decentralized like some other contemporary federations (Lijphart, 2012, p. 179).

The conventional constitutional constraints on Senate power succeed the way as opposed to the might of the Senate's capacity to act autonomously of the "House of Representatives" and of the political executive based on that. From the outset, the conventional provisions may appear to deny the Senate of institutional influence. For instance, the conventional constitutional provisions favorable to incorporate constraining the size of the Senate to a large portion of that of the house denying the of essential tax bills in the Senate, forbidding the Senate from amending tax supply bills or tax bills "for the normal yearly directions of the legislature," and demanding final resolution between carnal breaks through a joint sitting of the House of Representatives and Senate at which phase the House's statistical excellence, and the political eminence of the executive based in the lower chamber, can depend on upon to win through (Mughan & Patterson, 1999)The deadlocks and conflicts with the Australian federal legislature are resolved by double dissolution instead of a joint session (Watt, 1990, p. 85).

3.10 Malaysia

3.10.1 Administrative and Demographic Divisions

The contemporary parliamentary federation of Malaysia consists of 13 States and it has about 30.72 million population (Inter-Parliamentary Union Archives, 2020). Malaysia was established as a federation fitting together the Borneo, Sabah, Singapore and the state of Sarawak with Malaya that was succeeded as an independent state in 1957. After a very short time of two years, Singapore was ejected from the Malaysian federation. The contemporary federation comprises 11 states mainly the Malay Peninsula and further two autonomous states

from Borneo Island (Watt, 1990, p. 25) The Malaysian federation has adopted the parliamentary political system with an accountable cabinet, the Prime Minister of Malaysia enjoyed the status of head of the government and the head of state is Yang di-Pertuan Agong. Malaysia with a parliamentary form of government has adopted the bicameral legislature the “House of Representatives” and “The Senate” (Inter-Parliamentary Union Archives, 2020).

Fifty-nine percent of the Malaysian population is composed of Malaysians and other indigenous races. The other races are Chinese and Indians, who account for 33% and 9% of the population, respectively. Although Malays are the majority population in most of the peninsular states, the Chinese have strong concentrations in the west coast states. In the Borneo states, other indigenous peoples have a strong concentration. Thus, the federal design of government has been a delicate mechanism to maintain communal balance in Malaysia (Hai, 2002).

3.10.2 Representation, Composition and Selection Methods

The Malaysian federation has a bicameral legislature consisting of the lower house, the “House of Representatives”, and the upper house, the Dewan Negara. The Malaysian second chamber (Dewan Negara) consists of seventy seats. 60% of its members are elected by state legislatures and the remaining 40 % are representatives for minorities, which are additionally appointed. Dewan Negara's forty-four members are appointed directly by Malaysia's head of state, while the twenty-six members are elected by the state legislature. According to the Inter-Parliamentary Union website, the Malaysian second chamber currently comprises seventy members, out of which fifty-three are men and sixteen are women.

In Dewan Negara, the representation of twenty-six constituent units is equal, two from each state. Two senators are representatives of Kuala Lumpur, which is a federal territory. One senator is representing another federal territory, Labuan. Appointed members are persons of specific distinction, like a person representing the interests of the Malaysian Orang Asli people. Others are related to outstanding service in the fields of commerce, society or culture; agriculture; industry; commerce; etc. The seats of senators who are indirectly appointed are distributed among the states, but the appointments of these indirectly appointed senators do not have a considerable proportion in state representation, hence the net effect would be substantial variation in state representation.

3.10.3 Role and Powers of Federal Second Chambers

The Malaysian constitution contains three types of lists of powers: exclusive federal list, exclusive states list, and concurrent list. The residual powers have been assigned to the state

governments. The most prominent feature of the Malaysian federation is its assigning of asymmetry in the legislative, executive, and financial autonomy granted to the states of the Malaysian federation. The eleven states of the Malaysian federation enjoy a symmetrical relationship with the federal government. The Borneo states enjoy greater autonomy in order to protect their non-Malaysian objectives (Rawlings, 2008).

The Malaysian upper house has the power to initiate legislation, but it has no power to deal with fiscal and financial matters. Mostly, legislative bills are generated in the first chamber and passed after that. These bills are debated in the second chamber. In the third reading, the second chamber has the power to pass or reject the bills. The Malaysian second chamber has the power of suspensive veto for a time limit of six months. In financial and fiscal matters, it has limited powers and rights to amend.

3.11 Belgium

3.11.1 Administrative and Demographic Divisions

Belgium, a kingdom in Western Europe, was created in 1830. It was a constitutional monarchy with a unitary form of government (Watts, 1990, p. 26). The journey of its unitary monarchy to the federation was accomplished after the four steps of devolution gradually in 1970. The communities of Belgium were set up in terms of languages as well as culture. In 1980, three regions were created by geographical division: the capital, Brussels; North Flanders; and South Wallonia. It was the revised constitution of Belgium in 1988, and extended autonomy was provided to the regions. Finally, in 1993, Belgium was converted into a federal form of government with a population of only 10 million people. Contemporary parliamentary federation Belgium has a population of 11.29 million people (Inter-Parliamentary Union Archives, 2020) and is composed of six constituent units.

Belgium has considerable lingual diversity and there are three main communities by language: the German-speaking, Dutch-speaking and French-speaking communities. These communities have their own councils with respect to their educational and cultural matters. The devolutionary federalization process in Belgium is because of two motive forces and their political polarization: Dutch-speaking and the French-speaking. According to the inter-parliamentary union in Belgium, the parliamentary political system exists with a bicameral legislature. It has two legislative chambers: House of Representatives and the Senate.

3.11.2 Representation, Composition and Selection Methods

The composition of the Belgian Senate is exclusive in terms of gender equality and linguistic ethnicity. The Senate of Belgium is also known as the Assembly of regions and communities,

and it was comprised of one hundred eighty-four seats in 1993, but, in 2014, the strength was decreased from one hundred eighty-four to sixty seats (Belgium, 2019), and its current composition is the same. There are two categories of its senators; fifty senators are sub-states, and ten are co-opted. In the Senate, 10 senators are elected from Dutch and French-speaking communities after the election results of the House of Representatives. The strength of the Dutch-speaking senators is 6, and the other 4 senators are elected from the French community. Furthermore, the Belgian Senate has the rule that the senate shall not have more than two-thirds membership of the same sex. A minimum of twenty women and twenty men are required for senate membership, and today approximately 45% of women (Inter-Parliamentary Union Archives, 2020) are members of the Belgian Senate. The Belgian senate parliamentary term is equal to that of the “House of Representatives”. Both chambers have a 5-year parliamentary term. In countries where the upper house and lower house have equal parliamentary terms, both houses may be elected at the same time. The method of selection for the senators of Belgium's second chamber is a mixture of different methods. Direct elections elect forty senators; indirect elections elect twenty-one senators, and ten senators have been coopted into the Belgian senate since May 2014.

3.11.3 Role and Powers of Federal Second Chambers

Before 1993, the Belgian Senate functioned on the pattern formed earlier. In 1993, it was realised that the federal state should rely on the unequal powers of the bicameral legislature. The Senate started to share equal powers with the “House of Representatives”. In the domains of institutional, financial, international, and legal matters, the “House of Representatives” superseded the “Senate”. The strength of the Senators decreased from one hundred and eighty-four to seventy-one. Among the seventy-one senators, forty were to be elected, twenty-one were to be chosen by the communities, and ten were co-opted.

Article 77 of the Belgian constitution provides equal powers to the “House of Representatives” and the Senate with reference to legislation on matters related to the revising of constitutional provisions and coordination of the constitution (Belgian Constitution). Article 77 also empowers the upper house and the lower house in the domains of laws related to the institutions and financing of the “German-Speaking Community” and laws related to the financing of political parties. Similarly, both houses of the Belgian federation enjoy equal powers in the spheres of laws dealing with the organization of the Senate and the status of the senators (Régis Dandoy, Jérémy Dodeigne, Min Reuchamps & Audrey Vandeleene, 2015). It has a suspensory veto in legislation for some laws and in constitutional amendments and initiatives. “The Belgian Senate” has no power to play any considerable role in terms of budget laws. The term of contention or opposing opinion in two houses, the shuttle method, is

always applied in the Belgian legislature. Because of parliamentary arrangements, the senate is a less numerous house. The Belgian lower house has the right to final say. In the legislative process, the confidence of the senate has no significance.

3.12 India

3.12.1 Administrative and Demographic Divisions

India has an infinite range of lingual, religious, cultural, and ethnic diversity as well as various perceptions and interests within the union (Agnihotri, 2009). The Federal Union of India has vast lingual diversity. The official language, Hindi, is mostly spoken in the Northern provinces and the number of Hindi-speaking people is hardly 40%. Furthermore, there are about eighteen recognised regional languages spoken in India. Most states were recognised as generally ethnolinguistic, and one state, Punjab, was recognised on religio-linguistic basis during 1956–1966. The modern Indian federation is particularly relevant to the Canadian model for managing linguistic and ethnic diversity.

The history of democratic rule demonstrates that the question of having a second chamber as part of parliament has been a vexing one. Views and opinions about the existence of a second chamber fall into the categories of for and against, and those views and opinions remain mostly divided. The protagonists of bicameralism have been advocating the existence of a second chamber to protect the domineering tilt of the unicameral legislature. Contrary to the protagonists of the bicameral legislature, the opponents have been dismissing the existence of the second chamber on the basis of its undemocratic and subversive nature. The question of the merits and demerits of the second chamber is another topic of research. Practically, 1/3 of the parliaments of the contemporary political systems of the world have the second chamber in practice.

The second chamber facilitates legislation in terms of providing a second look at the measures initiated by the first chamber or popular house. The availability of talent and expertise in the second chamber helps in the scrutiny of legislative measures. The second chamber halts the hasty and ill-conceived legislative measures of the first chamber. The increasing demand for new legislative measures, keeping in view the changing circumstances of the world, necessitates well-coordinated and standardized legislative measures. In this situation, the second chamber shares the burdens of the lower chamber. The second chamber also organizes debates on issues concerning the majority population. The members of the second chamber who have vast experience in life participate in those debates, and they can be elevated as authorities on these issues. Generally, the second chamber represents component units, and they act as guardians of the territorial interests (Agnihortri, 2009).

3.12.2 Representation, Composition and Selection Methods

In the Indian bicameral legislature, the formation of a second chamber was necessitated as an institutional structure keeping in view the diversities of cultures, languages, religions, and perceptions. The framers of the Indian constitution accommodated the existing diversities in the second chamber. By doing this, they undertook a reflection of pluralism in the political system of India. "The Rajya Sabha", or the "Council of States", is known as the second chamber, while the "Lok Sabha" is known as the lower chamber.

"The Constituent Assembly" adopted the second chamber in principle on July 28, 1947. In March 1952, the first elections for the "Council of State" were organized. On August 23, 1954, the Rajya Sabha (the Hindi nomenclature of the Indian second chamber) was adopted. Since its foundation, the Rajya Sabha has been playing multifaceted roles. "The Rajya Sabha" has two and half hundred members and two hundred and thirty-eight are indirectly elected by the members of constituent units. The president of India nominated twelve members for "Rajya Sabha". In the Indian Upper house of Parliament, members are elected through a single transferable vote (STV). They articulate the concerns of the people through established procedural devices like putting questions, special mentions, motions, resolutions, calling attention, and special mentions. Reference

3.12.3 Role and Powers of Federal Second Chambers

The Rajya Sabha has been performing the role of revising the chamber on the ground of second sober thought. The Rajya Sabha has formal authority to exert a check on hasty legislation. The constitutional history of India reveals that on many occasions, the Rajya Sabha suggested changes to the bills passed by the Lok Sabha. In some cases, the recommended changes by the Rajya Sabha were incorporated eventually. It seems that the Indian "Upper House" has sufficient powers regarding the review of legislative activities.

In the domain of ordinary bills, the powers of the Lok Sabha and Rajya Sabha seem coordinated and equal. Ordinary bills can be presented in either house. The Rajya Sabha has established an impressive track record in initiating ordinary bills because the majority of bills are related to finance and the lower house has prerogatives on financial matters. Article 108 of the constitution creates room for the joint sitting of the two houses on ordinary legislation in case a deadlock occurs between the two houses. On three occasions, both chambers of the Indian Parliament met under the arrangement of joint sitting to break the deadlock. In 1961, deadlock appeared on the issue of the "Dowry Prohibition Bill" (The Dowry Prohibition Act, 1961). In 1978, the two houses of the Indian Parliament sat together to resolve a deadlock on

the Banking Service Commission. In 2002, the Lok Sabha and Rajya Sabha passed “The Prevention of Terrorism Bill” in a joint sitting (Prevention of Terrorism Act, 2002).

In the domain of financial matters, the Lok Sabha enjoys the unprecedented authority. Like other parliamentary federations in the parliament of India, a money bill can be introduced only in the lower house. The upper house can make only some recommendations on money bills transmitted by the lower house of India.

“Article 368 of the Indian Constitution” authorizes parliamentarians to make constitutional amendments. It can be swiftly remarked that the upper house of the Indian Parliament enjoys equal authority in the domain of amendment of the constitution. A Constitution Amendment Bill can originate in either house of parliament. An amendment bill must be passed by each chamber of parliament separately.

The Indian constitution confers equal rights or powers in relation to the Lok Sabha on some important matters. For example, Articles 54 and 61 of the Indian Constitution empower the Indian Parliament equally on the matters of election and impeachment of the president (Constitution of India). Similarly, Article 66 deals with the election of the Vice President, in which both houses enjoy equal rights. In the domain of the approval of the proclamation of emergency, Article 352 confers equal rights on both houses of the Indian Legislature. Both houses of the Indian legislature can receive reports and papers from different authorities, like the Annual Financial Statement under article 112(1), Audit Reports from the Comptroller and Auditor General of India under article 151(1), and the report of the Special Officer for linguistic minorities under article 350B(2) (Agnihortri, 2009).

3.13 Pakistan

3.13.1 Administrative and Demographic Divisions

The “Montague-Chelmsford” reforms introduced the notion of a second chamber during the colonial period of Great Britain in India. “The Government of India Act, 1919” stipulated that the Indian legislature would have a Governor General and a bicameral legislature (Khan H., 2017). The bicameral legislature would be under the titles of the “Council of State” and the “House of Assembly”, the latter being the “Upper House” and “Lower House”, respectively. The tenure of the Council of State was fixed at five years. The Council of State was later designated as a permanent body by the “Government of India Act 1935”. The members of the “Council of State” were to serve for nine years. One-third of the members of the Council of State was to be retired every three years (Government of India Act, 1935). However, provisions related to the federal structure recommended by the “Government of India Act

1935” were not operationalized. Therefore, the second chamber, in the light of the Government of India Act 1919, functioned till 1947 (Khan H., 2017).

In August 1947, the Sub-continent got independence from Great Britain. The Political Elite of Pakistan undertook the initiative of framing a federal constitution having a bicameral legislature, keeping ethnic diversity in view. The Objective Resolution stipulated a federal design of government for Pakistan. Thus, the Basic Principle Committee was constituted to accomplish the task of framing the federal constitution. “The Basic Principles Committee” suggested a bicameral legislature (Khan, 2017). While the constitutions of 1956 and 1962 adopted a unicameral legislature, however, it was the constitution of 1973 that adopted a federal bicameral legislature in which representation to the federal second chambers was assigned on the basis of proportional representation.

3.13.2 Representation, Composition and Selection Methods

Pakistan's constitution was revised in 1973 to add a new body called the Senate. Senators are chosen using a mix of popular vote and adult suffrage, in contrast to the lower body, the National Assembly, which is democratically elected. Under the 1973 constitution, the upper house consisted of a total of sixty-three members. The selection of 14 members from each province, five from the Federally Administered Tribal Areas (FATA), and two from Islamabad's metropolitan region was conducted via a single transferable vote. The Senate remained a continuous body with a senator's four-year tenure that ended when the National Assembly was dissolved after its five-year mandate (Khan, 2017).

This need was addressed by the 1973 constitution, which stipulated that the upper chamber be "strongly bicameral" or that minorities get increased representation. In contrast to the Interim BPC report and Bogra, the final report completely ignored the second condition, that the upper house has the same legislative and political skills as the lower house. The Senate had no voice in the election, no-confidence vote, or confidence vote against the Prime Minister and his administration. As a consequence, the National Assembly was responsible for picking the whole cabinet and removing the Senate's political influence over the administration's policies (Rid, 2019). As a result, the National Assembly retained all executive authority under the original 1973 constitution, whereas the upper body lacked administrative authority.

3.13.3 Role and Powers of Federal Second Chambers

The Senate has limited alternatives in terms of legislative power. “The Federal Legislative List” portion one remained unfiled in the Senate despite the fact it included practically all of the federal government's obligations. A maximum of ten minor concerns, all of which are

featured on the concurrent and second-half federal legislative lists, may be proposed. For Part I of the Federal Legislative List, legislation that was rejected by the Senate would be forwarded directly to President for signature if it were to be reintroduced in the National Assembly. Article 73 of the original 1973 constitution specified that "a money measure shall originate in the National Assembly and shall be forwarded to the President for approval following acceptance by the Assembly" (Constitution of Pakistan, 1973). As a consequence, the Senate had no involvement in the original 1973 constitution's passage of money measures.

While Z.A. Bhutto's civilian government established bicameralism in Pakistan via the 1973 constitution, it was mostly ineffectual owing to a lack of legislative and regulatory powers. The Senate's first significant extension of authority was really the result of General Zia-ul-military Haq's leadership and the contentious Eighth Constitutional Amendment. By special Presidential Order in 1985, President Zia-ul-Haq increased the total number of Senators from 63 to 87, even before the 1985 elections (No.14). The Senate had equal authority under the Eighth Amendment to initiate and pass any bill or constitutional modification on the "Federal Legislative Lists Parts I and II", as well as the Concurrent List, with the exception of money bills, which must originate in the National Assembly. Additionally, with the exception of money legislation, the National Assembly's final authority was removed.

Nawaz Sharif, Pakistan's then-Prime Minister, would have easily accepted the "Shariat Bill" (Imposition of Islamic Law) in 1998 had it not been for the Eighth Amendment, which enhanced the Senate's power. When the National Assembly adopted the Fifteenth Amendment on August 28, 1998, Nawaz Sharif's Pakistan Muslim League-Nawaz (PML-N) lacked the two-thirds majority required to enact a constitutional amendment. "Pervez Musharraf" increased the total number of Senate seats to 100 after the 2002 "Legal Framework Order" (LFO), which included provisions for women's participation, increased FATA membership, and added seats for technocrats.

Table 3.1: Federal Parliamentary Second Chambers of the world (Inter-Parliamentary Union Website & Website of Concern Country Parliament)

Sr#	Parliamentary Federation	Second Chamber	Parliamentary Term	Method of Selection	Composition	Powers	Role
1	Austria	Bundesrat	05-06	Indirect Election	Weighted state representation of multiple categories	Suspensive veto	Legislative Chamber only.
2	Australia	Senate	06	Direct Election	Equal state representation	Deadlock resolved by a double dissolution	Legislature chamber only
3	Belgium	Senat	04	Mixed Method	2 categories of senators 50 from sub-states and 10 co-opted members	Veto on matters of affection of the federal system	Legislature chamber only
4	Bosnia	Dom Naroda	04	Appointed	Multiple category delegate representation	Absolute veto	Veto chamber
5	Brazil	Senado Federal	08	Directly election	Multiple Party san representation	Power to impeach a government officer	Legislative Chamber only.
6	Canada	Senate	Life time	Appointed	Equal regional representation for the group of provinces	Equal power of legislation except money bills.	Legislature chamber only
7	Cambodia	Senate	06	Indirect Election			
8	Ethiopia	Yefedereshn Meker Bet	05	Direct Election	Unequal representation	No role in normal legislation, veto on budget	Address disputes among the states
9	Germany	Bundesrat	Varies	Appointed	Weighted state representation in three categories	Absolute veto on Federal use of concurrent powers and a suspensive veto on explosive federal powers	Combined legislative and intergovernmental role
10	India	Rajya Sabha	06	Indirect election	Weighted state representation of	Deadlock resolved by joint sittings	Legislature chamber only

11	Malaysia	Dewan Negara	03	Mixed Method	multiple categories 60% are elected from states and 40% from minorities representation	Legislative power but not budgetary power	Legislative Chamber only.
12	Nepal	Rashtriya Sabha	06	Indirectly elected	Equal state representation	Legislative power but not budgetary power	Legislative Chamber only
13	Pakistan	Senate	06	Indirect Election	Equal representation of province.	Legislative power and suspensive veto for six month	Legislative chamber only
14	Spain	Senate	04	Mixed Method	The majority of senators are elected in province constituencies	Suspensive veto: time limit 2 months	Legislature chamber only
15	South Africa	National Council	05	Appointed	Equal state representation (90 delegates)	Intergovernmental	Legislative chamber only
16	Switzerland	Standerat	04	Direct Election	2 categories of Cantonal representation	Absolute veto with mediation committees	Legislature chamber only

EMERGENCE OF SENATE IN PAKISTAN

4.1 Introduction

The previous chapter demonstrated the origin, growth and verities of bicameralism in the world specifically in the parliamentary federations. Some case studies from the parliamentary federations were taken into the discussion and were comparatively analyses with the case of Pakistan. The chapter looks closely at the development of the bicameral legislature of Pakistan. In the subsequent chapter, the question of how bicameralism was involved as a federal legislature of Pakistan will address.

The contemporary purview of federal constitutions around the world makes it clear that the upper house preserves parity representation so that smaller constituent units may not become victims of marginalized feelings. The federations provide parity representation to the constituent units in the second chamber. Based on this parity representation, the upper house/second chamber is also called the "house of federation" or "federal chamber." The political system of Pakistan is based on a parliamentary federal design of government in which the upper house is entitled the Senate of Pakistan/House of Federation of Pakistan.

The beginnings of the federal form of government can be traced to the Pakistan Movement. According to Syed Jaffar Ahmad, since its independence, Pakistan has preserved a diverse society. Therefore, it was natural to frame the federal design of government with a bicameral legislature having parity representation in the upper House. Unfortunately, Pakistan adopted bicameralism as part of the federal design of government in 1973. After twenty-five years of its establishment, Pakistan introduced a second chamber of the parliament (Rid, 2019). Various efforts have been made since 1973 to empower the House of Federation. The culmination in this regard appeared in the form of the 18th Amendment. The eighteenth amendment empowered the upper house of Pakistan. The question related to the empowerment of the house of the federation and territorial representation remained a matter of discussion in the context of the constitutional development of Pakistan.

4.2 Development of Bicameral Parliament in British India

Being an ethnically diverse society requires the design of political institutions that can accommodate diversity and promote inclusive governance. Diverse societies like Pakistan should provide adequate representation and participation for the constituent units. They feel a sense of possession as a substitute for feelings of deprivation by providing adequate representation to pluralistic societies in federal political institutions. Because of feelings of

being ignored by society, a sense of ethnicity was promoted within societies, and ethnicity resulted in societies' alienation from the national stream. Alienated societies lead to national disintegration. A federal political system is adopted where there is complexity in terms of a heterogeneous society. The purpose of being a federal state may be an integration of the societies within the state. In the process of developing a nation, different questions may emerge, like "who gets and how" (Role and Powers of Senate, 2016).

The response to the aforementioned question is a social contract between the constituent units based on the consensus that is all about sharing sovereignty. The preceding situation may require a federal political system with parliamentary arrangements in Pakistan. It also requires such political institutions to accommodate diversity in the best way. Therefore, it was necessary to create bicameral legislative institutions in Pakistan, which were ignored in the first two constitutions. The constitutional and institutional structure of Pakistan is probably derived from the British political and constitutional models. The interim constitution of Pakistan was a modified form of the "Government of India Act 1935". The origin of bicameralism in Pakistan is intensely interconnected with British rule in India. There were various constitutional models introduced in British India. The subsequent section of the chapter describes the interpretation of the historical development of the federal legislature. It also explores various aspects beyond the emergence of the Senate or the birth of the bicameral legislature in Pakistan.

4.2.1 Development of Legislative Council of India (1600-1909)

There were various examples of deliberative bodies and elected bodies in ancient India. Anyhow, the developed and modern legislative institutions of ancient India were similar to the legislative institutions of today. Those legislative institutions were developed gradually during the colonial period through various acts, charters, and constitutional structures. The East India Company was primarily set up by a few enterprising Londoners to develop trade relations with India. (Tripathi, 2002). Afterwards, there were issued numerous royal charters, remarkably for the purpose of deliberating the powers of the company to make various laws regarding military, criminal, and civil matters. The charters that were introduced gradually in the years 1609, 1661, and 1726, as well as the charter of 1753, had the main objectives of defense and effective control of Indians. Consequently, India was seen as a house divided. The company began to acquire territories by taking full advantage of the situation. It was the time to lay the foundation of the British Empire and take control of Indian territories.

The regulating act of 1773 was a turning point towards British parliamentary control in India while various powers remained in the control of company directors. In a short time, the

control of company directors caused defects within the political system and it was removed in the succeeding act of 1784 (Tripathi, 2002). The act of 1784 was generally known as the "Pitts India Act, 1784" and its main objective was to draft the Indian constitution in which a dual system of government could be instituted. The Pitt India Act provided a "Board of Control" comprised of almost six commissioners that were to be appointed by the British crown. The purpose of the "Board of Control" was to manage the company's affairs (Khan H., 2001). The aforementioned system of dual government remained the hallmark of Indian Parliamentary control till 1858.

In British India, an important constitutional bill was passed during the era of Lord William Bentick (Tripathi, 2002, p. 12). It was formally known as the Charter Act of 1833. For the first time in the history of British India, a serious attempt was made towards creating a distinction between legislative and executive functions in the Council of Governor-General

After the War of Independence (1857), the political scenario changed and the government of the United Kingdom took direct control of India. With the passage of time, various constitutional reforms and acts were promulgated in India where the journey of the advancement of the legislature endured towards the bicameral parliament. The various constitutional steps were taken in India by the British Government, probably to accommodate the ethnic population of India and to handle the issues raised by the Indians time and again. After three years of the end of the rule of the "East India Company", the "Act of 1861" was implemented and India was brought under direct Crown rule. The council was extended and Indians participated in the council (Khan, 2001, p. 10). The Councils Act of 1892 India, further, increased the membership of the councils and their capacities were reached to allow representatives to ask questions and talk about the budget (Maluka, 1995).

4.2.2 Journey towards Second Chamber (1909-21)

In the Indian Act of 1909, the much-expanded councils assumed noteworthy powers, such as the power to move resolutions and ask valuable questions. The aforementioned Act provided a legitimate majority to the provincial legislative council through its framed rules. Afterwards, the parliamentary majority was maintained by the provincial councils while the official majority was maintained by the central legislature. The members of provincial councils were subject to being elected by university senators, municipalities, district boards, and houses of commerce. The India Act of 1909 provided the indirect electoral method (Tripathi, 2002). This Act mandated that Indian citizens elect local body representatives, local body representatives elect electoral colleges, and electoral colleges elect provincial council representatives. In the Indian Council Act 1909, the strength of the legislative council

members was quantified at 60, and among these 60 members, 27 members were to be elected (The Government India Act, 1919). In Indian history, it was the first time that Indian people were admitted to membership. In those arrangements, six Muslim representatives were also admitted. The Muslims were given the right to a separate electorate. The members of the provincial legislature from the Muslim minority were to be elected by the Muslims only. In India, it was the beginning of the accommodation of minorities on the basis of religion.

The reform patterns and the Act of 1919 demanded a procedure for making a parliamentary institution. A bicameral legislature made up of a “legislative congress” and a “council of the state” replaced the smaller legislative councils (Maluka., 1995, p. 114). It was composed of about sixty members. Among these sixty members, thirty-four were to be elected and the remaining members were to be appointed. The method of election adopted in 1919 was a direct one under the restricted franchise for both central legislatures (Khan., 2017, p. 16). The parliamentary term of the Council of State was 5 years, which was longer than the central Assembly. The parliamentary term could be extended by the Governor-General. The Governor-General had various powers related to the central legislatures. He had the power of proroguing and summoning. He had the power to dissolve both of the legislative houses. The central legislature of British India had the powers regarding legislation for all of British India (The Government India Act, 1919). According to the aforementioned Act, the Governor-General had the authority to veto the passed bills. The aforementioned powers of the Governor-General reflected that the central legislature had no significant powers. The central legislature had legislative powers over its major list, including foreign and political affairs, customs, tariffs, public finances, patents and copyrights, telegraphs and posts, communications, currencies, and railways, among other matters (The Government of India Act, 1919).

Table-4.1: Indian Council of State under India Act 1919 (The Government of India Act 1919)

Selection Method	Members	Constituency	Parliamentary Term
Elected	34	19 from General Constituencies 15 Communal and special Constituencies (11 Muslims, 1 Sikh 03 Europeans)	5 Years
Nominated	26	--	
Total	60	--	

4.2.3 Evolution of the Second Chamber (1921-47)

From the perspective of the Simon Commission in 1928, the central council in India was anticipated to be modified in particular federal shapes. In cooperation with the first chamber, the “Council of State” and the “Federal Assembly” were elected through provincial assemblies eventually (Morris, 1957). At the same time, the Indian government appointed a committee that is known as the Indian Central Committee. It was comprised of the members of both central legislative houses. The committee was working along with the Simon Commission on legislative reforms in the Indian Act of 1919, and there was no doubt that the committee was well aware of the complexity of the “Government of India Act of 1919” (Tripathi, 2002). It was suggested in the report that the Council of State's defective composition as well as its defective power structure be described in terms of defective composition. It aims to increase the strength of the “Council of State” by almost one hundred members that should be elected and nominated. But interestingly, at the same time, the “Simon Commission” was not basically in the favour of the “Council of State” in India for an undetermined period. It was dependent on the specific circumstances of India that recommended a Central or Federal Assembly, the lower legislative chamber comprising senatorial principles, to the extent its members were not elected by the primary electors, but they were to be elected through provincial councils. In terms of the composition or electoral qualification of the Council of State, the Simon commission did not suggest any amendment.

The province that the British government was legally in charge of—and not more than one hundred and four members of the Indian princely states, which were governed by Indian local leaders and were connected to the British administration by various agreements (Annad, 1939). In terms of institutional evolution and institutional structure, bicameralism in Pakistan is related to the origins of the “Government of India Act 1935”. Therefore, the process of evolution or development reached its culmination in the 1935 “Government of India Act”. “The Government of India Act 1935”, which was adopted as the interim constitution of Pakistan with certain adjustments or amendments after Pakistan's establishment, was used by the country's first two parliaments (Khan, 2001).

Table-4.2: Composition of Council of State in 1935 (Government of India Act 1935)

General seats	Scheduled	Casts	Sikh	Community	Muslim	Community	Women	European	Indian	Christians	Anglo-Indians	General	Choice	Total
75	06		04		49		06	07	02		01		06	156

4.3 Designing Federal Bicameralism in Pakistan: Challenges, Efforts and Outcomes

Pakistan emerged as a sovereign and independent nation on the world map on August 14, 1947. From 1947 to 1973, the issue of the establishment of a bicameral legislature had been a persistent part of political discussion. The primary measure taken in this regard was the highlighting of the federal form of government. It was decided in the initial constitutional document namely "Objective Resolution" (Ahmad, 2002,). The Objective Resolution stipulated:

"Wherein the territories now included in or in accession with Pakistan and such other territories as may hereafter be included in or accede to Pakistan shall form a federation wherein the units will be autonomous with such boundaries and limitations on their powers and authority as may be prescribed"(The Constituent Assembly of Pakistan debates, volume 5-1949).

The hydra-headed problem of Pakistan was a consensus over the representation of different territories, specifically of East Pakistan and West Pakistan that remained unresolved till 1956. The first two constitutions of Pakistan failed to resolve the issue permanently. So, in this respect, the issues were debated throughout the history of united Pakistan (Ahmad, 2002). The various solutions were proposed in the constitutional debates in Pakistan that are described in detail in the subsequent part of the chapter. On March 23, 1956, the first constitution of Pakistan was promulgated. In the initial phase of nine years in Pakistan's constitutional history, various constitutional documents were presented before the Assembly for discussion with the purpose of preparing to draught the constitution. The very initial constitutional document that was submitted to the national assembly was the objective resolution. It was passed by the national assembly of Pakistan on March 12, 1949 (Khan, 2001). The objective resolution that was the preamble of the prior constitution of Pakistan and which is part of the current constitution was the set of principles, rules, and directions for the future constitution. According to the situation of demographic ethnicity and race in Pakistan, the leadership at that time decided to propose a federal system for Pakistan (Ahmad, 2002).

4.3.1 The Developments of House of Federation in Pakistan from 1947 to 1973

On September 28, 1950, the basic principle committee, consisting of 24 members, having the task of framing the constitution of Pakistan, presented its report before the first Constituent Assembly of Pakistan. The committee recommended a central legislature as a bicameral form of legislation in which there would be a house of the federation (Upper House) and a House of People (Lower House) (Rid, 2019). The report also stated that the central legislature will

choose the head of state in a joint session for a five-year term. A “Prime Minister” who had the pleasure of the national assembly was to be chosen by the head of state as well. The government should answer to the national legislature, the report further urged. In reality, the "basic principle committee" gave the two chambers of the central legislature equal power and representation in the upper house, in addition to ensuring equal representation for the constituent entities (Khan, 2001).

The critical analysis of the Basic Principles Committee (BPC) makes it clear that a bicameral has features of "strong bicameralism" as recommended by Arend Lijphart. According to Lijphart, strong bicameralism needs to have conditions like "the upper house has to be elected on a different basis than the lower house (to ensure increased minority representation), and it must have real power—ideally as much power as the lower house” (Lijphart, 2012). The report was not incorporated into the draught of the constitution because of the concerns raised by the political elite of East Pakistan.

Two important points related to reports of the Basic Principle Committee that became the subject of heated discussion in the parliamentary debates were issues of sovereignty and minority representation. The non-Muslim political elite of East Pakistan highlighted issues of sovereignty and minority representation. For example, the Objective Resolution delegated sovereignty to Allah Almighty. The Objective Resolution remained a consistent part of the Basic Principle Committee and all the constitutions introduced in Pakistan.

The final report of the “Basic Principle Committee” was provided to the Constituent Assembly. It was presented by Pakistan's Prime Minister of that time, Khawja Nazim Uddin, on December 22, 1952, while taking into consideration the issues brought up by the political elite of East Pakistan. Bicameralism modelled after the Westminster model of democracy was recommended in the report. According to this proposal, the house of units was to consist of one hundred and twenty members, sixty of whom would be chosen by the “East Bengal assembly”. For the upper chamber, it was suggested that the idea of proportional representation under a single transferable vote system be pursued (Malik, 2001).

Table-4.3: The Distribution of Seats of West Pakistan (Basic Principle Committee Report)

Punjab	Sindh	NWFP	Tribal Areas	Bahawalpur	Baluchistan	Bloch states	Khairpur	Capital of federation	Total
27	8	6	5	4	2	2	2	4	60

The first draft of the Basic Principle Committee had to face severe criticism from East Pakistan, while the second draft of the Basic Principle Committee had to face severe criticism from Punjab. The political elite of East Pakistan raised concerns about the equal powers of the upper house on various grounds. Prof. Rajkumar Chakraverty (Parliamentarian of East Bengal) argued:

"As regards the co-existence of the two Houses with equal powers, my friend has already pointed out that it is most undemocratic. The combined wisdom of 300 people, who will be elected directly on the adult franchise and who will enjoy the full confidence of the general public and the masses, should never be over-ridden by 50 people coming by indirect election in the Upper House" (Constituent Assembly Debate, 1954).

4.3.2 The Interim Report of “The Basic Principles Committee 1950”

When the objective resolution was passed by the constituent assembly of Pakistan, the assembly formulated a committee and appointed 24 members, including three non-Muslim members. That committee was named the "Basic Principle Committee" (BPC) and the assignment handed over to the committee was to draught the constitution of Pakistan. For that purpose, the Basic Principle Committee formulated some sub-committees to collect the most appropriate information from the gross route level so that they can submit an accurate report to the constituent assembly. In short, the interim report of BPC was presented by the prime minister of Pakistan, Mr. Liaqat Ali Khan in 1950 (Khan, 2017, p. 107). In the interim report of the basic principle committee, it was proposed that strong bicameralism be the norm. For strong bicameralism, Lijphart projected two important conditions:

- To ensure the adequate representation of minorities, the upper house should be provided representation in a different way than the lower house (Lijphart, 1999). This was proposed in the first report of the basic principles report.
- The upper house should have real powers, superlatively as maximum powers like the lower house (Lijphart, 1999). In the initial report of the basic principle committee, it was also proposed that the legislature of Pakistan would consist of two houses and adequate autonomy and powers would be provided to constituent units in the upcoming constitution of Pakistan.

The house of the federation was purely the institution of representation of the provinces of the country, and all the constituent units of Pakistan were provided equal representation. On the other hand, the lower house was the purely representative institution of the people of Pakistan. The institution of the lower house had been proposed to be constituted on the basis of the adult franchise as well as the method of one man, one vote. While the first report of the basic principle committee proposed different methods for the election of both houses, further, the second rule of Lijharat's strong bicameralism was also fulfilled by giving equal powers to the second chamber in the interim report of the basic principle committee. It was proposed in the interim report of the basic principle committee that both houses of the Pakistan parliament would enjoy equal legislative powers (BPC Report, 1950). Money bills and the budget were to be approved in a joint session of the parliament. Additionally, the head of the state and head of the government (President and Prime Minister) were to be elected through the joint session of both houses of parliament, and it was also proposed that the cabinet of Pakistan would be responsible equally to both houses.

The aforementioned features of strong bicameralism drew widespread criticism from East Pakistani parliamentarians, who saw them as a device to convert them from majorities to minorities. They considered that it was an attempt to change the status of East Pakistan into a colony of West Pakistan. The objection from the parliamentarians of East Pakistan had a justification because, at that time, West Pakistan consisted of three to four provinces while East Pakistan was a single province having a population of 54% of the total population of Pakistan, while the rest of all the provinces had a combined population of 46%. Hence, it was possible to have domination from West Pakistan in joint sessions and West Pakistan might become a minority (Ahmad, 2002). Thus, the first report of the "Basic Principle Committee" was rejected due to the serious concerns of East Pakistan.

4.3.3 The Final Report of "The Basic Principles Committee 1952"

After the failure of the first proposal of the "Basic Principle Committee" towards constitution-making in Pakistan and toward reaching a consensus on the issue of representation in both houses, the committee revised its draft and prepared another report which is called the final report. In 1952, BPC's second report was presented in the parliament of Pakistan by "Prime Minister Khawja Nazimuddin". Interestingly, a bicameral legislature was proposed in the second report too (Ahmad, 2002, p. 9). In that report, weak bicameralism was suggested. It incorporated all the features of the West Minister model of democracy.

According to the second report of the basic principle committee, the second house (house of units) had nothing to say in the election and elimination process of the prime minister and his

cabinet. Furthermore, when it comes to money bills and budgets, the House of Federation can only make suggestions. Even though the lower house (the house of people) was in power and had the last say, it had the power to accept or reject the second house's recommendations for the state's budget and money bills. The proposals made by the basic principle committee in its second report regarding the issue of representation in different units of Pakistan (East Pakistan and West Pakistan) introduced another principle that in both houses the representation would be provided on the basis of parity (Rid, 2019). On a parity basis, the representation was as follows:

- For the house of people (Lower House), it was suggested that 400 seats be allocated, 200 for East Pakistan and 200 for West Pakistan.
- For the House of Units (Upper House), it was suggested that 120 seats be allocated, 60 for East Pakistan and 60 for West Pakistan.

Table-4.4: “Basic Principle Committee Recommended Composition of Upper House” (Basic Principle Committee Report 1951)

“Province/Territory”	Seats	Sub-division
East Pakistan	60	-
West Pakistan	60	“Punjab-27, Sindh-08, NWFP-06, Tribal Areas-05, Bahawalpur-04, Balochistan-02, Baluchistan States-02, Khairpur State-02, Federal Capital 04”.
Total	120	-

Finally, in both houses, equal representation for East Pakistan and West Pakistan was provided. In the upper house, the four provinces of West Pakistan were going to lose their identity. Remarkably, at that time, Pakistan was not declared as one unit, while the second report of the basic principle committee treated West Pakistan as a one-unit territory in terms of resolving the issue of representation in parliament. The people of East Pakistan enthusiastically embraced the second report of the Basic Principle Committee, although Shaikh Mujeeb-ur-Rehman and Hussain Shaheed Suharwardy questioned the parity principle. However, the second report on the Basic Principle was met with intense criticism in West Pakistan, particularly in the Punjab province. (Ahmad, 2002, p. 16). On the issue of parity representation, “Punjab” raised concerns that if this parity formula were implemented, East Pakistan would dominate the political prospect and West Pakistan would be a less cohesive unit because the political leadership of small provinces such as “KPK” and “Sindh” would be more sympathetic to East Pakistan (Khan, 2001).

4.3.4 Muhammad Ali Bogra Formula 1954

A sudden administrative change occurred when Muhammad Ali Bogra became prime minister of Pakistan. Before it, efforts and debates germane to provincial autonomy were in the climate. The new prime minister was able to persuade them to continue the constitution-making process toward its final shape. It was also easy for Mr. Muhammad Ali Bogra to convince all the parliamentarians of his formula, which was known as the "Bogra Formula". In Pakistan's constitutional history, his approach may have been sufficient to bring East and West Pakistan to an understanding. On October 7, 1954, Mr. Muhammad Ali Bogra submitted his formula to the Pakistani Constituent Assembly (Rid, 2019). He made a second serious effort toward the implementation of strong bicameralism in Pakistan. He suggested a very ingenious intermediate solution that pleased all the provinces of Pakistan.

In Muhammad Ali Bogra's formula, 50 seats for the house of units, 10 seats for every province (Punjab, KPK, and frontier states including tribal areas, Sind, and Khairpur, Baluchistan, which consisted of the Baluchistan Union, Bahawalpur, and Karachi. Three hundred seats were proposed for the house of people, which were divided as follows: one hundred and sixty-five were for East Pakistan and one hundred and thirty-five for all the provinces and territories of West Pakistan. These seats were to be divided purely on the basis of the population. Although for the representation of the upper house, the principle of parity was proposed, and for the representation in the lower house, the principle of the adult franchise (one man, one vote) was suggested. This was thought to be a good formula for federal arrangements. Remarkably, it provided overall parity for the joint session of the parliament with One hundred seventy-five members from East Pakistan and One hundred seventy-five members from West Pakistan (Mushtaq, 2017).

Table-4.5: Division of Seats proposed in Muhammad Ali Bogra Formula 1954 (Senate of Pakistan Hansards)

Provinces/ territories	National Assembly	Senate	Joint Session
East Pakistan	165	10	175
West Pakistan	135	40	175
Total	300	50	350

Resembling the interim report of the "Basic Principles Committee", in the Bogra Formula, equal powers were suggested for the lower house and the upper house. In the case of a confidence motion, a no-confidence motion, and an election for the prime minister and his cabinet, it was mandatory to attain a simple majority in the joint session that was at least thirty (30%) per cent from each zone consisting of West Pakistan and East Pakistan. The principle of strong bicameralism was suggested to provide legislative powers (Kokab, 2011). In the said formula, in all financial matters, for instance, money bills and budgets, both houses

would enjoy equal legislative powers. It was also suggested that in the event of a difference of opinion between the two houses, the bill would essentially be passed in a joint session of the two houses by a simple majority of thirty per cent in favors of the bill. The Bogra Formula was argued to be legitimate since it offered a great opportunity to address the conflicts between East Pakistan and West Pakistan because it was a step towards achieving consensus, the adoption of bicameralism, and better federal arrangements (Chaudhry, 1959).

4.3.5 Constitution of 1956 and Federal Legislature

In Pakistan, its first constitution was promulgated on March 23rd, 1956 after long debates. It was on the pattern of the India Act of 1935. Unlike the other contemporary federal constitutions, the constitution of Pakistan provided a unicameral federal legislature in 1956 (Rizwan, 2018). There have been many obstacles in the course of Pakistan's constitution-making process. The aforementioned problem remained unresolved till 1956, while many attempts were made to resolve it. By accepting the idea of parity between the East and West wings of Pakistan, a serious representational debate was put to rest. The first constituent Assembly's design of the constitution included provisions for the upper chamber and equal representation for both wings of Pakistan. Contrary to it unicameral legislature was adopted by Pakistan's second constituent assembly (Khan, 2001, p. 179). The advantages of a second chamber and the reason for having a second chamber are, conversely, not restrained to its effectiveness as an instrument for providing representation in a federation. The reason was that the first constitution of Pakistan suffered a great defect in the absence of an upper house (Khan, 2017).

4.3.6 The Constitutional Commission 1960 and Federal Legislature

Ayoub Khan appointed a constitution commission on February 17, 1960, to examine the causes of the failure of the parliamentary system in Pakistan under the chairmanship of the former chief justice of Pakistan, Justice Shahabuddin (Khan, 2001, p. 232). No doubt, the constitutional commission favored a bicameral legislature for Pakistan, comprised of the National Assembly and the Senate.

The aforementioned commission emphasized the need for a second chamber that would be able to check the redundancy of the lower house in the legislative process and which would exert a valuable influence through its exclamations, both on the public and the legislature. Instead of a territorial basis, the commission predicted that the second chamber would be an institution of elder statesmen chosen from various categories of people. The proposed composition of the Senate by the commission was in the subsequent table.

Table-4.6: Proposed Composition of Senate by Constitution Commission 1960 (Constitutional Commission Report 1960)

Members	Selection	Province	Total
20	Electoral college of the lower house	East Pakistan	20
20	Electoral college of the lower house	West Pakistan	20
08	Nominated by President	-	08
Total	-	-	48

The constitution commission of Pakistan in 1960 proposed a very weak second chamber as compared to the American Senate, while the legislative powers suggested by the commission were similar to the British House of Lords. Furthermore, it was suggested that some other powers would be given to the Senate. For instance, the endorsement of appointments like central or provincial ministers, governors, and ambassadors, except for career diplomats, was to be made by the president. The Senate was to be given the unique power of impeaching the President of Pakistan, as well as the Vice President of Pakistan, governors, federal ministers, provincial ministers, the Chief Justice of Pakistan, and Supreme Court of Pakistan judges. In terms of significant matters of national interest like the declaration of war as well as the ratification of treaties, it was proposed that the Senate have the right to participate in the joint session of the parliament (Constitutional Commission Report, 1960, pp. 59-60).

4.3.7 The Constitution of 1962 and Federal Legislature

During the reign of Ayoub Khan, Pakistan's second constitution was established. It started working on June 8, 1962 (Shamaila, 2020). The 1962 constitution was divided into twelve parts, 250 articles, and three schedules. The bicameral legislature with extremely different powers that the constitution commission recommended in 1960 was completely disregarded in the constitution of 1962. In contrast to the proposal of the constitution commission, Pakistan's 1962 constitution established a unicameral legislature with just one chamber, the National Assembly. In the National Assembly, the principle of parity was adopted for the two large constitutional units of a united Pakistan in terms of representation (Khan, 2001). Half of the constituencies in West Pakistan and half in East Pakistan made up the National Assembly's one hundred fifty-six seats. There were six seats set out for females.

It was mysterious to the leadership how and why they provided a unicameral legislature (only a national assembly) in those constitutions while consensus on a bicameral legislature was unambiguous at that time. It was traced in terms of responding to the question, why was the unicameral legislature adopted in the first two constitutions of Pakistan? The common clarification which was given was that it was not obligatory to adopt the upper house because of the incorporation of the principle of parity for the representation of both wings (Kokab, 2011). Under the prominent scheme of one unit, all the constituent units and states were

dissolved into one combined or united province known as West Pakistan. It was created on an extraordinary logic that the second chamber's existence is simply for the distribution of seats among the provinces or federating units. The illogical comportment by one unit scheme was achieved, and later the method was adopted as a step forward to introduce proper unicameralism in Pakistan. Muhammad Waseem asserted in his scholarly works that there was a gang of four people that were dominant in the politics of Pakistan before the promulgation of the constitution of 1956 and after the dissolution of the first constituent assembly of Pakistan in 1954 (Waseem, 2011). The aforementioned gang included Ghulam Muhammad, General Ayoub Khan, Chaudhry Muhammad Ali, and Major General Iskandar Mirza, They entirely trapped the political system of Pakistan. Another explanation regarding the avoidance of the adoption of a bicameral legislature in Pakistan was that the gang of four people was against the upper house in Pakistan, as they considered the upper house might be a hurdle in the way of handling the matters or might be made more complicated in the administrative arrangements of Pakistan. The illegal or arbitrary behaviour in which the political business of the country was conducted after the termination of the first constituent assembly of Pakistan and the imposition of martial law in Pakistan in 1958, portrays a plan in which the upper house was an obvious misfit.

4.4 The Birth of the Upper House, the Senate, and its Evolution

The promulgation of the third constitution in Pakistan in 1973 was different compared to the constitution of 1956 and 1962 in two aspects. In 1973, the federation of Pakistan comprised four constituent units instead of the former two, and it brought a bicameral legislature (Ahmad., 2013).

The upper house, known as the Senate of Pakistan, was created for the first time in Pakistani history under Article 59 of the Constitution of the Islamic Republic of Pakistan. On August 6, 1973, the upper chamber (Senate) of Pakistan's parliament was established, and its members took the oath of office. A national agreement about the special qualities of Pakistan's federation, which gives each of its constituent units or provinces an equal voice, led to the formation of the Upper House of Pakistan. The bicameral system of government was included in the constitution of the Islamic Republic of Pakistan (Ahmed, 2013). As a chamber of territorial representation and defender of the rights of its federating units, the Senate was given this role. The durability of institutionalized throughout history reveals that the majority of members in the 1973 discussion on the construction of the Constitution were concerned about the extent of the upper chamber as well as its nature and powers. Mr. Habib Ullah Khan Marwat, a senior retired justice, was chosen to preside over the Pakistani Senate from 1973

until 1977. In Pakistan, the Senate was essentially established as a result of agreement amongst all of Pakistan's constituent units (Hussain, 2019).

In comparison to the national assembly, where representation was based on population, the main goal of the establishment of the Senate of Pakistan was to provide equal representation to all constituent units and adequate representation to other territories. In the second chamber of Pakistan, equal representation for all the provinces, therefore, balances the sub-national inequality as compared to the lower house and it also dispels apprehensions and doubts. The Senate provides an equal voice to all the provinces apart of the population and size of the province (Mustaq & Khan, 2018). The purpose of providing equal representation is to promote a sense of harmony and national integration. The fear of deprivation and alienation of smaller provinces by the domination of larger provinces needs to be minimized by giving equal representation in the second legislative chamber.

4.4.1 Composition of the Senate of Pakistan

The 1973 Constitution was the first constitution in Pakistani history to establish a bicameral legislature. The Senate of Pakistan is a legislative chamber and it represents all the territories and provinces of the country. The major objective of its creation was to provide equal voices to the provinces so that it is also known as the house of the federation (Mushtaq, 2017). The Senate of Pakistan also endorses feelings of equality, peace, and harmony. These advancements are so indispensable in terms of national prosperity and smooth growth. The upper house of Pakistan's parliament was established under article 50 of the constitution of 1973 and the composition of the Senate was provided under article 59 of the constitution of the Islamic Republic of Pakistan (Article 59, Constitution of Pakistan).

Table-4.7: Composition of First Senate of Pakistan 1973 (The Parliament of Pakistan (Book))

Province/Territory	Senators	Elected	Parliamentary Term
		Indirectly by	
PUNJAB	10	Provincial Assembly	G1- 5 Members 2Years- G2-5 Members 4 Years
SINDH	10	Provincial Assembly	G1- 5 Members 2Years -G2-5 Members 4 Years
BALUCHISTAN	10	Provincial Assembly	G1- 5 Members 2Years -G2-5 Members 4 Years
KP	10	Provincial Assembly	G1- 5 Members 2Years -G2-5 Members 4 Years
FATA	03	FATA MNA`s	G1-2 Members 2 Years -G2-1 Member 4 Years
ISLAMABAD	02	National Assembly	G1-1 Member 2 Years- G2-1Member 4 Years
Total	45	-----	-----

Between 1973 and 2010, Pakistan's constitution under Article 59 was amended roughly five times. There were 45 people in the Pakistani Senate when it was established in 1973. With ten senators from each province, the House of Federation gave each province equal representation. The Federal Administrative Tribal Areas (FATA) received three seats from the Pakistani Senate in 1973, while Islamabad's Capital Territory received two seats (Hussain, 2011).

Table-4.8: Distribution of seats in the Senate of Pakistan (1973-2021) (Senate of Pakistan website and Parliament of Pakistan Book)

Regions/Province	1973-77	1977-85	1985-2002	2002-10	2010-21	2021-24
Punjab	10	14	19	22	23	23
Sindh	10	14	19	22	23	23
Baluchistan	10	14	19	22	23	23
KPK	10	14	19	22	23	23
FATA	3	5	8	8	8	4
Islamabad	2	2	3	4	4	4
Total	45	63	87	100	104	100

4.4.2 General Zia-ul-Haq's Martial Law: The Ban on Democratic Parties

The first general election in Pakistan was held in 1970, and the senate and the national assembly—the two legislative chambers—were established as a directly elected parliament as a result in 1973. The aforementioned parliament conducts its business for a complete parliamentary year and passes numerous bills, in addition to current affairs of social, political, and financial significance. In particular, the third constitution of Pakistan, which is currently in effect, was drafted and approved by the parliament in 1973. One of Pakistan's most well-known political pioneers or leaders is the head of this ostensibly tangible parliament. General Zia ul Haq abruptly dismissed Zulfikar Ali Bhutto in 1977 (Khan, 2010). Once more in Pakistan's history, democratic rule was banned.

Table-4.9: Composition of the Senate of Pakistan in 1977 (The Parliament of Pakistan Book)

Province/Territory	Members	Indirectly Elected by	Parliamentary Term
PUNJAB	14	Provincial Assembly	4 Years
SINDH	14	Provincial Assembly	--
BALUCHISTAN	14	Provincial Assembly	--
KPK	14	Provincial Assembly	--
FATA	05	Members of the National Assembly from FATA	--
ISLAMABAD	02	Members of The National Assembly	--
TOTAL	63	--	--

The purpose of the Senate or the House of Federation is to reflect the spirit of federalism. To enhance the federal spirit of the upper house, Article 59 was amended in 2010. The Senate's number of seats was increased, seats for minorities were added, and the Senate now has a total of hundred and four members. Senate working days have been increased from ninety to hundred and ten as a result of the amendment to Article 61. This was made with the particular objective that the Federal Legislative List Part-II had been deleted and that the Senate's work would increase to the extent that ninety days would no longer be enough. Therefore, the days were raised to one hundred and ten.

The involvement and contributions made by Pakistan's military chiefs are one of the important factors affecting the growth of the house of federation in that country. The restoration of the constitution of the 1973 order (RCO), signed by President General Zia-ul-Haq on March 2, 1985, is known as the eighth amendment. The Senate's number of seats was increased by Zia-ul-Haq. He increased the membership from 63 to 87 (Hussain, 2019). Thus, five seats within the categories of technocrats, ulema, or professionals were designated for each province, in addition to the fourteen general seats that were set aside for each province. FATA now has eight seats instead of the previous five. Similar to this, the federal capital's number of seats was increased from two to three” (Khan H., 2017).

Under the 2002 Legal Framework Order (LFO), President General Pervez Musharraf increased the Senate's strength after General Zia-ul-Haq. Under LFO, the Senate's seat count was expanded from 87 to 100 (Khan H., 2017). According to the distribution of seats, there are 14 general seats for each province, 4 seats for technocrats, 4 seats allocated for women, 8 seats for FATA, and 4 seats for the capital area. The introduction of the 18th amendment in 2010 can be regarded as the country of Pakistan's first vital step toward the creation of The House of Federation. Additionally, the Senate's strength was raised from 100 to 104. Minorities were designated for the four seats (non-Muslims) (18th Constitutional Amendment, 2010).

The federal legislature introduced the 25th amendment to Pakistan's constitution in May 2018. This amendment combines the province of Khyberpashtunkhaw with the region of FATA (KP). Eight FATA seats in the House of Federation will no longer be available in 2024. Four Senators from FATA retired at the time of the 2021 Senate election. The tenure of the final four will end in 2024. There are now 100 senators in the Senate (Senate of Pakistan, 2021). In the event that there is no territorial reform or amalgamation, the Senate will have 96 seats in 2024.

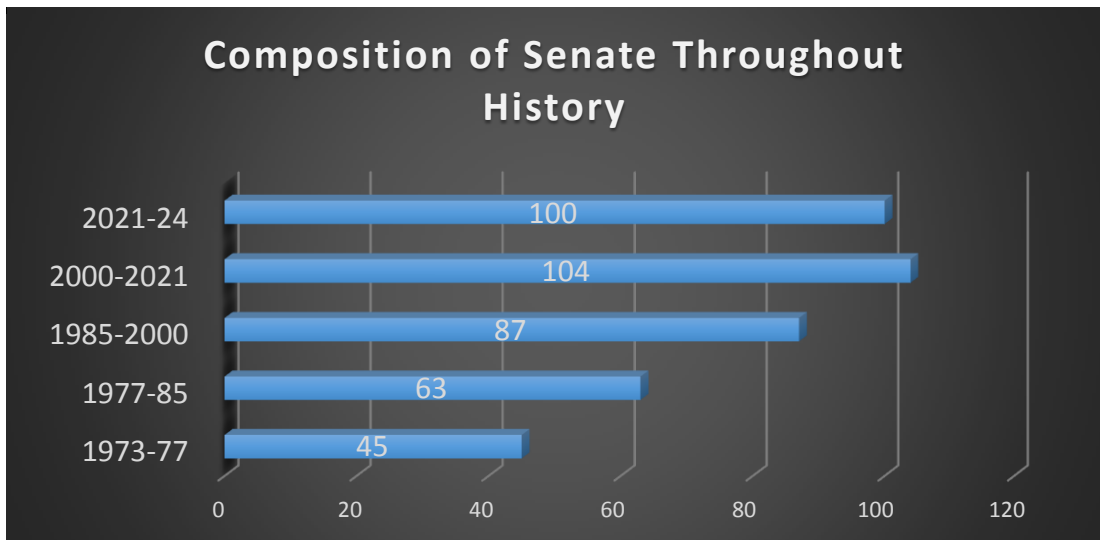


Figure-4.1: Comparison of Senate Composition throughout History (Senate of Pakistan Website)

4.4.3 Elections in the Senate of Pakistan

According to Pakistan's Constitution's Article 59, senators are elected (Article 59, Constitution of Pakistan). The senators are elected by their respective provinces or territories' provincial assemblies. Each Provincial Assembly elects twenty-three members: fourteen general seats, four women, and four technocrats, including Ulema. After the eighteenth constitutional amendment, one seat was set aside for non-Muslims. According to the constitution of Pakistan, a total of four seats are given to the federal capital Islamabad: two general seats, one woman, and one technocrat. Before the 25th Constitutional Amendment, Tribal Areas had eight seats each, while on May 24, 2018, FATA was merged into the province of Khyber Pakhtunkhwa (Noor, 2018).

The Senate of Pakistan is a permanent legislative house that indicates the course of continuity in national affairs. The members of Pakistan's Senate serve six-year terms in parliament, and half of the house members take office every three years. A fresh election is held to replace a seat in the Senate caused by a senator's resignation, incapacity, death, removal, or disqualification (Rule, Procedure and Conduct of Bussiness, 2012). The election is held by the respective Electoral College. A candidate conducting an election to the Senate of Pakistan should be a minimum of thirty years old. A candidate seeking election to the senate of Pakistan should be a registered voter in the concerned province or territory and also meet all the qualifications that are prescribed in the constitution of Pakistan. Under article 62, the candidate for the Senate election should be a citizen of Pakistan (Article 62, Constitution of Pakistan). The candidate should have adequate knowledge regarding Islamic teachings as well as practices and obligatory duties that are prescribed in Islam. He should be sagacious, honest,

a true believer, non-profligate, and righteous. The candidate must also not have been convicted of criminal conduct for providing false confession or for committing a crime in order to run for Senate. He or she has not opposed Pakistan's ideology or attempted to undermine Pakistan's integrity since Pakistan was established (Rule, Procedure and Conduct of Business, 2012).

In the Pakistani case, the members of the house of the federation are elected by the Provincial and National legislatures. Furthermore, the principle of relative party discipline undermines the territorial functions of the house of the federation. A brief overview of the history of the Senate illustrates that a party rather than a territory remains a dominant trend of representation in the house of the federation (Mushtaq, 2017).

The Senate Election is held on the basis of a single transferable vote on the pattern of proportional representation. Every constituent unit elects equal members for the second chamber on the basis of proportional representation. Indirect election through proportional representation causes an improper representation of all territories of Pakistan. Besides it, each political party takes a share in the second chamber based on its strength in provincial legislatures. This practice was carried out during the eras of Benazir Bhutto and Nawaz Sharif (Syed, 2007). The political chiefs of political parties manipulate the election of the second chamber. Horse trading has been a serious dilemma for the Upper House of Pakistan. Because of the aforementioned curses, the senators of Pakistan do not represent geographical constituencies.

The elections of the chairman of the senate and deputy chairman are conducted under article 59 of the constitution of Pakistan (Article 59, Constitution of Pakistan). Subsequent to the duly constitution of the house of the senate in its first session, the chairman and deputy chairman are elected by the members of the Senate. The chairman and vice chairman of the senate serve three-year terms in parliament. The deputy chairman of the senate oversees the proceedings when the senate chairman is not present. "The Chairman Senate" and "Deputy Chairman" may be dismissed from their positions in accordance with Pakistan's constitution's articles 61 and 53 respectively (Constitution of Pakistan). According to the provision of the 1973 constitution, Pakistan's national legislature was given the title of parliament. Parliament consists of two legislative houses: "The National Assembly" and "The Senate". Powers have been given to the president of Pakistan in terms of summoning and proroguing the parliament. In a similar fashion to the National Assembly of Pakistan, a provision was made in the constitution of Pakistan that at least two sessions of the Senate would be held each year, and within one hundred and twenty days, a session was made indispensable.

4.4.4 Powers of the Senate of Pakistan

The establishment of a bicameral legislature at the national level had an effect on the process of legislation. In this respect, the accomplishments of the parliament in the legislation were expanded to the federal and concurrent lists. Federal Legislative List Part 1 and Federal Legislative List Part 2 were created from the federal legislative list. Federal legislative list one's topics were entirely federal, whereas federal legislative list two's subjects dealt with the concerns of the provinces (Rule and Procedure of Senate of Pakistan,2012). No doubt, the subjects related to the concurrent list were significant and subjects of common interest for the federation as well as provinces. This being the situation, it becomes rudimentary that the upper house (Senate), being a house of federation or house of provinces, should be provided with a greater role as well as a voice in legislation on the enumerated subjects in concurrent and in the federal legislative list. Although various legislative approaches were provided in the constitution, for the federal legislative list 1, a separate legislative process was provided in the constitution, and another legislative strategy was given for the federal legislative list 2.

A bill corresponding to legislative federal legislative list part 1 could only come into being from the national assembly, and if the bill was passed, it was forwarded to the Senate for consideration only. In the Senate, if within ninety days, a bill was passed without any amendment or if the bill was rejected, then it would be considered to have been passed. The Pakistani National Assembly would be asked to revisit the measure whether it had been rejected by the Senate or approved with alterations. Whether the National Assembly did so with an amendment or not, the law would be deemed to have passed in either scenario. The measure would then be referred to Pakistan's president for final approval after that (Rule and Procedure of Senate of Pakistan, 2012).

Either Pakistan's Senate or National Assembly could be the source of a bill pertaining to items on the concurrent list and federal legislative list 2. A bill that has been approved by one legislative house is sent to the other legislative house. The law would be referred to Pakistan's president for final approval if it passed with no changes or in its original form. In accordance with this requirement, the measure had to be taken into consideration in a joint sitting session of both chambers of the Pakistani parliament if it had been rejected by one chamber or approved with certain revisions. Pakistan's parliament would meet in a joint session. On the president's direction, the Pakistani parliament would convene in a joint session. The law would be sent to the president for final assent if it was passed by both chambers in the joint session by a majority vote. The objective of separate legislative strategies for the passing of the legislative bill for subjects related to concurrent list and federal legislative list part 2 was to provide considerable weightage to the upper house (Senate), which could utilize a

substitute veto in opposition to a bill passed by the lower house (National Assembly) on concerning matters (Rule and Procedure Senate of Pakistan, 2012). However, the lower house (National Assembly) could countermand such a veto in a session of joint sitting because the national assembly had 210 members compared to the upper house, which had sixty-three members, and in the joint sitting session, a majority meant 137 votes that could be secured by the National Assembly alone. In terms of money, bills could only originate in the lower house (National Assembly) and, after passing from the National Assembly, be transmitted to the president for final assent. The aforementioned money bills were not sent to Pakistan's Senate; only when there was an objection to a bill, whether it was a money bill or not, was the issue resolved by the speaker of the National Assembly.

4.4.5 Empowerment through the 18th Constitutional Amendment (2010)

Before the 18th amendment, the National Assembly was enjoying unparalleled powers in legislation and executive. The role of the Senate remained only reviser (Ahmad & Javed., 2017). The question related to empowering the Senate remained outstanding during the early debate of constitution-making in the 1970s. One National Assembly member stated, "The question is whether the Senate has been given taxing and fiscal powers or not," in 1973. Those powers must be granted if not (National Assembly Debates, March 2, 1973). Similarly, the Parliamentarians belonging to small provinces were more vocal on the issue of assigning powers to the Senate.

The 18th amendment made the house of federation powerful in the domain of legislation and administration/ executive. The 18th amendment made the prime minister and his cabinet responsible before the Senate. The senators were authorized to ask questions directly from the ministers on administrative issues. In this way, the Senate started to enjoy the authority of scrutiny and oversight.

In the context of parliamentary democracy and cooperative federalism, the Eighteenth Amendment changed institutional boundaries and partially responded to a long-standing demand from many sectors of society for increased Senate authority. Before, Article 48 gave the President the sole authority to call a referendum on issues of national significance. However, once the aforementioned article was amended, the Prime Minister was given this authority as a result of the sorehead experience of the two referendums being abused by individuals or dictators to seize power. However, it is the Prime Minister's responsibility to call a joint session of the Majlis-e-Shoora to discuss the topic (Parliament) (Khan, 2017). The mediation committee that was supposed to examine bills that had not been passed by either of the two Houses within ninety days was removed, and Articles 70 and 71 were amended. Now

that the Constitution has been reconstituted, such bills may be discussed by a joint session of Parliament. The number of days to examine and provide recommendations on a money law was increased from seven to fourteen days, and it states that the Senate's role in making recommendations on money measures, including the Finance Bill, has been enhanced (Role and Powers, Senate of Pakistan, 2016).

Additionally, Article 89 was amended to state that an ordinance may only be renewed once by resolution and cannot be issued or issued while the Senate is in session. The Executive's unlimited ability to reissue an ordinance repeatedly has been prohibited. It is no longer subject to multiple renewals. The idea is that an ordinance must finally appear on the floor of Parliament so that it can be examined and brought under the authority of the House. As a result, there is only one extension offered, and Parliament has also offered that extension; the resolution may be approved by any of the two Houses (Role and Powers, Senate of Pakistan, 2016).

During the parliamentary year 2015-16, the Senators asked 1230 questions. Asking questions illustrate the strengthened role of the house of federation (Mushtaq, 2017). The eighteenth amendment also empowered the Senate in terms of giving equal membership in the parliamentary committees to appoint Judges and chief of the election commission. Earlier the Council of Common Interests had to submit reports only before National Assembly. Now it has to put reports before the Houses of the Federation. Equally, the "National Finance Commission" is now responsible to both houses of the federation. The Senate has representation in the Public Accounts Committee (Mushtaq, 2017). One significant aspect regarding the parliamentary committee is this article 175 A under the 18th amendment. Article 175A stipulates that four senators will be part of the parliamentary committee which executes the appointment of Judges of the "Supreme Court" and "High Court". It, further, stipulates that, when National Assembly is dissolved, all eight members of the parliamentary committee would be senators. Furthermore, the President cannot promulgate ordinances when the Senate is in session. So far as the time frame for money bills is concerned in the upper house, the duration has been increased from 7 to 14 days (Rid, 2019).

Another outstanding function granted by the eighteenth amendment to the house of the federation is declaring the Upper House or Senate as "The House of Federation". Before it, this term has never been used in the context of the constitutional development of Pakistan. Moreover, the house of the federation has been empowered under rule 172B in which the house of the federation would act as a 'committee of whole' (Senate of Pakistan Annual Report, 2012).

Practical measures were taken by ex-chairman Senate Mr. Raza Rabbani who successfully initiated an inter-institutional dialogue between the executive and the parliament. He converted the Senate into the committee of the whole on two important occasions. On one occasion, “Chief Justice of Pakistan” “Anwar Zaheer Jamali” appeared before the Senate on November 5, 2015. The Chief Justice of Pakistan interrogated the committee of the whole/Senate about the issues related to clearing the backlog in courts. On another occasion, the chief of army staff “General Qamar Javed Bajwa” appeared before the whole of the committee on December 19, 2017. “General Qamar Javed Bajwa” briefed the committee of the whole in detail on the national security situation of Pakistan. Although these two events have not brought drastic changes to the prevailing situation in Pakistan yet these events have enhanced the symbolic worth of the supremacy of the parliament in Pakistan (Rid, 2019). Besides these powers, “the number of the working days has been increased from 90 to 110 days” (Senate of Pakistan Annual Report, 2016). Lastly, the Senate has obtained 1/4th of the membership in the cabinet provided that the Prime Minister has the willingness to choose a member of his cabinet from the Senate.

The aforementioned paragraphs have delineated the development of the house of the federation in Pakistan in which the powers granted by the eighteenth amendment remain unprecedented in the constitutional history of Pakistan. Parallel to this glaring picture, a bleak side remains there to be explored. In actuality, the parliamentary nature of the Pakistani federation has not provided equal powers to both houses of the federation.

4.4.6 Empowerment in Term of Executives Accountability

The constitution of the federation of Pakistan is responsible for the establishment of public institutions. This meant that the cabinet, or the executive government, had to answer to Pakistan's National Assembly at the time (the lower house of the legislature). It means that if the National Assembly determines that the cabinet no longer deserves the house's trust, the Pakistani executive may be removed from office. Surprisingly, some critics claimed that the cabinet was no longer functioning properly. When the Pakistani Senate was first constituted, its constitutional functions as a house of executive accountability were restricted. Article 91 of Pakistan's constitution states that the National Assembly is the only institution to which the government is accountable (Constitution of Pakistan Article 91). “The National Assembly of Pakistan is given reports from the Council of Common Interests (CCI), the National Finance Commission (NFC), the Auditor General Report (AGR), and the Principles of a Policy” (Rule and Powers of Senate of Pakistan). The Pakistani constitution requires that a statement be proclaimed in the joint session if the constitutional process of a constituent unit or province fails.

Pakistan's upper house was given more power through the 18th constitutional amendment. The Pakistani Senate has established a variety of bills that would make the government more responsible. When Article 91 was amended, the Senate's powers were enhanced, and the cabinet, including the state minister, was made jointly accountable to both legislative houses. A report on policy principles must be presented to both chambers of Pakistan's parliament, according to Article 29 of the constitution (Constitution of Pakistan Article 29).

Similarly, the report of the council of common interests must be presented to both legislative chambers of Pakistan, as mentioned in Article 153 of the constitution. Articles 156 and 171 of Pakistan's constitution mandate the National Finance Commission and the Auditor-General to present their reports to the lower and upper chambers of parliament (Constitution of Pakistan Article 156,171). A proclamation of emergency in a province must be presented to each of Pakistan's legislative houses, according to Article 234 of the constitution (Constitution of Pakistan Article 234). Members can debate and offer recommendations on the Council of Islamic Ideology's annual interim report under Article 230 of the constitution (Constitution of Pakistan). After obtaining the report on Islamic doctrine, the government is required to transmit it to the secretary within six months. Meanwhile, the chairman of the upper chamber has set aside a day to evaluate the annual report and the Senate of Pakistan makes a decision. Furthermore, the Senate may introduce a resolution to give an opinion or make an observation. The Pakistani Senate also has the power to make recommendations on any report that comes before it. The above-mentioned reports are reviewed in the House of Representatives when they are introduced to enact constitutional requirements. The reports are discussed using resolutions in which the upper chamber presented its opinion or observations and the senate made suggestions based on the results. According to the Pakistani Senate's website, various reports are debated and published giving several recommendations.

“Ministers absent during question time, both the National Assembly and the Senate was a topic of contention. The Prime Minister was forced to apologise for his absence in 2009 after a senator objected to the minister's written response to a question” (Dawn News 16 December 2008). In an effort to increase cabinet participation, then-Prime Minister Yusuf Raza Gilani started attending the question period. Unfortunately, his efforts were unsuccessful (Dawn News, 2009). Since there were no ministers present in the Senate, the chairman had to make four choices. The senate chairman commented on the reaction of the Minister of Planning, Development, and Reforms' absence that "stepping away from the House and running away from this question is not going to execute the administration" (Senate Proceedings, 2015).

"I shall be forced to pass confinements or, under the rules, suspend the Minister from attending either the entire session, several sittings, or a sitting

of the Senate if a minister is not present to contend with his business in the House without any clear and concise reason," the Senate Chairman stated on May 14, 2015. (Senate of Pakistan Debates, 14 May 2015).

In addition, the Senate adopted new procedural rules in 2012 mandating ministers' attendance during question periods. The Senate then explains rule 46: "Subject to the provisions of clause (6) of Article 91 of the Constitution (Senate of Pakistan Debates, 2012)." Due to ministers' absences during question time, there were numerous walkouts, protests, and adjournments of the proceedings". On September 16, 2017, Upper House operations were suspended by Senate Chairman Raza Rabbani due to the absence of ministers (Senate Hansards, 2017).

4.4.7 The Territorial Institutions and the Senate of Pakistan

In 2015, the Senate has taken the initiative of debating all such reports that are submitted before the House following constitutional procedures. Discussions on the following reports were followed by Resolutions in which the House expressed its opinion/observations on the findings and made recommendations; a. Report of the Council of Common Interests; b. Report on the observance; c. application of the Principles of Policy in Federation Affairs (Initiatives taken in the Senate of Pakistan, 2015).

The "Federal Public Service Commission's" Annual Report for the year 2016, as well as the "Federal Public Service Commission's" Annual Report for the year 2017, were brought before the House on the 11th of May, 2018, and the 22nd of January, 2019, respectively (Annual Report of Senate of Pakistan 2018-19). On February 22, 2019, the "National Commission" on the Status of Women's Annual Report for the year 2017 was submitted before the House (Annual Report of Senate of Pakistan 2018-19). On the 22nd of January, 2019, the "National Commission" for Human Rights (NCHR) presented its 2017 Annual Report to the House (Annual Report of Senate of Pakistan 2018-19). On the 22nd of January, 2019, the House received a report on a pilot test of I-Voting for Overseas Pakistanis (Annual Report of Senate of Pakistan 2018-19).

Adding to the above-mentioned point, the 18th Amendment made two significant changes; it broadened the scope of "Federal Legislative List-II", and (ii) it reconstituted the "Council of Common Interests" (CCI). The Council emerged as one of the most important venues in the federal institutional structure in the new scenario. It is hoped that it would serve as an effective venue for dispute settlement, economic planning, and development to advance the cause of participatory federalism. The CCI had been a little-used constitutional body from its inception in 1973, until the ratification of the 18th Constitutional Amendment in 2010. Before the Constitution and the institutions that emerged from it could resolve federal-provincial

tensions, martial law was imposed in 1977, and the federal spirit was wounded in 1985 by the 8th Amendment. It was put on hold again in 1999, and it was given a quasi-presidential form in 2003, according to the 17th Amendment. As a result, the CCI remained inert in the absence of constitutionality. It could only convene eleven times during its thirty-seven-year existence, which began in 1973 and ended in 2010.

Consequently, following the promulgation of Pakistan's 1973 Constitution, the "Council of Common Interests" (CCI) was established. The aforementioned constitution covers several aspects of the Council's functioning, including its membership and norms of engagement. The CCI is allowed by Article 154 of the Constitution to establish and implement policies on topics covered by Part II of the "Federal Legislative List" (FLL). Insofar as it relates to the Federation's affairs, the Council also has competence in matters connected to electricity (entry 34 of the former Concurrent Legislative List). The Prime Minister and three Federal Ministers appointed as members of the CCI by the President from the Federal Government, as well as the four Chief Ministers representing their separate administrations, made up the composition of the CCI. The strengthening of the Council's function was a giant step forward in the right direction. The Council is responsible for formulating and enforcing policies in the areas listed in Schedule I, as well as supervising and controlling relevant institutions.

During the Financial Years 2010-2020, thirty meetings of the "Council of Common Interests" were conducted. Where various topics were discussed in the senate of Pakistan, the majority of which were of considerable national importance and had long-term implications for the country's socio-economic growth. Under Article 153 (4) of the Constitution, the annual reports from 2010 to 2020 were placed before the senate and the national assembly of Pakistan, as approved by the "Council of Common Interests".

4.4.8 Legislative Reforms in the Senate of Pakistan

"Senator Raza Rabbani, an experienced lawmaker, led the Senate during its last term from 2015 to 2018. He attempted to transform the Upper House into an effective legislative body. During his term, he implemented a number of reforms that were well-received by both the administration and the opposition. The initiatives include resolving a backlog of one hundred and eighty cases pending before several committees. The "Senate Forum for Policy Research" (SFPR) and the "Senate Business Advisory Committee" (SBAC) were used to clear the backlog (FES, 2018). Formerly, "Senate Standing Committees" would take action on their initiative to evaluate the concerned ministry's spending from 2015 to 2018. The rules of the Senate, on the other hand, were changed to provide the committees with clear authority to review financial allocations and expenditures on a biannual basis (FES, 2018). The Senate's

role in overseeing economic policy has been significantly strengthened, including its execution. The “Council of Chairs”, a body constituted by Senate rules, was then convened by thoroughly implementing its policies. It has become more active and relevant. During this time, another significant milestone was the establishment of the “Committee on Delegated Legislation”. This committee was assigned the task of investigating and reporting on whether the government was abiding by the powers granted to it by various acts of parliament to impose rules and regulations” (FES, 2018).

LEGISLATIVE ROLE OF THE SENATE IN PAKISTAN

5.1 Introduction

This chapter aims to start a discussion on Pakistan about more diversified and solution-oriented perspectives on government, finding that a state's prosperity is determined by its efficiency and legislative structure. The chapter comprehensively encompasses different dimensions of legislation including constitutional, ordinary, and financial legislation initiated on the platform of the Senate of Pakistan. Bicameralism became a common practice in "Islamic Republic of Pakistan" with the implementation of the constitution of 1973. The 18th Amendment also made a series of changes to the Senate's powers, roles, and structure. The Senate's strength was increased from one hundred to one hundred and four, with four more seats designated for minorities under article 59 (Constitution of Pakistan). In light of Article 89, no ordinances could be enacted while the Senate was in session (Constitution of Pakistan). The Federal Cabinet is equally responsible to the "National Assembly" and the "Senate" under Article. Following Article 175A, the Parliamentary Committee on Judicial Appointments is equally represented by the Senate and the National Assembly. The Parliamentary Committee for the Appointment of the "Chief Election Commissioner" includes one-third of senators 91 (Article 175A, Constitution of Pakistan). However, the evolutionary political forces need a more experimental approach to legislative activities in Pakistan. This research aids in comprehending the dynamics that obstruct deviation from traditional approaches.

Using a comparative approach, it seems that the first and second chambers are usually distinguished based on power. In the vast majority of circumstances, the powers of second chambers are fewer as compared to first chambers. Specifically, in the parliamentary federations, a lower house prevails in terms of powers. It also varies from federation to federation in attaining ordinary legislative powers, constitutional legislative powers, and fiscal legislative powers (Khan, 2017). The second chamber's powers regarding financial legislation often seem smaller as compared to ordinary legislation. Other types of legislation are sometimes considered differently as well. This might give a regional or state-based upper chamber more control over legislation impacting state institutions and their obligations. Germany, Belgium, and South Africa all have similar systems in place. The major task of the Second Chamber in terms of powers is participation in federal legislation (Gamper, 2018). This is especially crucial when it comes to federal constitutional legislation (Kössler, 2017). Although veto powers are normally granted to every second chamber yet veto powers vary in terms of having a suspensive or absolute effect. In many countries, second chambers are

exclusively responsible for those legislative subjects that directly relate to federalism (Fessha, 2018). In some parliamentary federations, like Spain, the upper chambers are weak, with limited legislative powers. This offers a distinct separation of powers between the two houses. In Austria, the upper chamber is the state's house. A similar separation exists in Germany, with all legislation being initiated in the upper house before being sent to the Bundestag. "This, however, varies significantly. For example, in "Poland" and the "Czech Republic", upper house review is limited to thirty days, while in Austria it is limited to eight weeks". In India, however, the upper house has six months to debate legislation, while the lower house has the same time limit (Drexhage, 2015).

The Senate of Pakistan is the second chamber of parliament. In Pakistan's federal legislature, the Senate is a self-regulating body. The work of Parliament has been divided constitutionally between the two houses. Pakistan's House of Federation contributes to the creation and drafting of legislation. The Pakistani Senate also contributes to legislative review and executive accountability. The House of Federation also provides that all federal units have equal representation and that other Pakistani territories, like the Federal Capital Territory and the Federal Tribal Areas, have adequate representation. The legislative role of Pakistan's Senate has been examined in this research. This chapter makes an analysis of the Pakistani Senate in the domain of legislation with the help of comparative and modern approaches. The modern approach has been pursued to evaluate the efficient legislative functions of the senate of Pakistan. Equally, with the help of a comparative approach, the Pakistani senate can be comprehended by making a comparison of its legislative functions with the senates of other countries.

5.2 Legislative Mechanism in the Parliament of Pakistan

In theory, Pakistan's Senate and National Assembly have legislative parity. In practice, the Senate functions as a revisory chamber. The primary or major share of legislation is done in the National Assembly. The major share of the legislation is based on the government's interests. The senate has traditionally been understood as an ordinary organ by the administration in Pakistan. This approach has affected the Senate's ability to function efficiently. In Pakistan, a bill cannot become law unless both houses pass it and the President signs it. Due to its status as a National Assembly privilege, the money bill is the exception. On money bills, the Senate may make some suggestions within fourteen days. A bill will be considered in a joint sitting at the request of the House from which it originated if it is forwarded to the other House and is not passed therein within ninety days or if it is transmitted to the other House with alterations but is not passed therewith. The bill will be signed by the President in ten days. A measure that the President has sent back to Parliament

is discussed in a joint session and is considered to have been approved by both Houses if it is passed by a majority. After discussion in both Houses, it is sent back to the President, who must provide his assent within ten days, or the assent will be deemed given (Role, Functions & Procedures, 2012).

In this study, "ordinary legislation" is broadly defined as governmental legislation that is not of a financial or constitutional nature. The constitution refers to private members' legislation, which is common in most countries and typically available to upper-house members. Ordinary legislation can be proposed in either house, just like in Pakistan. All legislation and resolutions introduced by any minister are considered official business. All bills and resolutions proposed by any member of the upper House are considered "private business." The distinction between ministerial and non-ministerial legislation is made in this type of situation. A bill is referred to the standing committee when it is introduced under Rule 86 (Rule 86, Rule and Procedure, 2012).

The minister has the authority to request the Senate to give urgent consideration to the bill. The standing committee must have at least six but not more than twelve members. The minister in question becomes an ex-officio member of the committee. Further committees or subcommittees on the subject can be constituted if needed. A bill is not transmitted immediately to the Senate from the National Assembly until a motion is passed. The motion will be referred to the Upper House if it is passed. The Senators are unable to continue debating a subject indefinitely. For this reason, a time frame has been set (Roles, Functions & Procedures, 2012).

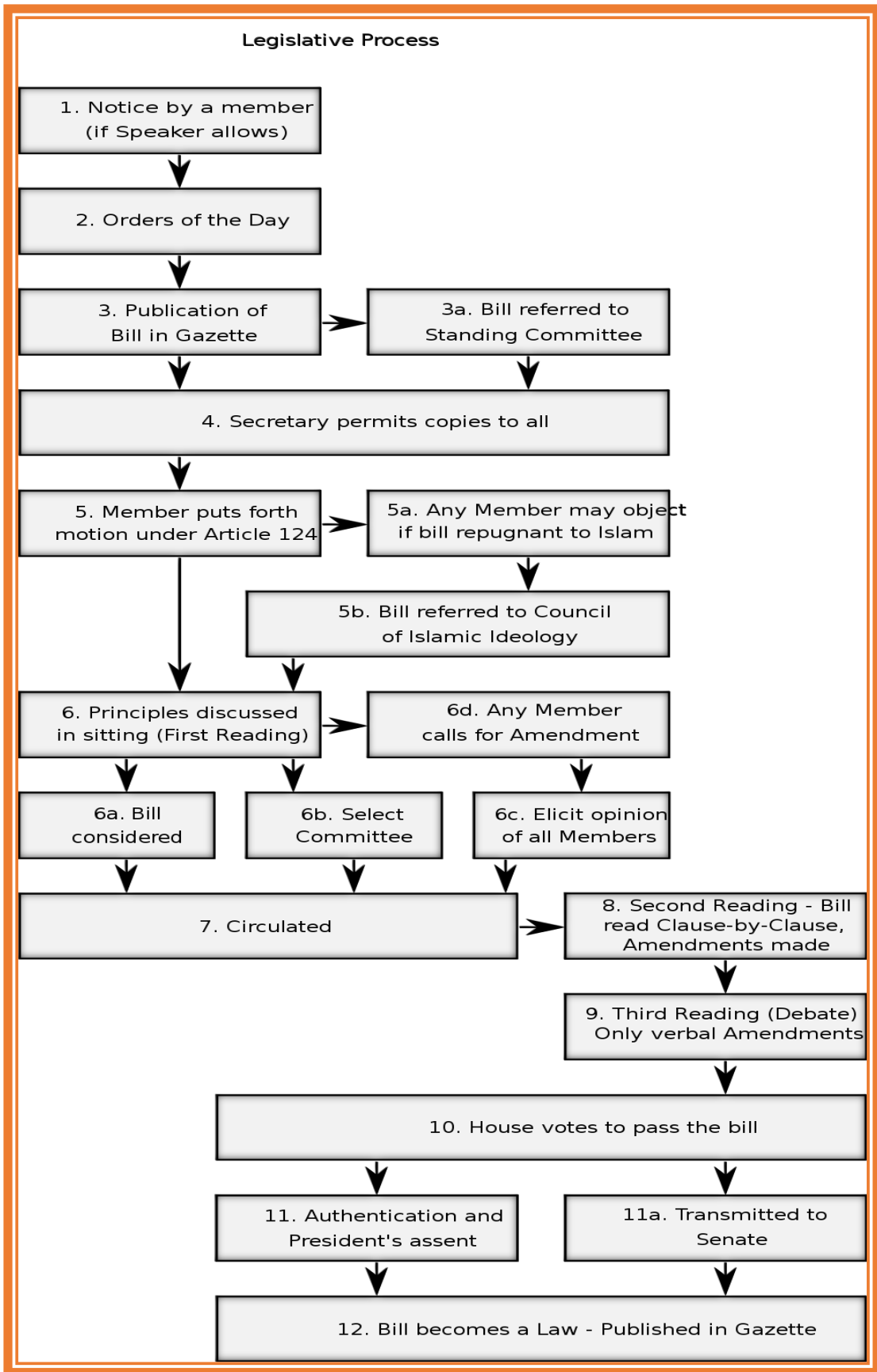


Figure-5.1: Legislative Process in the Parliament of Pakistan (Parliamentarians Pocket Guide National Assembly of Pakistan, 2008-2009)

5.3 Senate of Pakistan as a Second Sober Thought: Revisory Chamber

Pakistan's Senate does play a moderate role as a reviewing house. Although amendments have been few and far between nevertheless there is the possibility of a review as a result of an upper house. In the parliamentary system of Pakistan, the Senate has the right to debate and delay legislation, but it lacks the veto power and the ability to oppose or reject any legislation (Role and power of the senate, 2016). Its role as the Senate is to secure a second, more careful check on hasty legislation. It technically lacks the authority to act as a guardian of provincial rights. The Senate (Second Chamber) is frequently described as possessing a certain level of wisdom, balance, and experience. If its political legitimacy as a federal representative body is established, Pakistan's Senate might make significant contributions to the law-making process and improve the quality of legislation (Role and power of senate, 2016). The Senate frequently has more time on its hands and can pursue issues that the National Assembly frequently overlooks.

5.4 Financial Legislation

It is common for the upper house to have less authority regarding financial legislation or to treat it differently. Financial legislation will, of course, vary from one country to another. Apart from the seven countries that require regular legislation to be introduced in the lower house, nine more countries follow this norm when it comes to financial law. Financial law is treated as conventional legislation in Germany (NDI, 1996). As a result, it was introduced in the upper chamber. Apart from that, only three countries allow financial legislation to be introduced in the upper house. Under Article 73, the role of Pakistan's Senate in making recommendations on money bills, including the Finance Bill, has been expanded with the number of days to review (Constitution of Pakistan). The time frame to suggest a money bill has been increased from seven to fourteen days (Role and Powers of Senate, 2016).

5.5 Constitutional Amendments

When it comes to amending the constitution, the upper house usually has different powers than the lower chamber. In France, for example, the Senate has a complete veto over constitutional amendments. "A two-thirds majority in both houses is required for a constitutional amendment in "Germany" (Drexhage, 2015). The most prevalent approach to constitutional change is to require a qualified majority vote in both houses of parliament (absolute majority, namely 2/3 or 3/5 majority)". In other countries, amendments are supplemented under different procedures. For example, it must be authorized by the states in "Mexico" and the "United States", and it must be approved by a referendum in "Australia" (Mughan & Patterson, 1999). In Spain, unless both houses have a 3/5 majority, 1/10 of the

members of either house can call a referendum. In Italy, a comparable provision exists. Both houses of parliament in “Belgium” and the Netherlands must be dissolved, and the constitutional reform must be approved by a 2/3 majority in both new chambers. In other nations, parliamentary standards are less severe, but they can still be paired with a referendum (Drexhage, 2015). After both chambers have passed the measure, it is ratified by a joint sitting or a referendum in France. In “Switzerland”, unless both chambers agree, the change must be put to a vote in a referendum. Only the lower house must pass the measure in Austria, but the upper house has the power to convene a referendum. The law is classified as standard legislation in Ireland, but a referendum is required. In Canada, the second chamber has the power to only delay, but any change must be approved by a consensus of states (Gamper, 2018).

A constitutional amendment bill can come from either chamber of the parliament of Pakistan. The bill must be passed by a two-thirds majority of the entire membership of each House. If the bill passes the Second House with amendments, it is returned to the House where it was introduced, and if that House agrees to the amendments with a two-thirds majority, it is submitted to the President for signature (Rule and Procedure Senate of Pakistan, 2012). If the bill or the changes are not approved by the Second House, the matter is over. To change a province's boundaries, a constitutional amendment bill must be approved by the Provincial Assembly of that province with at least two-thirds of its members voting in favour (Constitution of Pakistan).

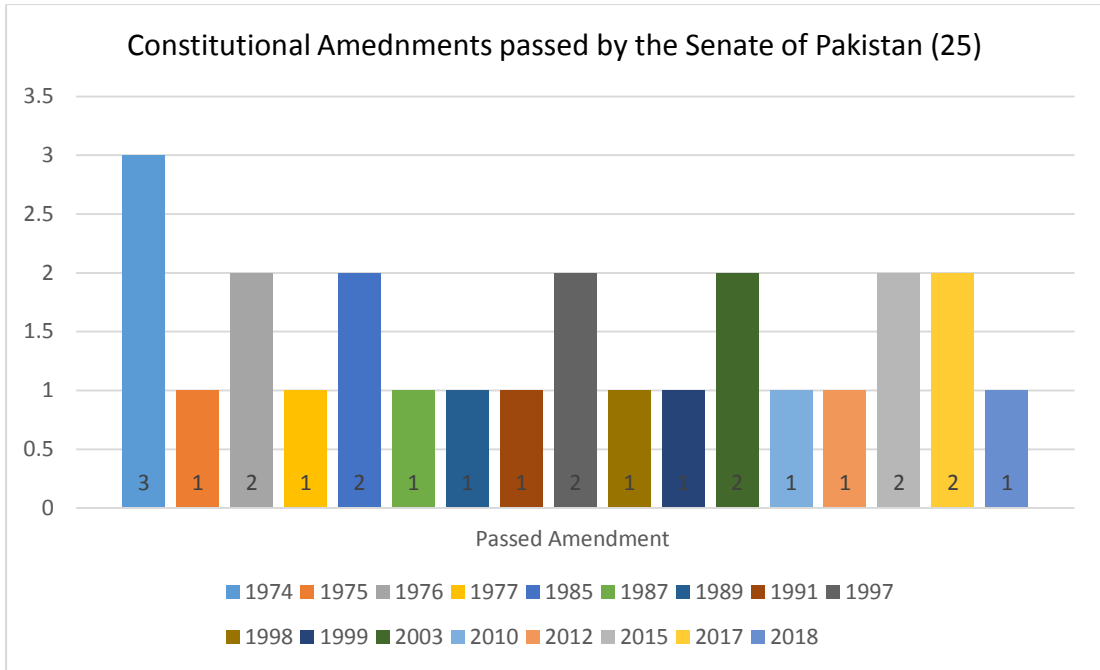


Figure-5.2: Constitutional Amendments Passed by the Senate 1974-2018 (Senate of Pakistan Website)

International and Provisional Boundaries, Pakistan's Federal Treaties, and Pakistan's Naval Treaties were all redefined by the First Amendment. Following Bangladesh's recognition, the amendment eliminated and removed references to East Pakistan. In light of the First Amendment to the Pakistani Constitution, thirteen articles as well as the First Schedule were changed. Ahmadis were defined as non-Muslims in the Second Amendment. 260th article (3) (a) "Muslim" implies a person who accepts the constitution, all enactments, and other legal documents, unless there is anything unpleasant in the subject or context, as well as the total and unconditional finality of Muhammad's prophethood (peace be upon Him). No one believes in or acknowledges anyone who claimed to be a prophet in any sense of the word or of any kind after Muhammad as a religious reformer or as a prophet (Peace be upon Him) (Constitutional Amendment Draft 1974).

The third amendment extended the time of preventive detention of persons suspected of major acts of treason and espionage against Pakistan's state who are being tried by the Pakistani government. The third amendment increased the inquiry term from one to three months to prevent abuse of government authority in legal proceedings (Constitutional Amendment, 1974). To protect minority rights in Pakistan, the fourth Amendment created seats for minorities and non-Muslims in the country's government and parliament. The Fourth Amendment also eliminated courts' ability to set bail for anyone held in preventive custody until trial, regardless of guilt or innocence. The Fourth Amendment protects minorities' rights

in the nation against police abuse during subsequent investigations, as well as the rights of the accused until they are found guilty (Constitutional Amendment, 1975).

By removing the High Courts' ability to enforce the granting of the fundamental rights outlined in Chapter I, Part II of the Constitution, the Fifth Amendment expanded the range of restrictions placed on the Pakistan High Courts under the Pakistani Constitution. This change made consumer goods subject to import and sales taxes as well. The Fifth Amendment also placed restrictions on the Governor and Chief Minister of those who are not residents of the provinces in which they have run for office. The Fifth Amendment also set the Chief Justice's retirement age and term limits (Constitutional Amendment, 1976).

In the constitutional history of Pakistan, the 18th constitutional amendment (2010) was the largest in the constitution of Pakistan. In the aforementioned amendment, about one hundred and two articles were amended, deleted, substituted and inserted. The 18th amendment was a milestone in terms of converting Pakistan from a semi-presidential system of government into a parliamentary system. This amendment empowers different territorial institutions, for example, the Senate of Pakistan, “Council of Common Interests” (CCI), “National Finance Commission” (NFC) etc. The powers of the Senate of Pakistan which were enhanced in the 18th constitutional amendment are mentioned in the previous chapter (Constitutional Amendment, 2010).

The historic Constitutional amendment namely Twenty-fifth Amendment Bill 2018, was approved by Parliament in response to the condition of people living in the Provincially Administered Tribal Areas (PATA) Federally Administered Tribal Areas. This bill paved the way for the PATA's integration with their respective provinces and the FATA's integration with the province of Khyber Pakhtunkhwa. The “Supreme Court” and “High Court” (Extension of Jurisdiction to Federally Administered Tribal Areas) Bill, 2018 was also passed by Parliament that established a framework for the administration of justice and the protection of people's rights in FATA (Constitutional Amendment, 2018). For the first time in history, these mainstreaming activities will provide a forum for redressing the concerns of individuals from FATA and PATA, which is critical to national cohesion and development (Annual Report of Senate of Pakistan 2018-19).

Most of the bills regarding amendments to the constitution of Pakistan have originated from the National Assembly of Pakistan and have been passed by the Senate of Pakistan. Those bills of constitutional amendment bills were passed in the Senate of Pakistan without any amendment or objection. It demonstrates that the Senate of Pakistan played a significant role in the legislation regarding constitutional development in Pakistan. It also gave the

constitutional amendment bills a second thought. Besides this, constitutional amendment bills have originated from the Senate of Pakistan. For example, in the parliamentary year 2020–21, a constitutional amendment bill was moved by the Pakistan People's Party Parliamentarian Senator Raza Rabbani. The bill was on the significant agenda to prevent the misuse of Article 89(2) in the constitution of Pakistan. The major objective of the amendment was to stop the government or president of Pakistan from promulgating the ordinance during an out-of-session of the two houses of the Pakistan parliament (Annual Report Senate of Pakistan, 2020-21).

Similarly, in the same year, another constitutional amendment was moved by the Pakistan Muslim League Senator Saadia Abbasi. She suggested a new article 24A in the constitution of Pakistan. The bill seeks to incorporate the right to inherit into the list of fundamental rights (Dawn News, 2021). The aforementioned bills originated from the Senate of Pakistan, and they show the upper house of Pakistan contributed to the constitutional development process. The house also contributed to the legislative proficiency in the Pakistani parliament.



Figure-5.3: Constitutional Amendment Bills: A Comparison of the National Assembly and the Senate of Pakistan (Website of National Assembly and Senate of Pakistan)

5.6 The ordinance as a Tool to Circumvent the Parliament and the Senate

Pakistan is one of those democratic nations with the dubious honour of being able to legislate via executive decree. Constitutional provisions in Pakistan and a few other nations permit the executive to enact laws. An item of legislation issued by the President or the Governor that is

under the jurisdiction of the federal or provincial governments is known as an ordinance. “Article 89 changed through the 18th constitutional amendment state that an ordinance cannot be issued or published while the Senate is in session and that it can only be renewed once by a resolution”. The Executive's unrestricted power to renew an ordinance regularly has been limited. It can no longer be renewed more than once. The principle is that an ordinance must eventually make its way to the floor of Parliament, where it can be reviewed and brought under Parliament's jurisdiction. As a result, just one extension is provided, and that too has been provided by Parliament. Their solution can be passed by either of the two Houses (The Role and Power of the Senate of Pakistan, 2016).

The extension or disapproval of ordinances is dealt with under Article 145 of Pakistan's constitution. An ordinance is passed when neither house of the legislature is in session. All ordinances issued at the time of the out-of-session resolution must be placed on the table as soon as probable after the start of the senate session no later than ten days. The ordinance can be adopted, extended, or rejected by the house. Article 146, on the other hand, deals with proclamation sanction. Affiliates of parliament or senators can introduce a resolution to endorse the proclamation. Thus, a member may present a resolution for this purpose under Article 232, Clause 8 of the Pakistani Constitution. A senator who proposes a resolution cannot withdraw it after it has been moved, except by leaving the chamber, according to article 147.

The President may make and promulgate an ordinance as the circumstances may justify, as stated in Article 89 of the Pakistani Constitution, "Except when the Senate or National Assembly is in session if he is certain that circumstances exist that compel immediate action." When parliament is not in session and cannot be called to convene at a reasonable period and the legislation is of a nature that cannot be postponed, for example, this clause appears to have been meant to be utilized only in the most exceptional circumstances (Article 89, Constitution of Pakistan). We cannot, however, think of an ordinance that could not wait until the next parliamentary session was called if we consider the circumstances under which they were issued since the 1973 Constitution was put into effect. As the rulers of the day did not want to discuss and defend new laws before parliament, the vast majority of the ordinances were passed for pragmatic reasons. Ordinances provide efficient methods for getting around parliament. Governments used ordinances instead of talking to the opposition and adopting their ideas into new legislation when they lacked a majority in one of the two houses of parliament (Dawn News, 2021).

Before the adoption of the 18th Constitutional Amendment in 2010, which prohibited the promulgation of an ordinance more than twice, ordinances were promulgated many times to

get around the one-hundred-and-twenty-day limit. Ordinances were also frequently promulgated a day or a few hours before the convocation of a house of parliament, effectively flouting the constitutional restriction on ordinances. Even though our next-door neighbor, India, has similar constitutional powers germane to ordinances, it has not employed them as frequently as we have. Pakistan has initiated one thousand seven hundred and seventy-four ordinances since August 1973, compared to India's five hundred and thirty-three — more than three times the number of ordinances in Pakistan compared to one in India. In Pakistan, it has become obvious over time that the practice of promulgating ordinances is incompatible with the spirit of democracy. In the forty-six years since the 1973 Constitution was enacted, there has not been a government that has not used ordinances to defy the spirit of democracy (Dawn News, 2019).

In the parliamentary year 2019–20, twenty-four ordinances were shown on the National Assembly website. In the parliamentary year 2020–21, twenty ordinances were laid on the floor of the National Assembly. Out of twenty, only eight ordinances were shown on the Senate website to be laid in the house. This data shows that several ordinances were not passed in the Senate of Pakistan. In comparison to the previous parliamentary year, the number of ordinances slightly declined. Ordinance laid in the senate of Pakistan 2018-2021 (Senate Annual Report, 2020-21). Although the laid ordinance in the case of an out of session of both houses of Pakistan's Parliament is a tool used by political parties to bypass parliament. The aforementioned data demonstrated that the Senate of Pakistan has played a significant role in stopping the political parties in terms of bypassing the parliament of Pakistan.

Table-5.1: Ordinances Laid in the Senate of Pakistan (Website, Senate of Pakistan)

Sr#	Ordinance Name	Laid On
1	“The Anti-Terrorism (Amendment) Ordinance, 2018. (Ordinance No. II of 2018)”	10-4-2018
2	“The Prevention of Trafficking in Persons Ordinance, 2018. (Ordinance No. VIII of 2018)”	15-05-2018
3	“The Pakistan Electronic Media Regulatory Authority (Amendment) Ordinance, 2018. (Ordinance No. IX of 2018)”	12-7-2018
4	“The Elections (Amendment) Ordinance 2018. (Ordinance No. XIII of 2018)”	31-08-2018
5	“The Federal Public Services Commission (Validation of Rules) Ordinance, 2018. (Ordinance No. XII of 2018)”	14-11-2018
6	“The Election (Amendment) Ordinance, 2018. (Ordinance No. I of 2019)”	31-01-2019
7	“The Pakistan Medical and Dental Council Ordinance, 2019. (Ordinance No. II of 2019)”	7-3-2019
8	“The Naya Pakistan Housing and Development Authority Ordinance, 2019. (Ordinance No. IV of 2019)”	3-9-2019
9	“The Pakistan Penal Code (Amendment) Ordinance, 2019. (Ordinance No. VI of 2019)”	3-9-2019
10	“The National Counter Terrorism Authority (Amendment) Ordinance, 2019. (Ordinance No. VII of 2019)”	3-9-2019
11	“The Federal Government Employees Housing Authority Ordinance, 2019. (Ordinance No. VIII of 2019)”	3-9-2019
12	“The Financial Institutions (Secured Transactions) (Amendment) Ordinance 2020 (Ordinance No. IV of 2020)”	12-6-2020
13	“The COVID-19 (Prevention of Hoarding) Ordinance, 2020 (Ordinance No. II of 2020)”	15-7-2020
14	“The Public Procurement Regulatory Authority (Amendment) Ordinance, 2020 (Ordinance No. VII of 2020)”	29-7-20
15	“The International Court of Justice (Review and Re-consideration) Ordinance, 2020 (Ordinance No. VI of 2020)”	29-7-20
16	“The Companies (Second Amendment) Ordinance, 2020 (Ordinance No. X of 2020)”	29-7-20
17	“The Corporate Restructuring Companies (Amendment) Ordinance, 2020 (Ordinance No. IX of 2020)”	29-7-20
18	“The Public Private Partnership Authority (Amendment) Ordinance, 2020 (Ordinance No. VIII of 2020)”	29-7-20
19	“The Companies (Amendment) Ordinance, 2020 (Ordinance No. V of 2020)”	29-7-20

An upheaval erupted recently in parliament when President Dr. Arif Alvi issued more than a half-dozen ordinances, which the PTI administration then managed to push through the national assembly by skirting the authorized legislative procedure. The ruckus was witnessed in the national assembly, which resulted in heated disputes. On the basis that he has trampled parliamentary standards, the impeachment of Deputy Speaker Qasim Suri was also contemplated. Although all of this legislation is vital for the country, the method in which it was enacted has caused a stir among the opposition (Dawn News, 2019).

5.7 Bills in the Senate of Pakistan

In the House, both private and government bills are introduced. A member should seek permission to introduce a Bill after giving the Secretary ten days' written notice of his plan to bring a "Private Member's Bill". When the bill is brought up for debate, the member-in-charge rises from his seat and asks for permission to introduce it. After that, the Chairman asks the House a question, and if the House agrees, leave is granted. The member introduces the bill by standing up and declaring, "I introduce the bill." A minister introduces legislation on behalf of the government. A Bill is referred to the Standing Committee involved with the particular subject of the Bill in both situations when it is introduced. However, if a member moves for it, this clause can be removed with the House's agreement. The Bill is then thoroughly examined by the relevant committee, which subsequently provides its report to the House. The report of the bill is included in the Orders of the Day for consideration after it is presented (Rule and procedure 2012).

At this phase, the bill's sponsor can file a motion to: (1) have it considered immediately; (2) have it considered at a soon-to-be-determined date; (3) have it referred to a Select Committee; or (4) to have it disseminated to elicit public consultation. Before any of the foregoing motions are made, any member may oppose the bill because it violates Islamic injunctions. If such an objection is filed, the Senate could submit the matter to the Council of Islamic Ideology for guidance on whether the bill is or is not in violation of Islamic Injunctions by a motion backed by not less than two-fifths of its entire membership. When a bill originates in the National Assembly, it is sent to the Senate after it has been passed by the National Assembly. A member may move, as an amendment to the Bill, that it be referred to the Standing Committee concerned when it is taken up for consideration. If the motion is carried out, the bill is submitted to the Standing Committee, and the procedure for study and passage of the bill begins (House business and procedure rules, 2012).

Table-5.2: Government Bills -2010 to June 2021 (Website, Senate of Pakistan)

Year	Bills Passed by Senate	Bills Received From NA	Bills Introduced in the Senate	Total
2010	00	01	03	04
2011	00	03	00	03
2012	00	19	01	20
2013	00	11	01	12
2014	00	10	02	12
2015	00	22	03	25
2016	28	36	03	67
2017	32	30	11	73
2018	27	14	01	42
2019	02	06	01	09
2020	25	30	00	55
2021	08	35	00	43
Total	122	217	27	366

Most of the bills originated from the National Assembly of Pakistan before the 8th constitutional amendment. The aforementioned amendment allows the bills to originate from either house of Pakistan's parliament. According to the data available on the senate of Pakistan website, twenty-seven government bills originated in the senate of Pakistan from 2010 to 2021. Similarly, one hundred and twenty-two bills were passed by the house of the federation from 2010–2021. The considerable number of government bills that originated from the senate and were passed by the senate shows that the upper house of Pakistan significantly contributed to the legislative business.

The Pakistan Senate not only contributed to the legislative business by introducing or passing bills, but it also contributed as a second sober thought. It played a significant role in terms of reviewing the legislation. The house stopped the hasty legislation by the majority party in the lower house. The data shows that in only one parliamentary year (2020–21), ten bills were passed by the Senate of Pakistan with necessary amendments. So it demonstrated the house contributed as a second sober thought in the parliament of Pakistan. Adding to the point, only in the last parliamentary year, the Senate rejected four government bills. Similarly, during the parliamentary year 2020–21, thirty-one government bills that were received from the National Assembly could not be passed within the stipulating time of ninety days. These bills were returned to the National Assembly of Pakistan. The above said all initiatives taken by of senate of Pakistan indicate the viable role of the house in the diverse society of Pakistan.

Table-5.3: Bills Passed by the National Assembly and Senate of Pakistan (Website of National Assembly & Senate of Pakistan)

Parliamentary Year	Bill Passed by the National Assembly	Bill passed by the Senate
2018-19	10	21
2019-20	30	14
2020-21	60	11
2021-22	57	59
Total	157	105

The data in the given table demonstrated that the National Assembly of Pakistan passed one hundred and fifty-seven bills in four parliamentary years while the Senate of Pakistan passed one hundred and five bills in the same year. The ratio of passed bills was a little bit higher than in the senate. The proficiency in passing legislation by the senate has been considerable. It may be slower than the National Assembly because of the nature of the function, as it is a house of review. The constitution of Pakistan permitted the senate to review the bill within ninety days. The reason is that the Senate was beyond the National Assembly in this comparison.

Table-5.4: Private Members Bills 2012-2021 (Website of Senate of Pakistan)

Year	Bills Received from NA	Bills introduced in Senate	Bills Passed by Senate	Referred to the joint sitting	Total
2012	00	25	00	00	25
2013	00	10	00	00	10
2014	00	17	00	00	17
2015	06	10	00	00	16
2016	00	43	04	00	47
2017	04	63	12	00	79
2018	09	30	11	00	50
2019	01	25	09	01	36
2020	03	58	18	01	80
2021	10	20	02	00	32
Total	33	301	56	02	392

The passed bills from the national assembly and senate of Pakistan and assented from the president of Pakistan become an act of the parliament. From 2008 to 2020 two hundred and ninety-one acts were passed by the Senate of Pakistan. From the establishment of Senate to till date nine hundred and six bills becomes acts in the legislative history of Pakistan. In this sense, the Senate of Pakistan played a vital role in legislation.

Table-5.5: Acts Passed in the Senate of Pakistan (Website of Senate of Pakistan)

YEA	200	200	201	201	201	201	201	201	201	201	201	201	Tot
R	8	9	0	1	2	3	4	5	6	7	8	9	al
ACT	04	04	30	19	23	15	10	13	52	39	39	06	37
S													

5.8 Joint Sessions in the Parliament of Pakistan

According to "clause (1) of "Article 72 of the Islamic Republic of Pakistan Constitution, read with clauses (3) and (4) of Article 265 of the Islamic Republic of Pakistan Constitution", enacted on the 12th day of April 1973, the President has issued the rules as to the procedure for joint sittings of the two Houses of Parliament and communications between them, after consulting with the Speaker of the National Assembly and the Chairman of the Senate" (Constitution of Pakistan). According to Clause (1) of "Article 54 of the Islamic Republic of Pakistan's Constitution, the President has the authority to assemble any House of the Majlis-e-Shoora (Parliament) in joint session at any time and place he sees fit" (Pakistan, 1973). According to "Article 61 read with Article 54(2) of the Constitution of 1973", the Senate must assemble for at least one hundred ten (110) working days during each parliamentary year (Article 54, 61 of the Constitution of Pakistan).

While a substantial number of bills came from the Pakistani Senate, the National Assembly of Pakistan conducted the majority of the country's legislative business. Joint sitting is frequently used to respond to the Senate of Pakistan's acts. Contrary to the Pakistani Senate, the National Assembly's considerable strengths have been identified. Currently, there are 342 members of Pakistan's National Assembly, and there are 100 senators in the country's Senate. A measure would be laid in the joint session if it were to be rejected by the Pakistani Senate. The lower house of Pakistan unquestionably dominates the joint sitting.

Table-5.6: Existing Composition of the Parliament of Pakistan (Website National Assembly & Senate of Pakistan)

National Assembly Seats	Senate of Pakistan Seats	Total in Joint Sitting
342	100	442

The inaction of joint sittings in Pakistan's parliament is frequently subject to bills of conflict matters, presidential addresses, or foreign head of state addresses, and discussion on the most important national issues. For example, two joint sitting sessions were enacted in the parliament of Pakistan during the parliamentary year 2018-19 in which the president of Pakistan addressed the parliamentarians in the first session. The second session was held to discuss the prevailing threats against the Islamic Democratic Pakistan from India. Similarly, during the parliamentary year 2019–20, three joint sitting sessions were held in the parliament

of Pakistan. The first joint session discussed India's illegal and coercive attempt to determine the status of Kashmir. The second Joint session was held for the presidential address, and the third was enacted for the address of brother Muslim countries' President Tayyip Erdogan (Senate of Pakistan Annual Report, 2019-20). In the parliamentary year 2021-22, the Senate of Pakistan received twenty-five government bills from the National Assembly. The Senate of Pakistan rejected those bills. The rejected bills were passed later in the joint sitting. It was a considerable strength of bills that were rejected by the House of Senate. Similarly, five private members' bills were received from the National Assembly of Pakistan and were not passed within the time limit. Those bills were also passed later in the joint sitting (Senate of Pakistan Annual Report, 2021-22).

5.9 Legislation in the Senate of Pakistan: Quantitative Dimension

Since the adoption of the bicameral parliament, the number of government and private member bills introduced in the Senate of Pakistan has varied. As per the availability of data on the Senate website from 2008 to 2021, three hundred and seventy-seven government bills were taken into consideration. Of three hundred and seventy-seven bills, twenty-seven government bills were introduced in the Senate. Two hundred twenty bills were received from the National Assembly and one hundred and thirty bills were passed in the Senate of Pakistan. In addition, four hundred and eighteen "Private Members" bills were taken into consideration by the Senate of Pakistan. In the Senate of Pakistan, three hundred and twenty-one private member bills were introduced from 2008 to 2021. The number of received bills from the National Assembly was thirty-three. Sixty-two private member bills were passed by the Senate of Pakistan in the said period. (Senate website 2011-12)

National security concerns, political instability, the multi-sector governance crisis, the situation in Baluchistan, and tensions between the executive and the judiciary dominated the Senate's nine sessions from July 2011 to March 2012 (Malik A. P., 2017). The Upper House had to deal with pressing issues such as the North Atlantic Treaty Organization (NATO) raid on a Pakistani border post in Salala in which twenty-four soldiers were killed. On the issue of Baluchistan, the Senators emphasized the province's lack of security, rampant sectarian violence, disappeared persons, and alleged human rights violations (Malik A. P., 2017). However, the constitutional consensus accomplished another milestone with the passage of the 20th constitutional amendment, which restored the 1973 Constitution and fulfilled a long-standing demand for province autonomy. This shows that Pakistan's parliamentary democracy is maturing (Malik A. P., 2017).

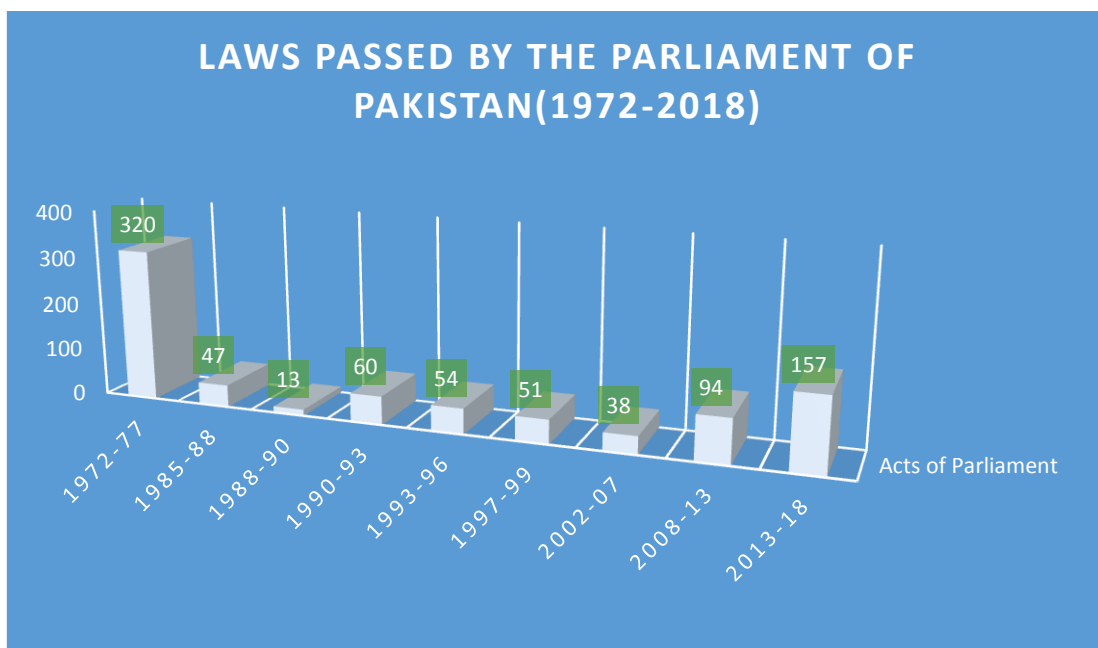


Figure-5.4: Laws Passed in the Parliament of Pakistan (Website National Assembly of Pakistan)

During this time, the Senate also passed laws introduced by private members. It was a turning from the prior norm of the government directing legislation in the Senate. Three pro-women Private Members' Bills were passed. “The Domestic Violence (Prevention and Protection) Bill” was passed in the 78th session to protect “Women and Children” from physical, psychological, and verbal violence in their homes and workplace (Malik, Akhtar, Bakhtiar, & Hayat, 2019).

In addition, the Upper House enacted fourteen bills endorsed by the Treasury Department including the 20th Amendment to the Constitution which streamlines the process of changing governments and caretaker/interim governments. Before March 2012, the Senate's total membership was a hundred. After the 18th amendment, it was increased from one hundred to one hundred and four. The additional four senators are supposed to represent Pakistan's minorities. “Article 59 of the constitution” provided the Upper House with twenty-three senators from each province, eight senators from FATA, and four senators from Islamabad (Constitution of Pakistan). The composition of the province's twenty-three seats in the Senate is made up of fourteen general seats, four seats earmarked for women and technocrats, and one seat for a minority. A senator's term is six years. Half of the total members retire every three years, and new senators are elected every three years (Rule and Procedure Senate of Pakistan, 2012).

The resolutions were passed to address the issue of missing persons and the raid by NATO on the Salaha checkpoint. The Senators asked seven hundred and fifty-five questions during the nine sessions. Out of seven hundred and fifty-five questions, seven hundred and thirty-five were starred, and twenty of them were not. The ministries responded to the majority of them, numbering six hundred and seventy-three, but the ministries left seventy-eight questions unanswered and four partially answered. In other words, the Upper House fully responded to eighty-nine percent of all questions posed during the nine sessions (Malik, Akhtar, Bakhtiar, & Hayat, 2019).

All thirty-five-starred questions were addressed during the seventy-third session. The Cabinet Secretariat received the most queries, one hundred and sixty-four out of a total of seven hundred and fifty-five, followed by the Ministries of Finance and Revenue and the Ministry of Communications (sixty-nine each). During the nine sessions, thirty-eight senators asked seven hundred and fifty-five questions. Only one male Muttahida Qaumi Movement (MQM) legislator raised one hundred and two questions, despite the fact that no female MQM Senator asked any questions. Furthermore, neither of the two Awami National Party (ANP) female senators asked any questions. Their four male colleagues asked eighty questions. Sixty questions were addressed to the “Ministry of Foreign Affairs” amid Pakistan's fragile ties with the United States and the closure of (NATO) supplies following the attack on the Salaha checkpoint. The Senators were also interested in learning what was being done to address the energy issue, particularly power outages. In this connection, the senators asked fifty-seven questions from the “Ministry of Water and Power” (Malik, Akhtar, Bakhtiar, & Hayat, 2019).

In addition, the house took up six of ten “Calling Attention Notices” that moved on the “Orders of the Day”. The passage of new rules for the Upper House was another highlight of the reporting period. Significant changes to the “Rules of Procedure and Conduct of Business” were made. These changes replaced the rules established in 1988 and included making ministers' presence in the House necessary during “Question Hour” and deleting the Chairman's discretionary powers to choose the Leader of the Opposition. The Senators will now be asked to submit written nominations for their Leader of the Opposition. After confirming signatures, the Chairman will name a Senator as the leader of the Opposition who has the highest level of support from his or her colleagues. Similarly, the Prime Minister's Question Hour is now a part of the new rules.

“Free and Fair Election Network” (FAFEN), an organization from Pakistan, conducts a headcount at the opening and end of each sitting of the Senate because the Senate does not make its members' attendance records publicly. Senators' attendance remained low, with an average of twenty-one senators present at the start and twenty-five at the end of each session.

During the 77th session, the lowest number of senators in a single sitting was twelve at the start and nineteen at the end” (FAFEN Annual Report, 2021).

In thirty-one sittings, the Speaker of the House was present. The Leader of the Opposition, on the other hand, attended twenty-two sittings. The Chairman was present for forty-five of the meetings, while the “Deputy Chairman” was present for twenty-two of them. 2013-14. On March 11, 2014, the Senate completed its eleventh parliamentary year. The Senate's annual report for the fiscal year 2013-2014 presented some of the country's most important political occurrences. Early in 2013, to arrange general elections in the country, a caretaker government was formed. The election resulted in the first-ever transfer of power from the Pakistan People's Party Parliamentarian (PPPP) to the Pakistan Muslim League (N) with the Senate continuing to play an important role in preserving democracy. The majority of opposition parties in the Senate after the 2013 general elections is a distinguishing element of the National Assembly-Senate relationship. The second chamber of Pakistan can operate as a check on legislative progress (FAFEN Report, 2013).

5.10 Legislation on the Issues of Pakistan

5.10.1 Legislation Regarding Social Sector Issues

In addition to the right to mandatory education, which was introduced in 2012, most education law has concentrated on the formation of new universities and the giving of “Degree-Awarding Status” to other public-sector educational institutions. Over the past ten years, at least eight universities have been established through parliamentary acts. The establishment of a body in Islamabad to oversee the running of private educational institutions is another key measure of legislation (WFD Report, 2017). Parliament passed the “Sir Syed Institute of Technology, Islamabad Bill” and the “Institute of Science and Technology, Bahawalpur Bill, 2018” to address Pakistan's poor performance in terms of access to tertiary education. The passage of these bills would help increase the number of tertiary education institutes in Pakistan, improving Pakistan's position in this area. Furthermore, it will provide more options for Pakistani youngsters to seek higher education in their homeland (Senate of Pakistan Annual Report, 2018-19). The Senate unanimously enacted the “Islamabad Capital Territory Prohibition of Interest on Private Loans Act, 2019” which addresses the issue of access to finance, which is critical for any corporate activity. This bill would aim to reduce widespread exploitation by prohibiting the practice of charging high interest rates on private loans (Senate of Pakistan Annual Report 2018-19).

The Senate passed the “Right to Information Act in 2017 (Malik, Akhtar, Bakhtiar, & Hayat, 2019)” after several failed attempts. The Act provided access to information about laws. It is

thought to be a superior piece of law to the “Freedom of Information Ordinance of 2002”, which it replaced. The law mandates "Proactive Disclosure of Information”, indexing and computerization of documents, the establishment of an independent, autonomous information commission, and widening the scope of the definition of a public body to include non-governmental organizations (NGOs)." According to the former federal minister of information, the law's implementation was delayed due to security concerns. Mechanisms that provide access to quality health care and education must be developed in order to unleash the full potential of human capital. Parliament established a number of laws, including an effort to improve human capital (Dawn News, 2018).

The Islamabad Healthcare Regulations Act (IHRA), 2018, was passed by Parliament in recognition of the importance and demand for quality health services. The Islamabad Healthcare Regulatory Authority was founded as a result of this Act. The Act would ensure quality services in both the commercial and governmental sectors. Furthermore, this Act establishes a framework to prohibit quackery in order to protect citizens from hazardous practices. Recognizing the shortage of public health experts, Parliament approved the “Health Services Academy” (Restructuring) Act, 2018 to establish the “Health Services Academy” (HSA) as a degree-awarding status. This Act paved the way for much-needed research in the field of health sciences, with a particular focus on illness prevention studies. The Compulsory Blood Test of Spouses and Proposed Spouses for “Thalassemia Disease Bill, 2019” was presented in the Senate to address the rising frequency of thalassemia-related fatalities in children (Dawn News, 2017). The Committee of the Whole intended to address one of the leading causes of thalassemia, which is a blood group difference. The goal is to require parents to undergo mandatory blood test examinations. These checks would help to reduce the disease's occurrence. Families' pain will be alleviated. “The Transplantation of Human Organs and Tissues (Amendment) Act, 2018”, was introduced in the Upper House and referred to the relevant Standing Committee to broaden the scope of human organ transplantation in the event of an accident. This bill proposes a provision of CNIC that will make it easier to donate human organs or tissues in the event of an accident (Senate of Pakistan Annual Report, 2018-19).

“The legislative performance of the parliament in the area of law and justice has been mixed. The situation has been complicated. Despite the fact that the Concurrent List was abolished and legislative authority over most key areas of the sector was decentralized to provincial governments, Article 142 (b) of the 18th Amendment introduces a new concurrency with particular regard to criminal law, criminal procedure, and evidence. This means that only the federal and provincial legislatures can amend the primary bodies of procedural legislation,

such as the “Pakistan Penal Code” (PPC), “Criminal Procedure Code” (CPC), and “Qanoon-e-Shahadat” (Law of Evidence). However, federal legislation will take precedence over the latter in the event of non-conformity. Unfortunately, parliament has been slow to make much-needed modifications to these rules, which are outmoded and ineffective for dealing with a variety of current criminal justice administration difficulties, like online registration procedures”.

Earlier this year, "the Law and Justice Commission of Pakistan" (LJCP) briefed the Supreme Court that 74 out of the 128 reports recommending legislative reform had been implemented. The Senate established a Committee of the Whole in 2012 to examine the legal system and recommend changes to allow for "the provision of inexpensive and expeditious justice in the country." The Committee of the Whole finalised its recommendations in December 2016 after receiving input from a number of important legal practitioners and experts (Senate Committee of Whole on Law & Justice Report, 2016). The majority of the other recommendations have not yet been put into practice, with the exception of the "Alternative Dispute Resolution" (ADR) suggestions. In Pakistan, a number of laws have subsequently been passed in an effort to close long-standing gaps in the governing laws. These stated laws can only be applied to the “Islamabad Capital Territory” (ICT) as per the 18th Constitutional Amendment.

In 2017, the “Alternative Dispute Resolution Act” was introduced with the goal of delivering affordable and quick justice. The flaws that hampered the implementation of the “Small Courts and Minor Offenses Ordinance 2000” (most notably, a lack of support among members of the bar) have not been addressed. “The Costs of Litigation Act of 2017” was enacted to prohibit party-driven dilatory tactics that result in multiple procedural issues and trial stretching. “The Evening Courts Act 2017” was also passed by the 14th National Assembly, but it did not become law. It "proposes to designate some courts as evening courts to decide specific kinds of civil and criminal matters in order to reduce the case excess." "The Witness Protection, Security, and Benefit Act 2017” was passed by parliament to safeguard witnesses (Senate of Pakistan Annual Report 2017-18).

5.10.2 Economy and Finance Related Legislation

For the previous ten years, the economy has been a primary priority for lawmakers. The 14th National Assembly (2013) enacted two hundred and five bills related to the economy (National Assembly of Pakistan Website, 2018). Of these two hundred and five bills, fifty-two dealt with taxation, financial security, corporatization, foreign exchange, trade, and commerce. This is more than double the measures on this issue that were passed during the previous Assembly's tenure. According to the “Competition Act of 2010”, free competition

"in all realms of commercial and economic activity" was increased for economic efficiency and safeguarding of consumers from all anti-competitive behaviour. "According to the Competition Act of 2010, the majority of economic legislation has focused on: Financial and regulatory institutions such as the "Securities and Exchange Commission of Pakistan" (SECP) and the "State Bank of Pakistan" (SBP) are being restructured; 2. Regulation of commerce, banking, assets and securities, and investment; and Service alliance of money-laundering activities Repeal of statutes relating to defunct institutions, such as the "House Building Finance Corporation" (HBFC), "Pakistan Investment Corporation" (PIC), and the "Federal Bank for Cooperatives" (FBC). A strategy for investing Promotion and facilitation of investment Commercial policy; Competition policy; Fiscal policy; corporate governance; policy encouraging ethical business practices; investment in human capital development; infrastructure investment and financing; public administration.

Pakistan's imports and exports must be addressed concurrently at the domestic and international levels. The Senate of Pakistan took a transnational corrective move to address the situation by ensuring that Pakistan received and maintained the special incentive arrangement for "Sustainable Development and Good Governance" known as (GSP) Plus. That indicator would enhance Pakistan's exports to the EU by 20-22 percent). The GSP Plus was contingent on Pakistan's adhering to twenty-seven United Nations treaties on human rights, labour, environmental legislation, endangered species preservation, good governance, corruption elimination, and gender discrimination. In December 2013, Pakistan was given GSP Plus status. However, due to non-compliance with agreements, Pakistan was on the verge of losing its trade status during its review period. The Pakistani Parliament assured that the executive branch of the government should show compliance with such initiatives.

Pakistan's Parliament has passed a number of bills in order to meet the requirements of GSP Plus and "World Trade Organization" (WTO). The Pakistani Senate debated and executed legislative policy steps to secure the sustainability of the GSP Plus program. The Senate Standing Committee on Commerce took notice of the GSP Plus designation and WTO framework to boost trade. As a result of these efforts, Pakistan's GSP-plus status has been extended till January 31, 2023. As a result, Pakistan's exports climbed by 25% in August 2017 as compared to the previous year. This was the third month in a row that Pakistan's exports increased.

Pakistan has been dealing with managing issues of declining exports and decreasing trade for some years which resulted in a balance of payment deficit. Already, fiscal deficits, high-cost loan borrowing, and cyclical debt are wreaking havoc on our economy. Although the Executive is primarily responsible for managing and improving the country's economic

indicators and financial health because the government controls the purse strings. The parliament plays an important role in providing sound economic guidelines for policymaking as well as keeping a close eye on the formation of policies and their implementation or execution.

Pakistan's Parliament, particularly the Upper House, has played a critical role in addressing all ongoing financial crises including balance of payments, fiscal deficits, and loans. There is a lot of data that shows that Members of the Upper House were quick to respond to the economic crisis by taking up all associated matters namely utilizing parliamentary techniques and devices like Question Hour, Motion under Rule 218, Points of Public Importance, and Plenary Debates etc. Furthermore, the issues like "Alarming increase in local and foreign loans"; "steps taken to pay back the loans"; "trade deficit"; "sources of funds used in terrorism"; "foreign loans and their utilization"; "escalation in circular debt"; "impact of smuggled goods on economy"; "decline in export of fruits and vegetables," failure to meet the tax revenue target"; Increase in external debt have been addressed through said techniques of raising questions in the legislature.

The Senate of Pakistan pondered over Circular Debt, Circular Debt Generation, Shrunken Tax Base, Debt Retirement, Debt Servicing, and Borrowings" in the light of the discussion on the Finance Bill, 2016-17. The Senators also debated on Circular Debt in the scenario of Falling Oil Prices, Negative Growth, and Decreased Agriculture in Gross Domestic Product (GDP)" under the purview of Discussion on Finance Debate on the Senate Finance Bill for 2017-18.

“The Offences in Respect of Banks (Special Courts) Amendment Bill, 2016” was passed, on April 22, 2016, by the Senate. "The Offences in Respect of Banks (Special Courts) Amendment Bill, 2016” was received from the National Assembly on January 27, 2016 by the Senate. “The Banks (Nationalization) (Amendment) Bill, 2016 January 26, 2016” Bills Received from the National Assembly. “The State Bank of Pakistan (Amendment) Bill, 2015” was received on August 13, 2015 by the Senate of Pakistan. The federal government and the national legislature of Pakistan continue to have jurisdiction over most of these policy fields, particularly legislation that develops or establishes policy-making and regulatory organizations. This means that, notwithstanding the enactment of the 18th Amendment, investment is still essentially a federal issue” (Senate of Pakistan, Website).

5.10.3 Rights Based Legislation

The legislators recognized the prominence of protecting the interests of the most vulnerable members of society, such as children, women, transgender people, and workers. This was reflected in a succession of rights bills proposed in the parliament (Senate of Pakistan Annual

Report, 2018-19). The Parliament recognized the need of providing a safe, secure, and healthy environment in which children can grow and they can develop themselves into productive members of society. "The Islamabad Capital Territory Child Protection Bill, 2018", was passed by Parliament in recognition of the need to safeguard children from abuse, assault, and exploitation. This Bill not only protects the interests of children who are abused by their parents, guardians, or caregivers, but it also provides alternative care options. Furthermore, street children are included in the scope of the Bill. The Parliament has demonstrated its commitment to helping the least fortunate segments of society. Recognizing the impact of child pornography and sexual abuse of minors, the Parliament passed "the Criminal Laws (Amendment) Bill, 2018" to enhance the penalties for such horrific offenses. This bill will serve as a deterrence shield by ensuring that no innocent youngsters are exploited. "The Juvenile Justice System Bill, 2018", was passed by Parliament that emphasized the need for social reintegration for minors who had allegedly committed an offense (Malik, Akhtar, Bakhtiar, & Hayat, 2019). This bill will assist youth in breaking away from the cycle of crime and it will also help them in becoming productive members of society.

"The Trained Paramedical Staff Facility Bill, 2018" originated in the House directed to ensure the protection of children at schools and it recommended passage of these provisions from the concerned Standing Committee. It was asserted that proper medical care would be available to children at both public and private schools as a result of this bill. It would also reduce the odds of incorrect diagnosis or treatment in the event of an injury.

The Senate introduced "The Child Marriage Restraint (Amendment) Act, 2018" to address the issue of child marriage. The Functional Committee on Human Rights recommended that it should be passed. This bill intends to eliminate the present age gap between girls and boys that leads to early marriage. Later on, it produces negative effects on their well-being. (Annual Report of Senate of Pakistan 2018-19)

"The Transgender Persons (Protection of Rights) Act, 2018" was passed by Parliament in response to the pervasive discriminatory sociocultural practices around transgender people. This Act intends to eliminate prejudice against transgender people by giving them equal access to education and work. This law would allow them to live a dignified life. (Senate of Pakistan Annual Report, 2018-19). "The Federal Employees Benevolent Fund and Group Insurance (Amendment) Bill, 2018" recognized the importance of workers in the economy and the necessity to protect their rights, particularly in the event of death in service or a security-related incident. This Act's approval is a significant step toward the building of an Islamic welfare state. (Annual Report of Senate of Pakistan 2018-19) "The Prevention of Smuggling of Migrants Bill, 2018" was passed by Parliament in response to the need to

protect migrants' interests and deter migrant smuggling. This bill aims not only to combat migrant smuggling but also to make it mandatory for the government to prosecute those who commit such horrible crimes (Senate of Pakistan Annual Report, 2018-19).

A lot of bills have been carried out for the rights of women throughout the constitutional history of Pakistan. "Family Courts Amendment Bill 2009" proposed that, in addition to other family-related issues and disputes, family courts be given the authority to decide matters involving the "share of women in inheritance" by including this subject in the Act's schedule. In these words, the bill's promoters articulate the bill's goals and motivations. This bill proposes to provide a time trial in instances involving the share of women in inheritance by adding them to "The Schedule of the Family Courts Act, 1964", which will bring the issue of the share of women in inheritance under the Family Court's jurisdiction.

In 2010, "The Protection against Harassment of Women at Work Place Act" was passed. The law is intended to ensure that women can work in a safe environment. "The Criminal Law (Amendment) Act 2010 changed section 509 of the Pakistan penal code" (PPC) to make sexual harassment punishable by three years in prison and a fine of five thousand rupees. Importantly, the amendment provides a new definition of "harassment" that allows for "criminal harassment prosecution" (Khalique, 2012).

In 2012, the legislature passed a measure creating an independent and autonomous "National Commission on the Status of Women" to advance women's social, economic, political, and legal rights. The Commission's previous legal framework put it within the Ministry of Women's Development. "The Criminal Law (Amendment) (Offenses Relating to Rape) Act 2016" gave legal protection for gathering and using deoxyribonucleic acid (DNA) evidence to prove rape. When committed against mental or physically disabled people, it made rape a serious offence punishable by death or life imprisonment. The new "Pakistan Penal Code" (PPC) section 344A mandates that trials for rape offences be completed within three months. In 2016, "The Criminal Law (Amendment) (Offenses in the Name or Under the Pretext of Honor)" was passed. In honor killing cases, it was observed that criminals were frequently pardoned by family members implicated in the murder cases. This practice promoted impunity and made convictions difficult. According to the legislation, the victim's relatives "would only be able to pardon the killer if he is condemned to death, provided that the perpetrator faces a mandatory sentence of twelve and a half years." It's worth noting that both of these laws were introduced by private members of parliament (Bilal, 2016).

Due to resistance from religious groups and the Council for Islamic Ideology, the bills prohibiting domestic abuse enacted by the National Assembly in 2009 and the Senate in 2012

did not become law (CII). The measure was first passed by the National Assembly in 2009, but it was not tabled in the Senate within the three-month time limit, and thus it lapsed. Similarly, the bill was allowed to lapse in the National Assembly after it was passed by the Senate in February 2012. The council was against the bill because they believed it would hurt the economy (Naqvi, 2015). In 2013, the Sindh and Punjab Assemblies introduced groundbreaking laws providing protection and support to domestic violence victims. In addition, significant pro-woman elements can be found in other mainstream laws. “The Elections Act of 2017” ensured women's political participation by empowering the Election Commission of Pakistan to declare results null and void in constituencies with a female voter turnout of less than or equal to ten percent. Another notable change was the requirement that political parties allocate 5% of their general election ballots to female candidates (Women and the Vote, 2018). As a result of these measures, more female candidates were running on party tickets in the general elections on July 25th, 2018 than there were in 2013. Furthermore, women voted in twenty-two constituencies at a higher rate than men.

Members of the Upper House analyzed the gaps in existing legislation that prevented women from full participation in society and also submitted a bill to address existing gaps. “The Women in Distress and Detention Fund (Amendment) Bill, 2018” was passed by Parliament in response to the difficulties experienced by female convicts. Parliament reaffirmed its commitment to protect and uplift one of society's most vulnerable groups through this bill. The Daycare Centers Act of 2018 was unanimously enacted by the Senate, recognizing the need to establish enabling institutions for women. The purpose of this act is to obligate both public and private sector enterprises to open day care centers on their premises. The Maternity and Paternity Leave Act of 2018 was introduced in the Upper House. It allowed mothers and fathers to continue their household and professional responsibilities simultaneously. Equally, the law intends to offer six months of maternity leave and three months of paternity leave to every employee of an establishment (Senate of Pakistan Annual Report, 2018-19).

5.10.4 Legislation on Climate Change, Environment, Natural Disaster and Emergency Management

Sustainable development, climate change, biodiversity protection, desertification combat, ozone layer protection, pollution management, and water resources are all key environmental concerns that the world community is addressing. The world community has recognized the need to regulate greenhouse gases and emissions. As a result of duality on the part of industrial states on the issue of emission of greenhouse gases, inequality has resulted in the fight against climate change. Pakistan is ranked seventh in the world's top ten countries that have been most affected by climate change with one hundred and thirty-three incidents

directly linked to it in the last two decades. It cost the country \$3.82 billion in losses. At the international forums, Pakistan's Parliament has not only advocated for the concept of "differentiated responsibilities" but Pakistan has also advocated "shared responsibilities".

“Pakistan Climate Change Act, 2016” has been directed at combating climate risks securing global funding for the implementation of projects to boost the country's climate resilience, and protecting of lives and livelihoods of the people primarily associated with agriculture. In 2016, a special committee on climate change was established in addition to the Senate Standing Committee on Climate Change. Pakistan's Parliament became the first in the world to switch itself 100 percent to solar energy making it the world's first totally "green" parliament. Leading by example is a powerful tool.

Natural disasters, tragedies, and emergencies can strike any country at any time. Even the world's most industrialized nations are not immune from natural disasters such as floods, earthquakes, cyclones, and tornadoes. To solve this, the Parliament must play a role in ensuring that all key government organs are prepared in the event of a natural disaster. Pakistan's Parliament believes in being prepared and proactive in dealing with problems of national significance and it has taken several proactive measures to guarantee this.

Through House discussions, Questions, Calling Attention Notices, Adjournment Motions, and other means, the Pakistani Parliament particularly the Senate has proactively addressed crises originating from national disasters like as floods, earthquakes, and water shortages (Malik, 2017).

Furthermore, the Senate of Pakistan has instituted mechanisms to ensure that Parliament plays its role in the event of a natural calamity in the forms of dispatching relief goods to flood victims in Pakistan, visiting flood relief camps, the formation of a flood relief committee for each province, and the establishment of a flood relief fund to which senators generously contributed. During the disasters like the earthquake of 2005 and the flood of 2010, Pakistan's Senate sprang into action to assist the victims. Simultaneously, the Senate agreed that sending relief supplies and visiting relief camps were primarily cosmetic efforts that did nothing to "prevent" or foresee future disasters. To remedy this, the political leadership chose to use parliamentary instruments and enact legislation to ensure that future natural disasters be addressed in a proactive manner (Malik, 2017). “The National Disaster Management Authority (NDMA) Act, 2010” was passed by Parliament in 2010 with the goal of achieving long-term social, economic, and environmental development in Pakistan by sinking hazards and vulnerabilities (Senate of Pakistan Website). The Act also directed responding and recovering from all types of disasters effectively. The NDMA is also responsible for

managing the whole range of disasters by incorporating disaster risk reduction into development planning at all levels and it is also strengthening institutional disaster preparedness, response, and recovery capabilities. “The Senate Standing Committee on Law, Justice, and Human Rights’ also took up the issue of building code implementation, with a focus on earthquake requirements, ideas for criminal provisions, measures, and mechanisms in the event of code violations. The House referred this matter to the Committee on November 10, 2015, following an earthquake in Pakistan that registered 8.1 on the Richter scale in October of that year. For this objective, the Committee formed a core group comprising representatives from the NDMA, Ministry of Housing and Works, Capital Development Authority, and Pakistan Engineering Council (PEC) (Malik, 2017).

5.10.5 Legislation Regarding Energy Crisis

Energy is not only a national issue it is a global issue as well. Over the decades, the energy demand has increased rapidly by prompting states to handle it on a regional and worldwide level through regional and transnational cooperation and exchanges. Pakistan has been in the throes of a devastating energy crisis for many years. Due to a power generating imbalance, load shedding has increased dramatically in the last decade across the country. The specific neglect that resulted in this deficiency occurred during President Pervez Musharraf’s rule. Pakistan has been losing billions of rupees every year due to a chronic electricity shortage. Given the gravity of the situation, Pakistan's Parliament has made a number of steps to address it in recent years. As a result, international collaboration is critical in responding to global energy concerns such as securing energy supply at competitive costs and reducing global greenhouse gas emissions (Malik, 2017).

“The National Energy Efficiency and Conservation Act of 2016”, “the Alternative Energy Development Board Act of 2010”, and “the Pakistan Council of Renewable Energy-Technologies (PCRET) Bill of 2016” were all passed by the Senate of Pakistan. The energy projects under the cover of the CPEC are the most visible move in terms of reducing energy shortages through transnational collaboration. In September 2015, a Parliamentary Committee on CPEC was established to guarantee that these projects are finished on time. The Parliamentary Committee was in charge of overseeing the implementation of various energy projects and acting as a link between provinces and the federal government (both trans-state and intra-state). It also played a key role in resolving a dispute over the CPEC's western route, bringing Gilgit Baltistan on board, ensuring that the Thar Coal Power Plant is operating, and ensuring that all provinces are included. It also proposed that trade with Afghanistan should be made easier and that Gwadar be connected to Central Asian countries.

5.10.6 Kashmir Dispute and the Role of Senate

The Kashmir issue is a principal point of disagreement between India and Pakistan and it has resulted in two wars between these two neighbours. Apart from conflicts, the countries have been frequently engaging themselves in skirmishes across the Line of Control. The violations have resulted in the deaths of a large number of civilians living in surrounding borders. Curfews and the use of pellet guns, among other human rights crimes, have somehow escaped the attention of the international community due to the Indian lobby.

Pakistan's parliament has made serious attempts to raise the problem at the relevant forums like the United Nations but in vain to a great extent. The Kashmir issue is addressed in United Nations (UN) Security Council Resolution 47 which was approved on April 21, 1948. Unfortunately, India's denial of Kashmiris' right to self-determination has prolonged the conflict. Pakistan's Parliament continues to engage in diplomatic efforts at the national, international, and bilateral levels to find a peaceful and amicable solution to the Kashmir dispute. The role of the Senate in terms of efforts made for Kashmir was co-equal to the National Assembly of Pakistan.

Article 257 of the Pakistani Constitution directs the constitutional framework in relation to Jammu and Kashmir. The people of Jammu and Kashmir have the right to choose whether they have to join Pakistan or not in light of article 257. The question of the current relationship between Pakistan and India was taken up by the Committee of the Whole. In a subsequent report, Pakistan's Senate denounced India's atrocities and human rights breaches against the innocent people of Indian Occupied Kashmir. The Parliamentary Committee on Kashmir is charged with overseeing all facets of India-long-running Pakistan's problem and source of war. The parliamentary committee was composed of twenty-six members. Out of twenty-six, five members were from the Senate of Pakistan.

ROLE OF SENATE IN EXECUTIVE ACCOUNTABILITY

6.1 Introduction

One of the most important aspects of a legislative assembly is to ensure that those in the positions of executive powers are accountable to the legislature. Incompetent and offensive measures on the part of the government can be challenged effectively through the mean of executive accountability. This criterion is a crucial safeguard against government incompetence and offensiveness. The executive branch of government is a multifarious branch with many working bodies and a large number of officeholders. As a result, those in charge of executive power must be open to public inspection and criticism to ensure that the power is used reliably. Having this rationale in mind, this chapter investigates the application of different tools of executive accountability exerted by the Senators on the Platforms of the Senate of Pakistan. The primary function of the Senate of Pakistan falls in the domain of legislation. The efficiency of legislation can be visualized in the form of executive accountability.

Adding to the above point, it can be asserted that without transparency and accountability there can be no democratic government. The major responsibility in this area rests tenaciously with the legislature (Norton, 2007). According to the law, the government is accountable for its actions to ensure that the policy and actions of the government are taken to fulfill the demands of the public. Parliamentary monitoring is essential for politicking and preventing government mishandling. Parliamentary oversight encompasses all fields where the government takes action. Good governance on the national and international levels starts with the Parliament (Griffith, 2020). Increased participation of the parliament enhanced its significance. The increased role of the parliament provides benefits to a government in the domains of governance at both the national and international levels. There are two traditional mechanisms in bicameral legislatures to ensure accountability. Checking the official documents and presenting new documents have been prominent ways of imposing checks on the executive (Kam, 2000). Another way to bring executive accountability under check has been raising questions. These rules ensure the accountability of ministries and public officials. Hence, the government improves its performance.

In a parliamentary federation, the lower house has more power relative to the upper house in two ways. Most of the ministers are selected from the lower house because of the nature of the electorate. In the case of a joint sitting session, the lower house always prevails due to the

numerical strength (Griffith, 2020). The Senate of Pakistan plays a considerable role in the domain of executive accountability.

6.2 Executive Accountability Tools and Quantitative Dimensions in the Senate of Pakistan

The accountability systems in Pakistan are strikingly similar to those in other parliamentary federations like Australia and India. Due to their participation in the Bundesrat and provincial legislatures, members of Germany's upper chamber do not serve in a dual capacity. The Senators in Pakistan are questioned using the very contemporary procedure of question hours which is a stunning instance of political accountability. The members of the second chamber (Senate) call attention to important issues. The committee of the whole are another important accountability mechanism in the Pakistani Senate. Moreover, the members of Pakistan's upper house have three roles to fulfill. Constitutionally, members of Pakistan's upper house must represent the interests of federating units and participate in legislation (Senate of Pakistan Website). They make policy recommendations alongside the National Assembly of Pakistan. In the case of Pakistan, senators are the only members of the Senate.



Figure-6.1: Executive Accountability Tools in the Senate of Pakistan (Senate of Pakistan Website and Annual Reports)

The table shows that in the Senate of Pakistan, the tools of executive accountability were used significantly. In the parliamentary history of the Senate of Pakistan, nineteen thousand eight hundred and one questions were asked by the executive of Pakistan. Most of them were responded to timely, and by using this tool of executive accountability, members of the Senate contributed significantly. Similarly, in the upper house of Pakistan's parliament, nine hundred and ninety-four calling attention notices were moved to divert the attention of

executives to matters of public importance. An adjournment motion is another tool of executive accountability that is used effectively by the members of the upper house of Pakistan. In the previous parliamentary year, two hundred and fifty-one adjournment motions were moved. During the abovementioned period, two thousand eight hundred and forty "Motions Under Rule 218" were submitted to the upper house (Senate of Pakistan Website). Equally, one thousand seven hundred and twenty-three resolutions were moved in the upper house of Pakistan. This shows in the Senate of Pakistan the tools of executive accountability being used significantly.

6.2.1 Senate's Question Hour

Inquiring into the executive's actions via a parliamentary investigation is a very effective method. Controlling the existing government and its administration may be achieved in part via "supervision of executive and legislative matters. The starting hour of each Senate session is specified for asking and answering questions (Rules and Procedure and Conduct of Bussiness, 2012). It is called "Question Hour." The "Question Hour" can only be postponed if the House agrees overwhelmingly to shift to another important topic. There will be no query hour on days specified for private members' days. Members of the chamber evaluate the work of the government during question time and debates, to which government ministers must respond. Members of Parliament have an inherent and unrestricted right to raise questions in the legislature, which is especially important in legislative procedures. During Question Hour, members can ask questions regarding any aspect of administration or government activity. Hence, both the domestic and foreign policies of the government are brought into striking perspective. Meanwhile, every National Assembly (except Tuesdays) and Senate (Rules and Procedure and Conduct of Bussiness, 2012) sitting is dedicated to questions.

“Consequently, questions with short notice in both the National Assembly “(Rule 79 of the National Assembly Rules of Procedure and the Conduct of Business 2007)” and the Senate allow "relating to a subject of public significance “(Rule 51 of the Rules of Procedure and the Conduct of Business in the Senate 2012)”. The ministerial answer is scheduled after a notice of fewer than thirteen days in the Senate and less than fifteen days in the National Assembly. The Senators asked a total of nineteen thousand eight hundred and one (starred and unstarred) questions in the Upper House between 2008 and 2021, an average of one thousand five hundred and twenty-three per year, with eleven thousand seven hundred and sixty-five (59.41 per cent) of them being answered on the House floor. The senators submitted the aforementioned questions, with the majority of them being starred. The Senators are empowered to hold the executive branch responsible for its policies and actions. The records of the Senate on legislative matters indicate that the senators have regularly used this

monitoring method. Members of the Senate asked one thousand two hundred and thirty questions during the 2015–16 legislative year (Senate of Pakistan Annual Report 2015-16). Members of the minority unit were more alert as a result of their increased interrogation. KP members submitted 467 inquiries (30.75%), while Sindh members submitted 261 (21.10%) (Senate of Pakistan Annual Report 2015-16).

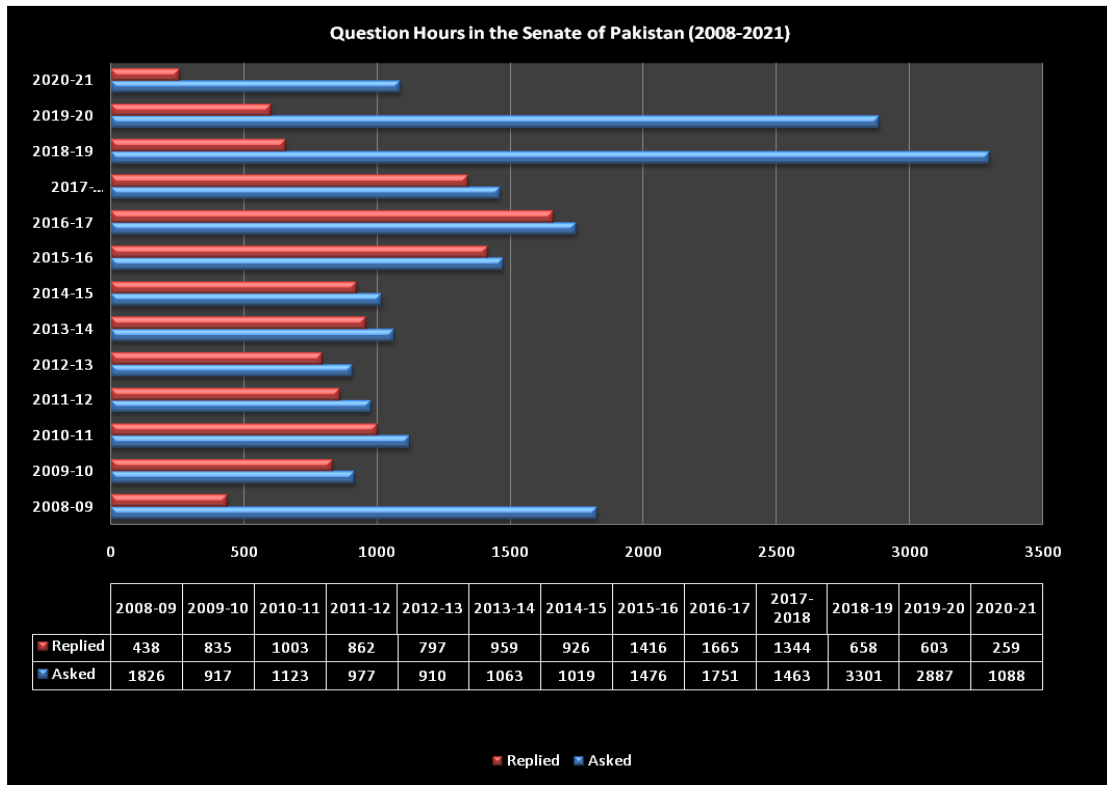


Figure-6.2: Question Hours in the Senate of Pakistan (Website Senate of Pakistan)

COMPARISON OF ASKED QUESTIONS IN THE SENATE OF PAKISTAN & NATIONAL ASSEMBLY

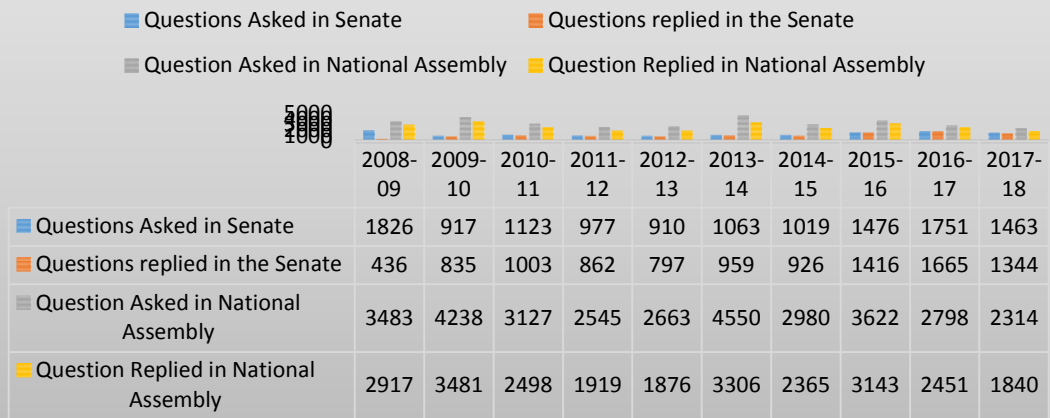


Figure-6.3: Question Hour Senate Comparison with National Assembly of Pakistan (Website of National Assembly, Senate of Pakistan and PILDAT)

The above graph shows that from 2008 to 2018, the “National Assembly of Pakistan” and the “Senate of Pakistan” moved up the chain of accountability of the executive by asking many questions. In these ten years, a lot of questions were asked in the “National Assembly” as well as in the “Senate of Pakistan”. It shows that the members of the Senate of Pakistan have been prominent in asking questions during the said tenure. In those ten years, senators asked twelve thousand five hundred and twenty-five questions. On average one thousand two hundred and twenty-five questions were asked annually in the Senate of Pakistan. Being asked so many questions in the senate itself makes its role clear as the chamber of executive accountability.

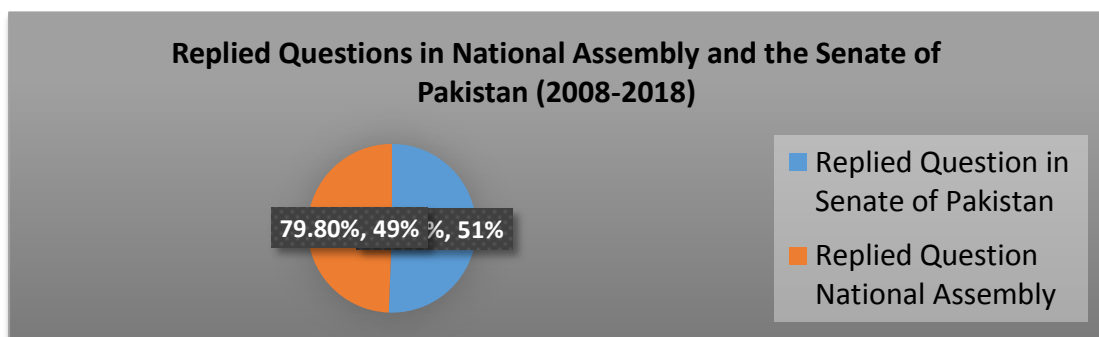


Figure-6.4: Replied Questions in the National Assembly and the Senate of Pakistan (Website of National Assembly & Senate of Pakistan)

The given analysis shows the questions that were asked in the “National Assembly” and the “Senate of Pakistan” and the number of answers received from the relevant ministries. In the ten parliamentary years from 2008 to 2018, seven thousand nine hundred and five questions were answered in the National Assembly of Pakistan, which was 79.8 % of the total questions. While 81.7% of questions were responded to in the Senate of Pakistan in the same parliamentary era. This kind of response from the executive certainly highlights the role of the Senate. In the accountability process of the executive, the Senate of Pakistan appears to be more effective and dominant than the National Assembly.

6.2.2 Zero Hour

Zero Hour is the last hour of a Senate session, and it is used to address issues of urgent public importance. During Zero Hour, members have the right to discuss matters of public concern that required immediate attention. The Senators continued to use points of public interest to examine and they debated a variety of issues that affected the general public (Senate of Pakistan, Rule of Procedures and Conduct of Business, 2012). In addition, the harmful consequences of different government and regulatory policies on society's most vulnerable members have been addressed in recent years.

Furthermore, during the parliamentary year 2018–19, a total of fifty-two points of public importance were raised. Fifteen of them required ministerial response. Thirty-seven were referred to the relevant committees (Senate of Pakistan Annual Report, 2018-19). During the 2019–20 legislative year, a total of one hundred and forty points of public significance were raised, with ministerial responses sought for twenty-two of them. The remaining forty-one were referred to the relevant committees. Similarly, the remaining seventy-seven were resolved in the House (Senate of Pakistan Annual Report, 2019-20). During the parliamentary year 2020–21, a total of one hundred and ninety-six issues of public significance were raised, out of one hundred and twenty-six issues, twenty-five of them required government response. The remaining forty were referred to the relevant committees. One hundred and thirty-one were resolved in the House (Senate of Pakistan Annual Report, 2020-21). During the preceding three parliamentary years, issues of public concern were raised, in the domains of education, power, health, economics, media, and a variety of other areas.

6.2.3 Calling Attention Notices

The Calling Attention Notice is an influential tool for bringing the attention of the government to important public concerns. The Senate Rules originally permitted one "Call for Attention" per Senate sitting. However, considering the importance of this significant device, the Rules of the Upper House have been amended to allow for two “Calling Attention

Notices” per sitting. The Calling Attention Notices are used to bring issues of immediate public concern to the House's attention. After a member submits a calling attention notice, the relevant minister makes a public statement on the subject. With the permission of the Chairman, Senator can "move the attention of a Minister to any matter of serious public concern," and the Minister "may make a brief remark or seek time to make a statement at a later hour or day."

A member of the Pakistani Parliament has the authority to write to a minister requesting his attention to an urgent public matter. Since its formation, the Senate has made great use of this procedural tool. During the 2016-17 legislative years, the Senate Secretariat received five hundred and twenty-two notices of special attention on a variety of themes. Members from KP and Sindh provinces submitted more than 70% of ‘Calling Attention Notices’ which were replied to by the concerned ministers (Senate of Pakistan Annual Report, 2016-17).

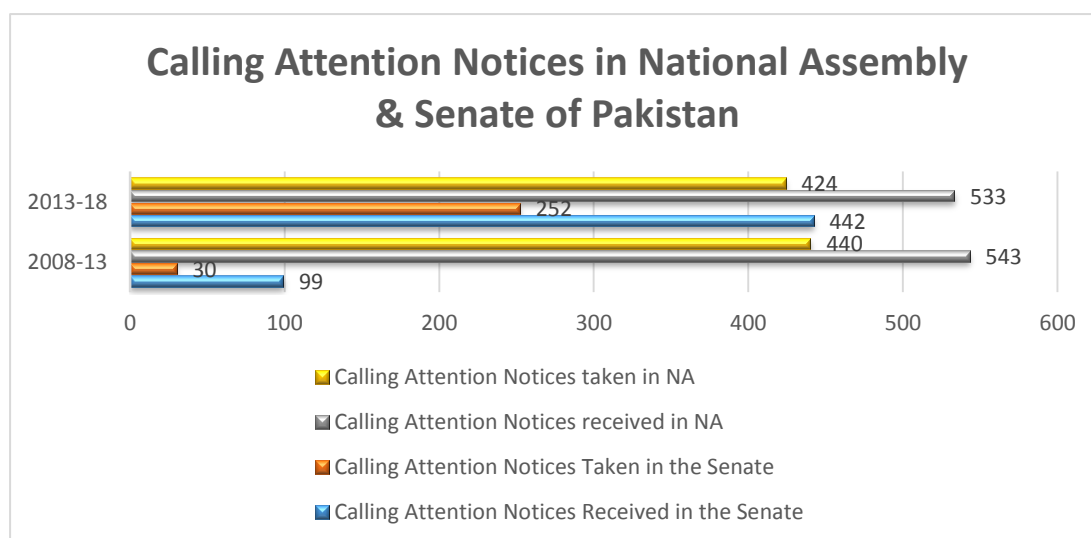


Figure-6.5: Calling Attention Notices in National Assembly and Senate of Pakistan (Website of National Assembly, Senate of Pakistan, PILDAT and FAFEN Reports)

Thus, Senators submitted various notices to ministries with the Chairman's permission to draw attention to matters of most important issues related to public Pakistan. The relevant ministers may make a short-lived announcement or request to take time for making an announcement on another day. A total of nine hundred and ninety-four calling attention notices were submitted to the Senate between 2008 and 2021. Four hundred and eighty-nine of them were accepted. Between 2008 and 2011, the Upper House only undertook thirty calling attention notices. The Senate improved in 2015, 2016, 2017, 2018, 2019, and 2020, taking up seventy-seven, ninety-four, eighty-one, one hundred and thirty-four, forty-four, and

twenty-six calling attention notices, respectively (Senate of Pakistan Website). This development can be credited to the Chairman's support.

Table-6.1: Received and Taken up Calling Attention Notices in the Senate of Pakistan (2008-2020) (Daily Journal Senate of Pakistan)

Year	Received	Taken up	Year	Received	Taken Up
2008-09	44	10	2009-10	16	8
2010-11	25	3	2011-12	10	6
2012-13	--	--	2013-14	4	3
2014-15	--	--	2015-16	150	77
2016-17	199	94	2017-18	93	81
2018-19	219	134	2019-20	144	47
2020-21	90	26	Total	994	489

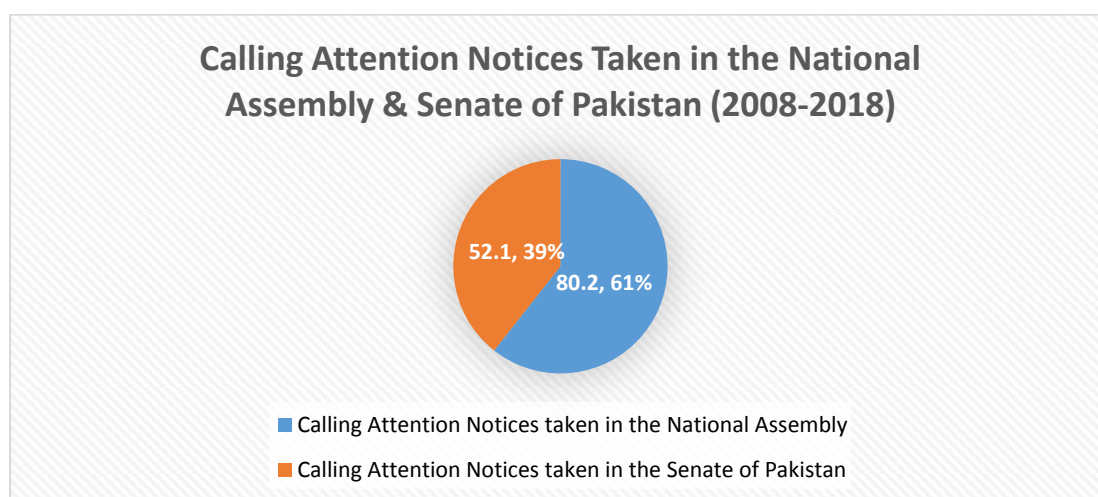


Figure-6.6: Calling Attention Notices Taken in National Assembly and Senate of Pakistan (Website of National Assembly & the Senate of Pakistan)

The comparison shows that in ten parliamentary years, 80.2 % of the calling attention notices were taken from the total moved calling attention notices in the National Assembly. It demonstrated that 61 % of calling attention notices were responded to in the house. On the other hand, in the upper house of Pakistan, 52.1% of the total moved to calling attention notices were taken into the house debates. It means that 39% “Calling Attention Notices” were debated in the Senate. The Pakistani Senators used this tool of executive accountability significantly during the said period.

6.2.4 Adjournment Motion

The adjournment motion is a unique mechanism that, if approved, allows the House to divert its attention away from its regular business to address a specific topic of urgent public

concern. A catastrophe situation usually requires a detailed analysis from multiple perspectives to determine its origins, relationships, character, and scope. As a result, the Adjournment Motion is a powerful means for the parliamentarians to raise catastrophic concerns in the Upper House, where ministerial replies and recommendations to the government become quickly executable as a result of the Adjournment Motion. The primary objective of an adjournment motion is to bring the House's attention to a recent event of urgent public concern with significant consequences for which a motion or resolution with prior notification would be too late. The topic that has been requested should be of such a kind that something grave has happened that concerns the entire country, the masses, and its security.

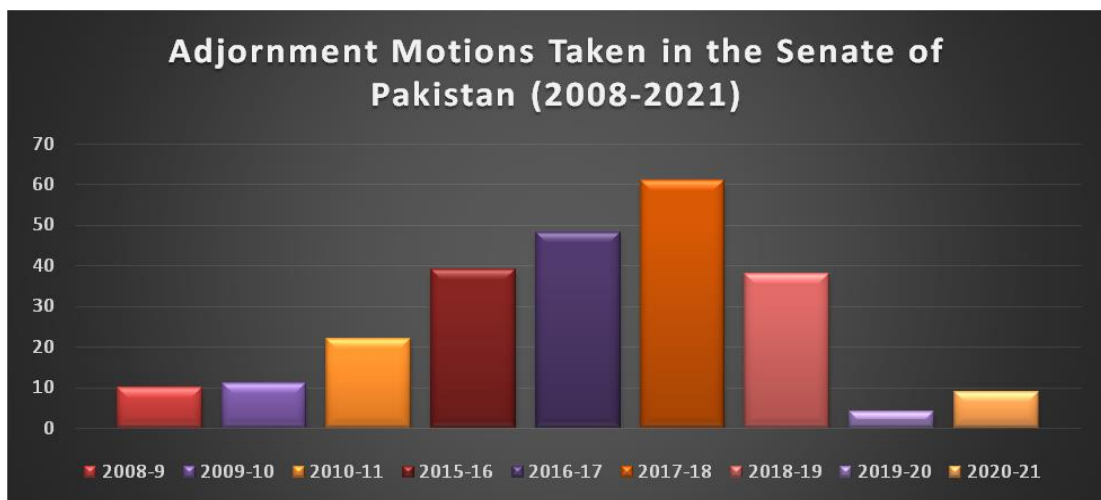


Figure-6.7: Adjournment Motions Taken in the Senate of Pakistan (Website Senate of Pakistan)

6.2.5 Motion under Rule 218 in the Senate:

A member must file a notice of motion under Senate Rule 218 to discuss any subject or issue in the Senate (Rule and Procedures in the Senate of Pakistan). When the mover concludes his or her statement, the Upper House, like the Senate, begins discussing the motion. Indeed, in the 2019–20 parliamentary years, motions under Rule 218 addressed a variety of issues. Three hundred and eighty-six motions were filed under Rule 218. A total of three hundred and forty were accepted, with twenty-four dismissed and twenty-two lapsed. The House debated twenty-seven bills, with four being dropped. The Senate debated motions under Rule 218 on the following subject subjects/matters during the 288th to 295th sessions (Senate of Pakistan Annual Report, 2019-20).

Similarly, the goal of this conversation is to go over the matters for the country's Central Superior Services (CSS) exam. To discuss the country's food insecurity, with a particular

focus on Balochistan, to debate recent claims of political victimization and violations of fundamental rights by opposition party members, as well as the India-Pakistan Free Trade Agreements (1949). In the parliamentary years 2020–21, motions under Rule 218 addressed and debated a wide range of issues. Three hundred and twenty-seven motions were submitted by Rule 218. Seventy-four motions were turned away, while thirty lapsed. The House debated fifteen of them, with three being dropped. Motions U/R 218 addressed the following subjects during the Parliamentary year 2020-21 (Senate of Pakistan Annual Report, 2020-21).

Table-6.2: Motions under Rule 218 in the Senate of Pakistan (2015-2021) (Senate of Pakistan Website)

Year	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21
Received	281	855	559	432	386	327
Admitted	255	765	455	379	340	223
Allowed	38	2	-	-	-	-
Disallowed	-	45	50	16	40	74
Discussed in House	-	45	56	11	27	20
Lapsed	-	44	54	37	22	30
Dropped in House	-	11	11	3	4	3
Admitted but lapsed	-	44	329	361	309	195
Carried forwarded	-	370	57	4	-	-

6.2.6 Resolutions

Resolution is one of the many accountability tools available in the Senate of Pakistan. Several clauses in the Pakistani constitution direct the submission of resolutions to the Pakistani Senate. Different types of resolutions are addressed in various sections of the constitution. Obviously, resolutions of parliaments are a formal representation of the will and practical wisdom in that particular field. It can be in the form of an opinion, a recommendation, or a statement. It can be complemented, supported, or recommended that the government take action. It can be used to draw attention to a problem or issue in any other way that the Chairman considers acceptable. There were a total of one hundred and eighty-eight different resolutions to choose from. The house received ninety-five resolutions, and ninety-five were accepted for debate. On technical grounds, sixty-six were found unconstitutional, while twenty-seven were found acceptable. One resolution was rejected by the Senate, while thirty-one were passed by the House and the House was adjourned due to the absence of the Member in question.

Figure.6.8: Resolutions Moved in the National Assembly and the Senate of Pakistan

RESOLUTIONS IN THE SENATE OF PAKISTAN AND NATIONAL ASSEMBLY (2008-2018)

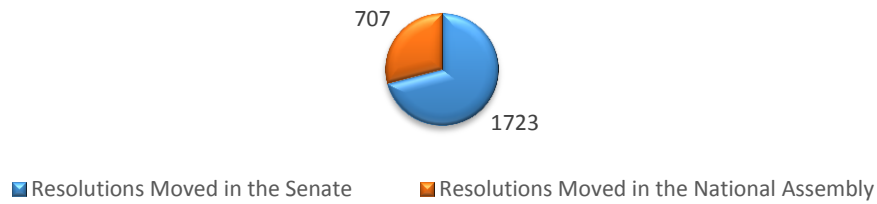


Figure-6.8: Resolutions Moved in the National Assembly and the Senate of Pakistan (Daily Journal of Senate of Pakistan and FAFEN reports)

The process of accountability of the executives was extended to both houses of the Parliament of Pakistan using another tool of executive accountability or oversight. Interestingly, in the ten parliamentary years from 2008 to 2018, more resolutions were presented in the Senate of Pakistan than in the National Assembly. In these ten years, a total of seven hundred and seven resolutions were presented in the National Assembly. During the same period, one thousand seven hundred and twenty-three resolutions were presented in the Senate of Pakistan. This shows that in these ten years, this tool of accountability for the executives of the Senate of Pakistan has been widely used. The full participation of the members of Pakistan in the accountability process of the government highlights the role of the Senate. Therefore, the Senate of Pakistan has proved to be an effective and efficient chamber in this regard.

Resolutions Adopted by the National Assembly and Senate of Pakistan (2008-2018)

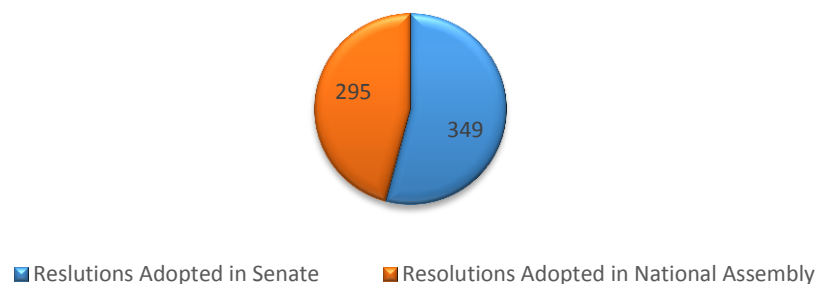


Figure-6.9: Resolutions Adopted by the National Assembly and Senate of Pakistan (Daily Journal of Senate of Pakistan and FAFEN reports)

As mentioned above, the Senate of Pakistan presents more resolutions than the National Assembly. The upper house of Pakistan is quite advanced and it also looks ahead to passing resolutions from the lower house. In the ten parliamentary years from 2008 to 2018, two

hundred and ninety-five resolutions out of seven hundred and seven resolutions were passed in the National Assembly, while three hundred and twenty resolutions out of one thousand seven hundred and twenty-three resolutions were passed in the Upper House. That is, in these ten years, the resolutions in the Senate were more than before, and there were more approvals. The role of the Senate in the accountability of the executive is seen here.

6.2.7 Committee System

“The committees, which are regarded as the 'Political Nerve Centres", information gatherers, options sifters, refiners of legislative detail, and the "Eyes and Ears" of the Parliament, handle the majority of the business of the House. The Pakistani Senate has organized different approaches that over time have developed traditions of parliamentary democracy and has addressed a wide range of national issues”. The relevant Minister or Adviser shall serve as an ex-officio member of the Committee, which shall be composed of not more than fourteen senators chosen by the Senate, with the proviso that the Minister or Adviser shall not be entitled to vote as an ex-officio member unless he is a senator. A member may serve on no more than five standing committees at any one time.

When parliament’s committees are functioning, it is deemed to be in session. Members rely on committees to accomplish their jobs. Therefore, they are an essential part of the legislative system. Members can use the committees to critically and thoroughly examine subjects brought to them by the parliament. The Pakistan Senate describes committees as "political nerve endings, information gatherers, alternative sifters, legislative detail refiners, and the Parliament's eyes and ears."

“A strong and active committee system is a crucial condition for a successful parliamentary democracy since it gives space for executive scrutiny and connects the parliament with the citizens. Much of the business is sent to committees where the bulk of the deliberations take place, according to the current model of parliament. The committees' detailed and in-depth discussions ensure that both the legislative activities of the house and the functioning of the ministries are in the public's best interests. The Committee on Rules of Procedure and Privileges analyses topics relating to the House's procedure and conduct of business, as well as privilege motions brought up by members of the House. All other topics, including the composition and election of this Committee, shall be governed by regulations related to the Standing Committee appearing hereafter, with the Minister for Parliamentary Affairs serving as an ex-officio member, as provided in Rule 163”.

Table-6.3: Committees in the Senate of Pakistan (Senate of Pakistan Website)

Parliamentary Committees	Standing Committees	Domestic Committees	Special Committees	Functional Committees	Other Committees	Total
09	34	07	09	04	04	67

The Senate distributes its responsibilities among committees' concentrations on the significance and complexity of their jobs. Each committee's chairman represents the majority party and is in charge of the committee's business. Each political party appoints members to committees, and each committee divides its members into subcommittees.

The Senators are determined by the number and types of committees they can participate in them. The main objective of a committee is to examine executive organizations regarding issues of public concern. Proceedings are arranged to gather information and opinions from experts who are not committee adherents. Amendments are also deliberated in committees and a committee's power grasps the passage of legislation. The committee frequently holds hearings on scheduled executions and investigations and they are referred to as oversight meetings.

6.3 Executive Accountability in the Senate of Pakistan

Numerous state institutions and their performance were discussed through motions under rule 218 in the house during the 2018-2019 parliamentary year. The House spent a significant period debating the country's failing healthcare system, and the house held an extensive debate on the topic of low gas pressure, the country's energy crisis, and the rise in the prices of petroleum products in the country, hence, keeping in mind the general public's problems. Apart from this, the house also discussed the devaluation of the Pakistani rupee in considerable detail. The issue of climate change, as well as the biological and environmental changes that have resulted, was extensively discussed in the House. Foreign policy was also a hot topic in the House, and there was a lot of discussion about it in light of the international conflicts that developed at the time (Senate of Pakistan Annual Report, 2018-19).

6.3.1 Energy Sector

Energy is not only a national issue it is global as well. Over recent decades, energy demand has increased rapidly. It has prompted states to handle it on regional and international levels through regional and transnational cooperation. International cooperation is critical in responding to global energy challenges such as securing energy supplies at competitive prices and reducing global greenhouse gas emissions.

Pakistan has been suffering from a severe energy crisis for some years. Load shedding has increased considerably in the last few decades across the country. Pakistan loses billions of rupees due to a persistent electricity shortage. Given the magnitude of the situation, Pakistan's Parliament has made several efforts in recent years to address it.

The Parliamentary Committee was in charge of overseeing the execution of various energy projects and acting as a link between provinces and the federal government (both trans-state and intra-state). It also played an important role in resolving a dispute over the CPEC's western route, bringing Gilgit Baltistan on board, ensuring that the Thar Coal Power Plant (TCPP) was operating, and ensuring that all provinces were included. It also suggested that trade with Afghanistan should be made easier and that Gwadar be connected to Central Asian countries. For the objective of exploring energy resources, Senator Sassui Palijo interrogated through a question

“Will the Minister for Energy (Petroleum Division) be pleased to state: (a) the details of oil exploration companies working in the country at present; (b) whether M/S ExxonMobil is still drilling to explore oil reserves in the deep sea or otherwise; and (c) whether there is any proposal under consideration of the Government to allow new blocks in the deep sea for oil exploration to any company if so, the details thereof?” (Senate of Pakistan Debate, 2016).

In 2016, “Senator Saleem Mandviwala, Dr. Jehanzeb Jamaldini, Senator Mian Muhammad Ateeq Shaikh, and some other Senators” drew the attention of the “Minister for Water and Power” on the following issues: The country's depleting water resources, notably in Baluchistan, pose the greatest threat to the people in general and the agricultural and industrial sectors in particular.; the Federal Government issued frequent pronouncements in the print and electronic media supporting the development of the “Kala Bagh Dam” despite the Khyber Pakhtunkhwa's a flood warning. The Federal Government has cut 50% of the cash allocated to the “Federal Flood Commission's” (FFC) quotas in the range of Rs. 250 to 300 billion. The current creation of fresh circular debt has touched the range of Rs. 250 to 300 billion (Senate of Pakistan debates, 2016).

Moreover, Senator Chaudhary Tanvir Khan, in 2017, called the attention of the “Minister of Water and Power” to the fact that energy bills were due on the last days of every month, generating challenges for the general public, particularly salaried people with low income. Senators “Syed Shibli Faraz, Nauman Wazir Khattak, and Mohsin Aziz” attracted the attention of the Minister for Water and Power to the rising circular debts owed by Independent Power Procedure (IPPs) as well as the fear that such IPPs would use legal

remedies to seek sovereign guarantees (Senate of Pakistan debates, 2017). In 2019, Senator Dr. Jehanzeb Jamaldini interrogated the Ministry of Energy by using question hour.

“Will the Minister for Energy (Power Division) be pleased to state the details of the increase made in electricity tariff during the last year with a month-wise breakup; indicating also the reasons for the same?” (Senate of Pakistan debates, 2019).

Senator Muhammad Talha Mahmood introduced a resolution. The Senate of Pakistan overwhelmingly passed the resolution on Monday, January 22, 2018. “The House recommends that the Government should take necessary steps to control the lowering of Water Table in the country”.

The Senators namely “Col. (R) Syed Tahir Hussain Mashhadi and Sirajul Haq called the attention of the “Minister of Water and Power to Karachi Electric Supply Company” (K-Electric) and Distribution Companies' excessive billing of customers. In the same domain, Senator Mian Muhammad Ateeq Shaikh asked a question.

“Will the Minister for Energy (Power Division) be pleased to state; (a) the number of hydropower projects completed in the county since 2010 indicating also the number of ‘run of the river’ projects out of the same with location wise break up; (b) whether it is a fact that Pakistan has only utilized 16.25% of its total hydropower potential so far; and (c) whether the Government has identified the areas/locations with hydropower potential in the country including Azad Jammu and Kashmir and Gilgit Baltistan (GB), if so, the details thereof?”(Senate of Pakistan Debate, 2012).

Similarly, the energy projects under the cover of the CPEC are the most visible in terms of alleviating energy shortages through trans-state collaboration. In September 2015, a Parliamentary Committee on CPEC was established to guarantee that these projects are finished on time. Also, senators have employed the tool of an adjournment motion to draw the government's attention to several urgent problems, such as the increase in gasoline prices. To name a few, petroleum goods, news stories, CPEC concerns, the current account deficit, antibiotic use, and the cost of life-saving drugs are addressed (Parliamentary Committee on CPEC Report, 2015).

6.3.2 Issues Related to Issuance of Passport

Overseas Pakistanis have been facing a lot of problems regarding the issuance of passports and computerized national identity cards (CNIC). The aforesaid problems are being faced within Pakistan as well as in the embassies of Pakistan in other countries. These issues have been raised from time to time in the Pakistani parliament. The members of the Senate of Pakistan have also been made accountable for the concerned ministry by using different tools of executive accountability. They are made accountable to the ministry of interior by asking questions, moving calling attention notices, moving resolutions, moving adjournment motions, and taking the matters to the committees.

Senator Lt. Gen. (R) Abdul Qayyum wrote to the Minister of Interior in 2016 to express his dissatisfaction with the delay in reorganizing and raising civil armed forces to handle border management problems and security concerns in both war and peace. Senator Muhammad Usman Khan Kakar wanted to draw attention to the Pakistan Embassy in Qatar's delay in renewing passports and CNICs, which was causing problems for overseas Pakistanis in Qatar. He also drew attention to the "non-establishment of passport offices in "Districts Musakhel", "Ziarat", and "Harnai", even though staff had been hired for the offices, as well as the non-functioning of passport offices in numerous districts of "Balochistan", including "Qilla Saifullah", which are causing serious problems for the people" (Senate of Pakistan Debates, 2016). Another Senator brought up the issue of Pakistani nationals from FATA, Khyber Pakhtunkhwa, and Balochistan having their CNICs blocked, which was causing discrimination among the people in those areas. Senator Nuzhat Sadiq asked a question to the concerned ministry in 2021.

"Will the Minister for Interior be pleased to state: (a) whether it is a fact that the National Database and Registration Authority (NADRA) had collected Rs. 510 million from people on account of Registration for NAYA Pakistan Housing Program, if so, the details of the amount retained by the NADRA with head wise utilization of the said amount and those transacted to Pakistan Housing Authority; and (b) whether it is also a fact that the amount retained by NADRA had not been audited, if so, reasons thereof and if yes, details thereof?" (Senate of Pakistan Debates, 2021).

Additionally, Senator Mohammad Azam Khan Swati was supposed to draw the attention of the Minister of Interior to ISIS' assertion that they executed two Chinese labourers who were kidnapped in June 2017, and the Foreign Office's confirmation of that claim, which was reported in print media on October 31, 2017. Senator Karim Ahmed Khawaja, on his behalf,

and Senators Col. (R) Syed Tahir Hussain Mashhadi, Mian Muhammad Ateeq Shaikh, Rozi Khan Kakar, and Farhatullah Babar, on behalf of the Hazara Community of Balochistan, drew the attention of the Minister for Interior to the 70,000 people who have fled to Australia, Indonesia, New Zealand, and other countries due to persecution (Senate of Pakistan Debate, 2017).

Furthermore, Senator Muhammad Azam Khan Swati was to draw attention to NADRA's recent increase in thumb impression verification fees, which will affect election candidates applying for such verifications in their respective constituencies due to suspicions of rigging. Senator Kalsoom Perveen has drawn the attention of the Minister of Interior to the compulsory acquisition of land in District Islamabad's Mozahs Tamma and Mohrian against the will of the landowners, which could lead to a law-and-order crisis.

6.3.3 Issues of Capital Islamabad Development

The capital, Islamabad, is the ninth largest city in Pakistan. The government approved Islamabad as the capital in 1967. After the approval of the capital city, a large part of the population started a migration towards Islamabad. This huge human migration caused many problems in the entire city regarding accommodation and fundamental rights. Because of the capital city, foreigners also reside here, and the sensitivity of the city has increased.

A large number of factories have been established in Islamabad to raise the city's economic level. These factories mostly create items that emit extremely hazardous gases as by-products. Such factories are unconcerned about the environment and emit harmful pollutants into the atmosphere. These emitted gases are extremely damaging to the local people and flora. Furthermore, the solid and liquid waste materials created in such factories are washed into the waters surrounding Islamabad, causing many people to contract water-borne ailments. The government pays no attention to the rising pollution levels in Islamabad. It does not take any of the necessary efforts to reduce or regulate pollution. The garbage generated by hospitals is far too hazardous. It is teeming with viruses and bacteria that can infect people and cause a variety of illnesses. As a result, such trash must be processed before being disposed of.

Moreover, the majority of individuals are unconcerned with the environment in which they live. People discard their waste on the streets without being rational about it, which releases a foul odour and causes diseases. It also enhances the reproduction of insects, including mosquitoes. Plants are critical for keeping the environment clean and fresh. Green plants emit oxygen, which is consumed by animals. Furthermore, the plants help to maintain a constant temperature in space by combating heat. Transportation has grown more efficient and affordable, but vehicles emit extremely hazardous gases, which mix in the air and generate

pollution. Furthermore, because Islamabad is a hilly terrain, car tires quickly emit black smoke in addition to other exhaust emissions.

Besides, Pakistani senators had been held accountable to the federal government for the sacking of Islamabad's development. They used all of the tools of executive accountability, such as asking questions, issuing notices, proposing resolutions, and making adjournment motions. The tactic of calling attention to notice was used in the Pakistani Senate to hold the government responsible. The significant challenges in Islamabad's capital were taken into account, and senators issued several calling attention notices between 2016 and 2021. They brought the consideration of the relevant ministry to several issues in the capital city.

Evidently, “Senator Muhammad Azam Khan Swati”, “Hafiz Hamdullah”, “Col. (R) Syed Tahir Hussain Mashhadi”, and Mian Muhammad Ateeq Shaikh drew the attention of the “Minister for Capital Administration and Development Division” (CADD) to media reports about the “National Police Foundation's” involvement in China Cutting as it converted residential plots into commercial plots and an unfortunate incident of rape committed by a male nurse on a female patient admitted. When PIMS was upgraded to a medical university in 2013, the government was unable to fill 600 vacancies for doctors, nurses, paramedics, security workers, and other professionals. Senator Chaudhary Tanvir Khan asked a question,

“Will the Minister for National Health Services, Regulations and Coordination be pleased to state: (a) whether it is a fact that the patients suffering from Hepatitis are being provided free treatment and medicines in the Public Hospitals in the Islamabad Capital Territory (ICT), if so, the details thereof with Hospital wise break; and (b) whether there is any proposal under consideration of the Government to further improve the provision?” (Senate of Pakistan Debate, 2013).

Thus, the issue of a lack of transportation and other basic amenities such as washrooms, boundary walls, power, and clean water in most government institutions under the executive supervision of the “Capital Administration and Development Division” was also taken up. Senators Hafiz Hamdullah and Mian Muhammad Ateeq Sheikh brought the Minister for Capital Administration and Development Division's attention to the significant water shortages in Islamabad's diverse sectors.” Senator Nehal Hashmi” raised the issue of exorbitant fees paid by private educational institutions in the “Islamabad Capital Territory” with the “Minister for Capital Administration and Development Division” in 2017. Senator Shehar Kamran brought attention to the fact that the Azad “Jammu” and “Kashmir” territory is referred to in course textbooks as the "Pakistani occupied area of Jammu and Kashmir" in

private educational institutes in Islamabad, which was very unacceptable and against the national concerns (Senate of Pakistan Debate, 2017).

Senator Sherry Rehman called the attention of the “Minister for Capital Administration and Development Division” to a media claim that health facilities in the Islamabad Capital Territory were using tainted blood for transfusions. Even though the “Pakistan Environment Protection Agency” (Pak-EPA) had blocked the steel mills five months ago, Senator Sherry Rehman drew the attention of the “Minister for Climate Change” to the air pollution created by them in the Federal Capital” (Senate of Pakistan, 2019). Senator Sitara Ayaz proposed a resolution on the aforementioned issue, which was voted to pass by Pakistan's Senate in 2019.

“This House recommends to the Government to acquire/take possession of all the land in Zone-I, Islamabad, earmarked for green belts in the master plan, and make plantation on the same irrespective of its present status of development” (Senate of Pakistan, 2019).

In response, “Senator Col. (R) Syed Tahir Hussain Mashhadi” illustrated the attention of the “Minister for Capital Administration and Development Division” in the same year to the operation of about a hundred guest houses, private educational institutes, media houses, and hostels in residential areas of the Islamabad Capital Territory, despite the Supreme Court of Pakistan's two-year ban on such business activities in those zones. He also called attention to the illegal surge in monthly tuition fees by private schools in the Islamabad Capital Territory, as well as the non-reconstruction of Burma Pull, which was damaged in 2011 and was located on Lehtrar Road in Islamabad. He called attention to the filling of bourns with sand and the shrinking of tiny streams by the land mafia in Islamabad to acquire free property (Senate of Pakistan Debate, 2019).

Senator Mohsin Aziz, in the meantime, attracted the attention of the “Minister of Interior” to the misappropriation of billions of rupees in the Federal Capital's cooperative housing societies, as well as the government's efforts to recover the funds from defaulters and remit them to the affected parties. Senator Muhammad Javed Abbasi had drawn the attention of the “Minister for Capital Administration and Development Division to the Capital Development Authority” CDA's alleged deliberate negligence and non-application of the building code and civic regulations in Islamabad, specifically unauthorized construction in Sector H-13 and high-rise buildings in and around Sector E-11 (Senate of Pakistan Debate, 2019). Senator Syed Shibli Faraz questioned the “Minister for Capital Administration and Development Division” about the documented population of Islamabad, which was more than two million according to the 2017 Census, although there are only two government hospitals in

Islamabad, namely the “Federal Government Services Hospital” (FGSH) and the “Pakistan Institute of Medical Sciences” (PIMS), to meet the medical needs of the city's residents. In this regard, Senator Rubina Khalid interrogates the ministry by using the tool of question.

“Will the Minister for National Health Services, Regulations and Coordination be pleased to state: (a) is it a fact that the Magnetic Resonance Imaging (MRI) Machine(s) in PIMS Hospital are out of order for the last several months; and (b) the time by which the said machine(s) will be made functional for the patients?” (Senate of Pakistan Debate, 2019).

Moreover, Senator “Col. (R) Syed Tahir Hussain Mashhadi”, came to the attention of the “Minister for Capital Administration and Development Division” about the non-operation of the Liver Transplant Center of the “Pakistan Institute of Medical Sciences” (PIMS) due to a lack of trained liver transplant surgeons, hepatologists, anaesthetists, and Intensive Care Specialists the following year (2018). In summing up, Senator Muhammad Javed Abbasi called the attention of the Minister of Interior in 2019 to the plight of the displaced people of “Quaid-e-Azam University” land, who were promised by the “Capital Development Authority” (CDA) to be housed in model villages but have yet to be accommodated (Senate of Pakistan Debate, 2019).

He challenged the deteriorating state of the weekly bazaar's access and exit roads in H/9 Sector Islamabad, as well as the lack of parking space for tourists. Senator Karim Ahmed Khawaja has drawn the attention of the “Minister for Capital Administration and Development Division” to the failure of the “Private Educational Institutions Regulatory Authority” (PIERA) to control the behaviour of private educational institutions' administration in Islamabad, citing the incident of detaining a 10-year-old girl student in a dark room for two hours and then expelling her from the school one month before the examination. Senator Fawzia Arshad in 2021, asked a question to the concerned ministry for exploring the number of private and government schools in Islamabad.

“Will the Minister for Federal Education, Professional Training, National Heritage and Culture be pleased to state the total number of Government Primary and, Secondary Schools in Islamabad?” (Senate of Pakistan Debate, 2021).

Senators namely “Mian Muhammad Ateeq Sheikh” and “Col. (R) Syed Tahir Hussain Mashhadi” also wrote to the “Minister of Interior and Narcotics Control” in the same year, requesting that non-development funds be released to the newly established “Islamabad

Metropolis Corporation”, which is nearly non-functional as a result of the delay (Senate of Pakistan Debate, 2021). On the matter above, the capital of Pakistan, Senator Haji Hidayatullah Khan, inquired a question.

“Will the Minister for Interior be pleased to state: (a) the steps being taken by the Government to collect waste/garbage from all the Sectors of Islamabad; and (b) whether any landfill site for the proper disposal of the garbage exists in Islamabad Capital Territory, if so, it's location-wise detail?” (Senate of Pakistan Debate, 2021).

Senators “Mir Kabeer Ahmed Muhammad Shahi”, “Ahmed Hassan”, and “Mohsin Aziz's” had written to the Adviser to the “Prime Minister on Foreign Affairs” to draw his attention to the ministry of interior’s cancellation of visas for Turkish teachers and staff of Pak-Turk Schools. In terms of executive accountability, the year 2017 was progressive. In the Pakistani Senate, various calling attention notices were issued. Senator “Col. (R) Syed Tahir Hussain Mashhadi” called the “Minister of Interior and Narcotics Control's” attention to the illegal sale of unsanitary milk laced with chemicals, both in open and packed form, in Islamabad. He also brought the notice of the “Minister of Interior to the Metropolitan Corporation Islamabad” (MCI) for spending Rs 15 million on sub-standard horticultural machinery and equipment in violation of the “Public Procurement Regulatory Authority” (PPRA) Rules. He called the “Minister of Interior and Narcotics Control's” attention to the FIASCO of 70 water pumps and 13 water tankers, as well as Islamabad's overall water scarcity, which is estimated to be 21 million gallons per day (Senate of Pakistan debates, 2017).

Senators Shahi Syed, Mir Muhammad Yousaf Badini, Muhammad Yousaf, and Saleem Mandviwalla brought the Minister of Interior and Narcotics Control's attention to the nonfunctioning tube wells and water filtration plants erected in various areas of Islamabad. Senator “Sardar Muhammad Azam Khan Musakhel” introduced a resolution in this regard, which was passed in the house by the Senate of Pakistan on Monday, April 9, 2018.

“This House recommends that the Government should take necessary steps to allocate funds in the Public Sector Development Program (PSDP) for the opening of new Passport Offices in all provinces of the country and ensure recruitment of required staff for the same” (Senate of Pakistan debates, 2018).

Senator “Mian Muhammad Ateeq Shaikh” drew the attention of the “Minister of Interior” to the sale of medicines at 25% higher prices in “Al-Shifa International Hospital, Islamabad”

and Senator Sherry Rehman drew the attention of the Minister of Interior to the incident of a fire breaking out in Awami Markaz, Islamabad, resulting in the loss of two precious lives and the destruction of crucial official records, indicating that there was neither an “Information Technology (IT-Park) Park” with fire safety procedures (Senate of Pakistan Debate, 2018).

Senator “Sardar Muhammad Azam Khan Musakhel” called for the “Minister of Interior’s” attention to the CDA’s anti-encroachment operation in Karachi, which targeted exclusively poor pushcart drivers. Senator Mian Muhammad Ateeq Shaikh was supposed to bring the” Minister of Interior’s” attention to the building work on the expressway from Zero Point to Rawat in Islamabad being halted (Senate of Pakistan Debate, 2018). Senator Muhammad Javed Abbasi issued a calling attention notice in 2019 to draw the attention of the Minister of Interior to the plight of the displaced residents of “Quaid-e-Azam University” land, who were promised housing in the model villages by the “Capital Development Authority” (CDA) but have yet to be accommodated. The Minister of State for Revenue, Mr. Muhammad Hammad Azhar, gave a statement, and the calling attention notice was consequently disposed of. Senator Fawzia Arshad recently brought to the attention of the Minister of the Interior CDA’s failure to develop Sector I-12 since its foundation more than three decades ago. The Mover made a statement about the CAN’s topic matter (Senate of Pakistan Debate, 2019).

6.3.4 Education Sector

“Education is the backbone of political, social, and economic prosperity in any nation. Realizing the nation’s goals is made possible through a functioning educational system. Pakistan has had significant educational problems since it was founded because it is a developing nation. The goals of the country were not achieved by the educational system. Undoubtedly, Pakistan is currently facing a variety of problems, such as poverty, instability, sectarianism, and terrorism (Ahmad, Rehman, Ali, Khan, & Khan, 2014). An insufficient educational system made intolerance, a lack of public understanding, and illiteracy worse”.

The importance of education has been undervalued in Pakistan. It led to little advancement in all facets of life. Education has been viewed as a requirement for second-class citizens. The budget allocated to education has been the smallest since Pakistan’s founding. The cornerstone of greatness in the educational system was undermined by this measure. As a result, the educational system has not been able to improve the nation’s social, political, or economic conditions. Despite the adoption of more than 25 educational initiatives, the educational system has remained unchanged for more than 50 years (Ahmad, Rehman, Ali, Khan, & Khan, 2014).

The House of federation (Senate) identifies that higher education is the right of every citizen and the provision of the same is the central and constitutional concern of the State and the executive. The House, therefore, demands that the executives should take immediate steps to provide Rs. 21 billion more to the “Higher Education Commission” (HEC) to enable the Universities to overcome their financial crisis” (Senate of Pakistan Debate, 2021).

The members of Pakistan's Senate worked assiduously to solve the country's educational difficulties. They applied all of the oversight tools and techniques. Senators used the tool of "Call to Attention" to hold executives accountable in the education sector. Senators Mir Kabeer Ahmed Muhammad Shahi, “Saleem Mandviwala”, “Mohsin Aziz”, “Kamil Ali Agha”, “Islamuddin Shaikh”, “Muhammad Mohsin Khan Leghari”, and Senator “Sassui Palijo”, drew the attention of the “Minister for Federal Education and Professional Training” to the discontinuation of the “Prime Minister's Scholarship Program”, which denied Balochistan students the opportunity to study in higher educational institutions (Senate of Pakistan Debate, 2017).

Senator Khushbakht Shujat introduced a resolution that was unanimously passed by Pakistan's Senate in 2019.

“This House recommends to the Government to take necessary steps to include the subject/program of Road Safety Awareness in the curriculum of educational institutions under the administrative control of the Federal Government” (Senate of Pakistan Debate, 2019).

Senators “Col. (R) Syed Tahir Hussain Mashhadi, Ayesha Raza Farooq, Sassui Palijo, and Mir Kabeer Ahmed Muhammad Shahi” drew the attention of the “Minister for Inter-Provincial Coordination” and “Minister of State for Federal Education and Professional Training” in 2017 to the “Capital Development Authority” (CDA) renting out an inn called "Sarai-i-Awam" in sector G-7, Islamabad, to the “National Accountability Bureau” (NAB), Similarly, they brought attention to the “Inter Board Committee of Chairmen” (IBCC) issuing equivalence certificates to O and A level students, which is discriminatory and has negative consequences for those students when applying for further education in the country (Senate of Pakistan Debate, 2019).

In addition, the management of “Quaid-e-Azam University”, Islamabad, has drawn attention to the rustication of students from Sindh and Balochistan. In 2018, Senator “Mian Muhammad Ateeq Shaikh” moved a Calling Attention Notice regarding the establishment of the Faiz Ahmad Faiz Library in Islamabad (Senate of Pakistan Debate, 2018). Senator

Mushahid Hussain Sayed drew the attention of the Minister for “Federal Education, Professional Training, and National Heritage and Culture” in 2021 regarding the repatriation of two hundred teachers who were on deputation under the government of Pakistan's wedlock policy (Senate of Pakistan debates, 2021).

Senator Rubina Khalid's motion under Rule 218 came up for consideration during the debate on the issue of reviving student unions in the country's educational institutions (Daily Synopsis Senate of Pakistan, 2017). The House recognized the importance of the problem and agreed to convene a committee of the whole to explore and report in accordance with Rule 172 A of the Senate Rules and Procedures and Conduct of Business, 2012. As a result, the Senate shaped a committee of the whole to study a proposal made by the House leader to "the need to revive student unions in the country's educational institutions, particularly colleges and universities" (Annual Report Senate of Pakistan 2017-18).

6.3.5 Health Sector

The healthcare sector faces serious difficulties as a result of disease epidemics. Lack of basic healthcare facilities, inadequate health policies, poor management, and a public uninterested in broad preventative measures all contribute to the situation getting worse (Jaffery, 2020). Pakistan's parliament also played a noteworthy role in handling health-related issues. The upper house of Pakistan (Senate) has also been playing a vigorous role in making the concerned ministry accountable. The members of the senate have been using all the accountability tools in the house. Using the technique of "calling attention" notifications, members of Pakistan's Senate kept the Ministry of National Health Services accountable. Senator “Mian Muhammad Ateeq Shaikh” called on the concerned ministry in 2016 to the “Drug Regulatory Authority of Pakistan's” (DRAP) decision about an 8% increase in medicine prices and the negative impact on drug efficacy due to pharmaceutical companies' failure to maintain temperature during drug transportation” (Senate of Pakistan Debates, 2016). Senator Mian Muhammad Ateeq Shaikh introduced the resolution on a critical issue in the health sector, which was originally passed by the Senate of Pakistan in 2018. “This House recommends that the Government should reduce the prices of life-saving drugs in the country” (Senate of Pakistan Debates, 2018).

Moreover, Senator Mian Muhammad Ateeq Shaikh introduced another resolution on a critical issue in the health sector, which was originally passed by the Senate of Pakistan in 2019.

"This House recommends that the Government should ensure the availability of essential lifesaving medicines in the hospitals under the administrative control of the Federal Government and should also make it mandatory for

the administration of those hospitals to display the lists of such medicines for the information of the general public” (Senate of Pakistan Debates, 2019).

It should be noted in another calling attention notice in which he drew attention to the non-functioning of medical lab technology colleges due to a shortage of teachers, equipment, and basic facilities. Senators Mian Muhammad Ateeq Sheikh, Mohammad Azam Khan Swati, and Sheher Bano Sherry Rehman wrote to the “Minister of National Health Services Regulations and Coordination” in July 2016 to convey their concerns about the mismanagement of tuberculosis (TB) treatment in public hospitals and TB centers working under the ‘National Tuberculosis Control Program’ (NTBP), as well as the country's anti-TB medicine shortage” (Senate of Pakistan Debates, 2016). In the same year, Senator Col. (R) Syed Tahir Hussain Mashhadi drew the attention of the “Minister of National Health Services Regulations and Coordination” to the “Drug Registration Board's” (DRB) notification of a 2% increase in 80,000 registered drugs and medicines, which would result in shortages and overpricing of life-saving drugs in the country. He also drew the attention of the concerned Minister to the fact that 12,000 people tested positive for hepatitis C at PIMS in the previous year, a 20% increase over the previous year, and the difficulties such patients encounter in receiving treatment at “PIMS Hospital” (Senate of Pakistan Debates, 2016). Senator Mian Muhammad Ateeq Shaikh introduced another resolution on a critical issue in the health division, which was formerly passed by the Senate of Pakistan in 2020.

"This House recommends that the Government should take necessary steps to establish State of Art Trauma Centres in all hospitals under the administrative control of the Federal Government" (Senate of Pakistan Debate, 2020).

Adding to the above point, the “Minister of National Health Services Regulations and Coordination” in 2017 was challenged by Senator Col. (R) Syed Tahir Hussain Mashhadi to the lack of nutrition and health services for children under the age of five, as well as an increase in the country's child mortality rate. He also brought attention to the non-availability of life-saving drugs such as “Florinef tablets”, “Hydrocartizan”, and anti-T.B. medicines across the country, notably in Islamabad, in another calling attention notice” (Senate of Pakistan Debates, 2017). In the same year, he also drew the attention of the “Minister of National Health Services Regulations and Coordination” on the rise of the "Human Immunodeficiency Virus’ (HIV)/ “Acquired Immunodeficiency Syndrome” (AIDS) epidemic disease. He referred to a recent survey in which it was pointed out that Pakistan appeared among the countries where the number of HIV patients had been rising and the disease pattern was changing” (Senate of Pakistan Debates, 2017).

Senator Sherry Rehman called the attention of the “Minister for Capital Administration and Development Division” in February 2017 to a media claim that tainted blood was being used by health facilities in the “Islamabad Capital Territory” (ICT) for blood transfusions” (Senate of Pakistan Debates, 2017). Senator Mian Muhammad Ateeq Shaikh introduced another resolution on a critical issue in the health division, which was formerly passed by the Senate of Pakistan in 2020.

"This House recommends that the Government should take immediate steps for prevention of epidemic infectious diseases like Influenza viruses types A, B and C, and Diphtheria in the winter season in Islamabad Capital Territory and to issue specific directions to the public sector hospitals in this regard" (Senate of Pakistan Debate, 2020).

Similarly, Senator Sherry Rehman called the attention of the “Minister for Climate Change” to a “World Health Organization” (WHO) report in June 2017 that listed Pakistan as the fourth worst country afflicted by air pollution” (Senate of Pakistan Debates, 2017). Senator Mir Kabeer Ahmed Muhammad Shahi drew the attention of the “Minister of National Health Services, Regulations, and Coordination” to the deaths of five newborns in the “Khyber Agency” following polio vaccinations in the same year. The attention of the Minister of National Health Services, Regulations, and Coordination was drawn to a “World Health Organization” (WHO) report on the governance in Pakistan's public pharmaceutical sector, in which the registration of medicines, inspection, market control of manufacturers, distribution of medicines, clinical trials, and procurement are all vulnerable to corruption, which is alarming because no written guideline, policy, or procedure exempts these activities” (Senate of Pakistan Debates, 2017).

In 2018, Senator Aurangzeb Khan on behalf of Senators Hillal Ur Rehman, Sajjad Hussain Turi, Haji Momin Khan Afridi, and Hidayat Ullah drew the attention of the "Minister for National Health Services Regulations and Coordination" to various medical colleges' noncompliance with the indigenous scholarship programme for students from Balochistan and FATA" (Senate of Pakistan Debates, 2018). In 2019, Senator "Ayesha Raza Farooq" drew the attention of the "Minister for National Health Services Regulations and Coordination" to the mounting number of polio cases and the frequent detection of the poliovirus"(Senate of Pakistan Debate, 2019).

Senators Sherry Rehman and Mushtaq Ahmed drew the attention of the "Minister of National Health Services, Regulations, and Coordination" in July 2020 to the government's 10% rise in drug prices"(Senate of Pakistan Debates, 2020).

Senator Mushtaq Ahmed, on behalf of Senators Sassui Palijo, Nuzhat Sadiq, and Rana Mahmood Ul Hassan, brought the recent increase in drug prices to the notice of the "Minister for National Health Services, Regulations, and Coordination" (Senate of Pakistan Debate, 2020). Debate Senator Muhammad Javed Abbasi has drawn the attention of the "Minister of National Health Services, Regulations, and Coordination" to the unregistered pharmacies and medical stores operating in Pakistan without properly qualified and licenced pharmacists, citing the "Pharmacy Council of Pakistan's" dysfunctional status since September of this year. On the subject, the mover issued a lengthy declaration" (Senate of Pakistan Debates, 2020). In 2021, Senator Ayesha Raza Farooq, on behalf of Senator Sherry Rehman urged the "Minister of National Health Services Regulations and Coordination" to pay attention to the government's coronavirus disease (COVID-19) immunization plan to provide early and fair access to the vaccine" (Senate of Pakistan Debate, 2021).

Pakistan has been experiencing the third wave of the COVID-19 epidemic since the last week of February 2021. In February 2020, the country reported its first case of "COVID-19", almost a year ago. To prevent the pandemic from spreading further, the government declared and executed measures, including travel restrictions, the closure of educational institutions, a ban on public events, and various levels of lockdown. The measures were mostly in place until August 2020, a month after the initial wave had passed" (Senate of Pakistan Debate, 2021). Numerous resolutions were submitted to the Senate of Pakistan and were debated. Thanking Chains for Supporting Pakistan in the Corona Virus Crisis (Senate of Pakistan Annual Report, 2020-21).

6.3.6 Finance, Revenue and Economic Affairs

Pakistan's Parliament, particularly the Upper House, has also played a critical role in addressing all ongoing and developing financial crises, including balance of payment, fiscal deficit, and loan issues. There is a lot of data that shows that Members of the Upper House were quick to respond to the economic crisis by quickly taking up all associated matters utilizing parliamentary techniques and devices, including Question Hour, Motions under Rule 218, Points of Public Importance, plenary discussions, and so on. "Alarming increase in local and foreign loans"; "steps are taken to repay the loans"; "sources of funds used in terrorism"; "foreign loans and their utilization"; "escalation in circular debt"; "Impact of Circular Debt".

Senator Dr. Jehanzeb Jamaldini got the attention of the "Minister of Finance, Revenue, and Economic Affairs" in 2017 to the fact that Phase II of the National Savings automation project would be completed by the end of September 2017, resulting in the loss of 300 employees with expertise in the relevant field, whose services could be utilised in Phase-III of

the project, which is set to begin shortly. The Calling Attention Notice was disposed of by Mr. Zahid Hamid, “Minister for Law and Justice”, who delivered a statement on the subject matter of the notice on behalf of the “Minister of Finance, Revenue, and Economic Affairs” (Senate of Pakistan Debates, 2017).

Meanwhile, Senator Muhammad Ayub drew the attention of the “Minister of Finance, Revenue, and Economic Affairs” to the non-payment of Rs. 100 billion to the combined territories of FATA and Khyber Pakhtunkhwa, as promised by the government in the shape of a tribal district uplift package. Following the Chairman's disposition of the Calling Attention Notice, “Mr. Muhammad Hammad Azhar”, “Minister of State for Revenue”, gave a remark” (Senate of Pakistan Debates, 2020).

Senator Sassui Palijo also described the “Minister of Finance, Revenue, and Economic Affairs” the Federal Government's freshly reported decision to establish a high-powered tax commission to reclaim powers from the provinces to collect GST on services, tax agriculture income, and set unified real estate valuation rates. The “Minister of State for Parliamentary Affairs”, Mr. Ali Muhammad Khan, responded on behalf of the Minister of State for Revenue, and the Calling Attention Notice was dismissed” (Senate of Pakistan Debates, 2020). Senator Mushtaq Ahmed called the attention of the “Minister of Finance, Revenue, and Economic Affairs” to a report published in newspapers on March 26, 2019, by the State Bank concerning an increase in the cost of essential products before Ramadan” (Senate of Pakistan Debates, 2020). Because Mr. Muhammad Hammad Azhar, Minister of State for Revenue, gave a statement, the Calling Attention Notice was dismissed” (Senate of Pakistan Debate, 2017).

6.3.7 Communication Sector

A developing country Pakistan has a lot of concerns related to the communication sector. The members of the parliament of Pakistan specifically members of the senate of Pakistan raised the issues. Senator “Muhammad Talha Mehmood” aroused the attention of the “Minister of Communications” in 2016 to the remaining stretch of 8 km of Khanpur road by NHA, which caused residents in the region to become stranded during recent rains” (Senate of Pakistan Debates, 2016). Likewise, Senator Mian Muhammad Ateeq Shaikh tried to divert the attention of the “Minister In-Charge of the Cabinet Division” to the blocking of nearly 400,000 websites by the “Pakistan Telecommunication Authority” (PTA) because they contain pornographic material, even though the vast majority of them do not (Senate of Pakistan Debate, 2016).

Similarly, Senator Samina Abid wrote to the “Minister of Information Technology and Telecommunications” to direct her concern about the job security of teachers and employees of the “Colony Boards and T & T Colony Haripur”, handed over to the “National Radio and Telecommunication Corporation” (NRTC) and “Pakistan Telecommunication Company Limited” (PTCL), respectively. She also drew attention to the job security of teachers and personnel of Colony Boards and T & T Colony Haripur, both of which were abolished with effect from January 1, 2018” (Senate of Pakistan Debates, 2018).

Senator Syed Shibli Faraz drew the attention of the “Minister of Communications in 2017” to the non-completion of the “Takht Bhai Fly Over Project” in the province of Khyber Pakhtunkhwa” (Senate of Pakistan Debates, 2017). Sheikh Aftab Ahmed, Minister for Parliamentary Affairs, gave a statement. Senator Mohsin Aziz attracted the attention of the Minister of Communication in 2018 to the bouncing of cheques by contractors working on various “CPEC projects”, including road construction projects on the Western route, which created unwarranted delays in their completion. The Prime Minister's Adviser on Parliamentary Affairs delivered a remark in this regard, and the Calling Attention Notice was accordingly disposed of” (Senate of Pakistan Debates, 2018).

Moreover, Senator Prof. Dr. Mehr Taj Roghani raised the attention of the Minister of Communications in 2019 to the lack of essential amenities in mosques and restrooms at the Swabi Interchange rest area/service station. The calling attention notice was disposed of after Mr. Ali Muhammad Khan, “Minister of State for Parliamentary Affairs”, gave a closing statement. Senator” (Senate of Pakistan Debates, 2019). Mohsin Aziz introduced a Calling Notice Notice in 2021 to attract the Minister of Communications' attention to the bad condition of the Burhan-Shah Maqsood Section of the Hazara Motorway, which was prone to accidents and car damage” (Senate of Pakistan Debates, 2021).

6.3.8 Parliamentary Affairs

The ministry of parliamentary affairs was established in 2012 to facilitate the federal government in forming smooth parliamentary affairs. Another goal of the newly established ministry was to run the parliamentary business efficiently and in accordance with the constitution. The constitutional functions of the said ministry are vast. Most of the ministry's business has been done effectively while the parliamentarians raised their voices for the better functioning of the ministry. The members of the upper house of Pakistan also raised their voices by using various tools of executive accountability. They used the tools of executive accountability like asking questions, moving to calling attention notices, moving resolutions, scrutiny through committees and all others. Senator “Muhammad Mohsin Khan Leghari”

drew the attention of the “Minister of State for Parliamentary Affairs” in 2017 to the government’s failure to initiate the process of appointing new members of the “Election Commission of Pakistan” (ECP), even though the current members would retire in June 2016 (Senate of Pakistan Debate, 2017). The announcement was made by “Sheikh Aftab Ahmed”, minister of state for parliamentary affairs. The Notice of Calling Attention was discarded. Senator Lt. Gen. (R) Abdul Qayyum had written to the Minister of Parliamentary Affairs to express his dissatisfaction with the delay in finalizing and implementing much-needed electoral changes. The statement was given by Sheikh Aftab Ahmed, “Minister of State for Parliamentary Affairs”, and the notice was dismissed.

Likewise, Senators “Muhammad Azam Khan Swati and Mian Muhammad Ateeq Shaikh” drew the attention of the “Minister for Parliamentary Affairs” in 2018 to the alleged failure of the Result Transmission System (RTS) in the 2018 General Elections and the Election Commission of Pakistan's performance in this regard” (Senate of Pakistan Debates, 2018). Senator Mian Raza Rabbani raised a point of order over the topic of the “Calling Attention Notice” and the Member's manner of speaking on the subject. The point of order was dismissed by the Acting Chairman.

6.3.9 Foreign Affairs

The matters of state relations with the 'Global World' and of overseas Pakistanis-related issues were managed by the ministry of foreign affairs. The parliament of Pakistan has a check and balance over all the ministries. To make accountable the above-mentioned ministry, members of the upper house of Pakistan have used different tools of accountability within the house. Senator "Mian Muhammad Ateeq Shaikh" attracted the attention of the "Advisor to the Prime Minister on Foreign Affairs” in 2016 to the stranding of over one hundred Pakistani businessmen at Moscow Airport, which caused widespread public concern. He also brought up the stranding of twenty-two Pakistani people in Yemen as a result of the country's strife” (Senate of Pakistan Debates, 2016). Senator Mian Muhammad Ateeq Shaikh wrote to the Advisor to the “Prime Minister on Foreign Affairs” to draw his attention to the Rs. 2.32 billion corruption scandal that had surfaced in the foreign ministry, involving the embezzlement of large sums of money by ambassadors from funds set aside for education and welfare. Senator “Mushtaq Ahmed,” asked a question regarding the appointments of diplomats.

“Will the Minister for Foreign Affairs be pleased to state, the existing number of career diplomats, posted in the Pakistan 22 Mission abroad

indicating also the number of those from other departments, especially the retired armed force personals?” (Senate of Pakistan Debate, 2016).

Senators “Sardar Fateh Muhammad, Muhammad Hassani, Ilyas Ahmed Bilour, Muhammad Usman Khan Kakar, and Rozi Khan Kakar” drew the attention of the “Advisor to the Prime Minister on Foreign Affairs” in 2017 to the issuance of special hunting permits to the “Qatari Princes” for the hunting of the Houbara Bustard, and the Federal Government was ordered to provide security to the princes” (Senate of Pakistan Debates, 2017). Senator “Col. (R) Syed Tahir Hussain Mashhadi” brought to the attention of the “Advisor to the Prime Minister on Foreign Affairs” the Indian forces' recent cruelty in Indian-occupied Kashmir, as well as the efforts made by the Pakistani government to protect Kashmiris' rights. The Saudi authorities' statements about the Islamic Military Alliance were talked about by Senator “Farhatullah Babar” to the “Prime Minister on Foreign Affairs” to take action against terrorist organizations such as “ISIS” and “Al-Qaeda” (Senate of Pakistan Debates, 2017).

Likewise, Senator "Sehar Kamran" pointed out to the "Adviser of the Prime Minister on Foreign Affairs" the deaths of fifteen Indians in a recent US military massive ordnance air blast attack in "Afghanistan's Nangarhar Province". He protested Indian involvement in terrorist activities in the region in collaboration with the Taliban. She also drew attention to a statement made by the US Intelligence Chief during a meeting of the "US Senate Armed Services Committee", in which he stated that India may launch aggressive action inside Pakistan under the guise of stopping cross-border attacks. She also said the exchange of artillery shells on the "Line of Control" between India and Pakistan could result in direct conflict between the two nuclear powers" (Senate of Pakistan Debates, 2017).

Moreover, Senator Maulana Hafiz Hamdullah appealed to the “Minister of Foreign Affairs” attention to the discoveries revealed by “Central Intelligence Agency” (CIA) of American Agent Raymond Davis in his book "The Contractor. The book raised various issues about our institutions' capabilities. He also drew attention to the recent “Universal Periodic Review in Geneva”, where representatives from the United Kingdom and the United States of America stated that minorities in Pakistan are not independent and that Pakistan's blasphemy laws should be repealed because the punishments violate human rights” (Senate of Pakistan Debates, 2017). The Chairman postponed the Calling Attention Notice since the “Minister of Foreign Affairs” was out of the country for the Organization of Economic Cooperation (OIC) Summit. Senator Samina Saeed was supposed to alert the “Minister of Foreign Affairs” in 2018 about the selection of an inexperienced person as Ambassador to the United States, although there are complaints against him that are being investigated. She also alerted concerned ministers to the choice of an inexperienced individual as Ambassador to the United

States, even though there are complaints against him that are being examined” (Senate of Pakistan Debates, 2018). Senator “Muhammad Azam Khan Swati” and Senator “Mohsin Aziz” drew the attention of the “Minister of Foreign Affairs” to the unprecedented difficulties faced by Pakistanis living in Kuwait in obtaining visas. Senator Mian Raza Rabbani also called the attention of the “Minister of Foreign Affairs” to the Indian Foreign Minister's declaration that Kartarpur was not the road to discussion between Pakistan and India” (Senate of Pakistan Debates, 2018).

Similarly, Senator Keshoo Bai sought the attention of the “Minister of Foreign Affairs” to the imprisonment of a Pakistani High Commission official in India on January 14, 2019 (a blatant violation of the Vienna Convention on Diplomatic Relations). Senator Mir Kabeer Ahmed Muhammad Shahi called the attention of the “Minister of Foreign Affairs” to the Prime Minister of Pakistan's recent declaration in Tehran that terrorists had exploited the Pakistani land to carry out strikes against Iran” (Senate of Pakistan Debates, 2020).

Senator Mushtaq Ahmed brought the notice of the “Minister of Foreign Affairs” in 2020 to a sit-in organized by the Pakistan Hindu Council protesting the killing of a migrant Pakistani Hindu family in Jodhpur, India. The Minister for Foreign Affairs and Parliamentary Affairs, Makhdoom Shah Mahmood Hussain Qureshi, delivered a statement, and the “Calling Attention Notice” was withdrawn” (Senate of Pakistan Debates, 2020). The Leader of the Opposition also spoke about the problem, to which the Minister responded. Senator “Kauda Babar” drew the attention of the “Minister of Foreign Affairs” in 2020 to the delay in the construction of a Pakistan Consulate in Zahedan, Iran, which is causing hardships not only for the people who live along the border but also for the traders on both sides who require consular and visa services regularly. As a result, the “Calling Attention Notice” was discarded” (Senate of Pakistan Debates, 2020).

Moreover, the Committee of the Whole had an in-camera session on September 29, 2016, to hear a report from the government on the situation between Pakistan and India. The Committee was updated by Mr. Khawaja Muhammad Asif, “Minister of Defense”, and Mr. Sartaj Aziz, Adviser to the “Prime Minister on Foreign Affairs”, on the present situation between India and Pakistan and the government's response during an in-camera briefing. There was a lengthy round of questions and answers following the briefings. The committee were concerned about serious human rights violations in Indian-occupied Kashmir as well as recent episodes of “Line of Control” (LOC) violations by India (Senate Committee of Whole Report, 2016).

The Committee prepared policy guidelines that were presented to the Committee of the Whole on the 4th of October, 2016. The proposal was amended substantially by the Committee of the Whole, which unanimously approved it. The Committee of the Whole was established to develop policy recommendations given evolving regional realities, including those in which India participates. The Committee will include guidelines on India in its all-encompassing policy guidelines, which will cover all regional contexts. However, recent developments in India-Pakistan relations require the Senate of Pakistan: House of Federation to play a role in providing policy guidelines to the government in the current situation (Senate of Pakistan, 2016).

Secondly, the Trump administration's Afghan plan was revealed on August 22, 2017, and was one-sided, blaming Pakistan for the failure of US policy in Afghanistan. Despite high-level exchanges between Pakistan and the United States in the run-up to the policy announcement, such as between the American Congress (Senator McCain, Chairman of the Senate Armed Services Committee), the Commander in Chief of the Central Command, and the Assistant Secretary of State for South Asia, Pakistan's perspective had been ignored. Despite Pakistan's efforts on the ground, its influence has been diminished.

THE TERRITORIAL ROLE OF SENATE IN PAKISTAN

7.1 Introduction

The previous chapters discussed the legislative and executive roles of the Senate of Pakistan. The formation of the Senate of Pakistan had been protecting territorial integrity by addressing issues of underprivileged ones. This chapter systematically investigates the role of the Senate of Pakistan in the territorial issues of Pakistan. This role is available both in the forms of the initiative taken in the domains of legislation and executive accountability. Equally, the issues of territorial representation have been discussed in detail in this chapter. Examining and modifying government policies and legislation "are typical functions of the second chamber." The second chambers are critical in advocating for territorial concerns of federal bicameralism's components at the national level. However, there are several factors that significantly affect their performance. The second chamber is dominated, to varying degrees, by smaller federating units. According to some, the role of second chambers in defending the regional interests of minority federating units is subject to a degree of overrepresentation. The performance of the second chamber is also determined by the way members are selected. According to some, the first chambers established by state legislatures lack the "democratic legitimacy and hence genuine political authority" of directly elected ones. As a third component, the constitutional authority of the second chamber over the popular house has been acknowledged. The second chamber's strength directly affects the protection of smaller components. In most legislative federations, the second chamber is normally subordinate to the first chamber.

In modern federations, second chambers have received less attention to the institutional structure's function in their operations. When "executive and legislative powers" are united to form "a parliamentary executive," second chambers are seen to be subordinate to the first chambers. On the other hand, in federations with "separate executive and legislative powers," the second chamber plays a far bigger role. The distinctive advantage of the territorial model is that it provides separate powers to the upper house. While the lower house represents the citizens and the upper house represents the territorial units, It turns out that, from many aspects, both houses look quite different, as do their members (Russell, 2001).

In a federation, the territorial role of the second chamber is defined by its interaction with the executive and legislative branches. The second chamber is constrained in legislative federations by the first chamber's relative party discipline and superior position. Members of the second chamber seem to represent parties rather than evidence sites. This study examines

senators' and National Assembly members' perspectives on autonomy issues via a review of House Debates in order to determine how parliamentarianism influences federal bicameralism. The House discussions on Pakistan's 18th constitutional amendment bill were examined to determine the extent to which the Pakistani Senate supported federating units.

7.2 The Territorial Role of the Second Chamber in Relation to Specific Indicators

Lijhart discusses the two basic types of democracy in his book "The Pattern of Democracy," and he believes that the majority democracy model is hostile to minorities. In terms of democracy, the consensus model logically contradicts the majority model. Arthur Lewis, an economist, supports Lijhart's argument with his position on democracy, which is based on a consensus model. The most significant meaning of democracy, according to him, is that all those who are directly or indirectly affected by policies or decisions should be included in making those decisions. All people can participate in decision-making directly or through their elected representatives. Countries with diverse societies, such as Northern Ireland, have been replaced by dictatorships. It then takes shape.

Dissension develops as a result, rather than reconciliation and democracy. Within the aforementioned societies, the model of consensual democracy is a must-have that embraces rather than excludes. The verdict is that the majoritarian model of democracy is the most effective and actual form of democracy for the aforementioned type of society. While the majoritarian model of democracy is capable of passing laws more quickly, the decisions made are hasty and not wise. In these civilizations, the consensus form of democracy may be the most dependable and beneficial. On the other hand, inhomogeneous cultures, the majoritarian model of democracy is more likely to be appropriate and favorable.

Meanwhile, if one political party is left out, the strategy or platform of the current ruling party is available to all. In various cultures, political parties' policies are opposed. The electorate's choice is similarly immovable for their political parties. To some extent, the majoritarian democracy model is risky for these societies. For example, Northern Ireland is a plural society with a Catholic minority and a Protestant majority. A civil war erupted when the Protestant dominant party, the Unionists, won the election.

It is well thought out that every federating unit, regardless of population or size, has equal weight at the national level. Because no law can be approved without the approval of the senate of Pakistan, the federating units have a significant influence in this process (Syed, 2007). Pakistan's objectives and establishment are both dependent on federalism. "Sayed Jaffar Ahmed" claims that the notion was latent in the process that resulted in the foundation

of Pakistan" (Ahmad, 1992) in 1947, citing the Muslim League's demand for maximum provincial autonomy inside British India since the 1920s. True, India's move to a Westminster-style majority democracy was a source of concern for the Muslim League. As a result, they were concerned that under a Congress-led India, the Muslim League and other Muslim organizations would be permanently marginalized. Because bicameralism is so important in a federal government, it was assumed that the Muslim League administration would choose a two-house legislature under Pakistan's new constitution when the country gained independence.

The upper chamber was not included in Pakistan's 1973 constitution until after the federal system had been in place for more than twenty-five years. A second parliament was not included in the country's constitutions of 1956 or 1962 (Anderson, 2008).

As a result of recurring constitutional amendments, Pakistan's upper chamber, known as the Senate, has undergone various changes and transformations since its inception in 1973. The 18th amendment to Pakistan's constitution, which significantly strengthened the Senate's powers, is widely regarded as a watershed moment in the country's history. In Pakistan's senate elections in March 2018, a new Senate President was elected. For a variety of reasons, Mr. Raza Rabbani's three years as senate chairman of the Pakistan People's Party Parliamentarian have played the most important role in Senate history (March 2015–March 2018). Mr. Rabbani's leadership transformed the Senate into a far more powerful body than it had been prior to his nomination as chairman. Pakistan's upper chamber stretches back to the fatherland's founding in 1947 and continues to this day.

There are three types of territorial roles played by the upper chamber. At the national level, it represents the interests of the territory. It provides a forum for various federating units to discuss policies and reach a consensus on shared stances. It also serves as a link between territorial and national assemblies. Various territorial second chambers carry out this territorial function in a variety of ways, with varying degrees of success (Russell, 2010). In any second chamber, there are five signs and circumstances that must be met in order to fulfil the requirements of a territorial role. The first is that a second chamber must have "legislative power and a say over things that affect its constituent units." Second, an agreement is required to "perform specific voting procedures on a territorial basis." This indicator indicates whether voting and seating arrangements are set up in such a way that members of the second chamber are drawn from the constituent units they represent; whether the method of election is adequate to provide adequate representation through the elected representative; and whether the system is designed to provide complete representation to constituent units.

Third, in a second chamber, "appropriate structure of territorial committees and discussions." The aforementioned indicators describe the existence of particular committees based on territorial representation's workings. It could be about a state's autonomy or equitable distribution of resources from the center to a poor constituent unit. It also outlines the setup and experience of debate over issues that any federation's member units undertake. Fourth, the process of "legislative initiation" in every country's parliament is a strong point that can shed insight into the role and character of a second chamber. For example, if any legislation can begin in the second chamber but money bills can only be submitted in the lower house, that second chamber is clearly weaker than its equivalent, where financial legislation is also carried out on an equal footing with the lower house. Finally, the "dual role of the members of the Second Chamber" is seen as a guarantee that each federation's members will be accountable to territorial legislatures and electorates.

These indicators serve as a road map for constructing the overall research study. The territorial function of the second chambers of the parliamentary federation, particularly Pakistan, is examined in this chapter using these variables.

7.3 Territorial Representation in the Senate of Pakistan

Since Pakistan's bicameral legislature was established, the upper chamber has been chosen using the proportional representation method with a single transferable vote. Senators are elected by a single transferable vote in each province's legislative assembly. Political parties with representatives in provincial legislatures nominate candidates for Senate membership. Professional and party-loyal politicians acquire the tickets because of the parliamentary system and partisan upper house elections. As a result, members of provincial assemblies vote for upper house candidates based on party leadership directives. Senators protect the interests of federating units, but they will only promote party interests, which raises the question of why.

Those candidates who are adamant about becoming senators without running on a party ticket will "never ever" take the illegal route again. As a result of horse trading, they became senators in a variety of ways. It is possible that the independent candidates involve in horse dealing. As a result, this method of fighting Senate elections is suspect. The statistics of independent senators from all provinces, including FATA, are predicted in the following table during Pakistan's bicameral history.

The representation of FATA in Pakistan's Senate, which is now part of Khyber Pakhtunkhwa, was at the mercy of presidential authority. Members of FATA may have been elected independently throughout Pakistan's bicameral legislature's history. As a result of the

aforementioned facts, senators in Pakistan are obligated to vote along party lines rather than in provincial assemblies. In contrast to Pakistan, members of the upper house in Canada are accountable to the state legislature because they are chosen on the basis of nominations. Senators would, in reality, be answerable to those who have the capacity to elect them. With this in mind, the researcher examines the data from Senate debates using a powerful technique called "question hours." Senators' question hours reveal the extent to which they protect the interests of federating units as well as their own party's objectives.

India's upper house is the most similar to Pakistan's upper house in that Indian MLAs are accountable to the public but are not elected by them. Horse-trading profanity is frequent in the Indian Rajya Sabha and the Pakistani Senate, respectively. In both countries, horse trading has become a way of life. The question of how members of second chambers become liable in the face of an existing horse-trading culture has arisen. Various electoral reforms were implemented in Pakistan for the general election by the Election Act of 2017. Pakistan's election commission has taken bold initiatives to improve the electoral system, such as establishing a post-election complaints system. Pakistan's election commission has granted wide financial autonomy in order to ensure that elections are transparent.

The second chamber's traditional tasks include "examining and amending government policy and legislation." At the national level, the second chambers are crucial in lobbying for territorial issues "of federal bicameralism's components." There are, however, a number of elements that have a considerable impact on their performance. To varying degrees, smaller federating units dominate the second chamber.

The significance of second chambers in safeguarding the regional interests of minority federating units, according to some, is dependent on the degree of overrepresentation. The manner in which members are chosen also affects the performance of the second chamber. Some argue that state legislature-created first chambers lack the "democratic legitimacy and thus actual political authority" of directly elected ones.

The constitutional authority of the second chamber over the popular house has been accepted as a third component. The strength of the second chamber has a direct impact on the protection of smaller components. The second chamber is generally subordinate to the first chamber in most legislative federations.

Second chambers in modern federations have received less attention to the role of institutional structure in their operations. The second chamber is considered inferior to the first chamber when "executive and legislative powers" are combined to establish "a parliamentary

executive." The second chamber, on the other hand, plays a much larger role in federations with distinct executive and legislative branches of government.

The interaction of the second chamber with the executive and legislative branches defines its geographic role in a federation. In legislative federations, the second chamber's geographic function is limited by the first chamber's relative party discipline and superior status. Rather than representing evidence sites, members of the second chamber appear to represent parties. By using a review of House Debates to look at senators' and National Assembly members' viewpoints on autonomy problems in order to see how parliamentarianism influences federal bicameralism. The extent to which the Pakistani Senate backed federating units was investigated during House debates on Pakistan's 18th constitutional amendment. The study's main findings are listed below.

7.3.1 Aliens in the House

"Alien in the house" has been practised in the parliamentary history of Pakistan. The role of the Pakistani senate is constrained by the practice of admitting foreigners, despite the fact that it was created with the intention of generous each of the country's four provinces equal representation. Senators from other constituent units than their representing constituent units were unable to protect the territorial interest. They protect the interests of the political party of their affiliation. During the parliamentary tenure from 2015–2021, ten senators were elected on the basis of alien representation. At that time, Punjab and FATA took a share of four and two senators, respectively. Sindh, Baluchistan, KP and the Capital Territory of Islamabad elected one senator each on the basis of alien representation. Contrary to parliamentary tenures 2012–2018 and 2015–2021, in which ten representatives each were elected as senators on the basis of alien representation, the parliamentary tenure of 2018–2024 took the lead in this context. During the parliamentary tenure of 2018–24, eighteen senators were elected on the basis of alien representation. During this tenure, Punjab, Sindh, Baluchistan, KP, FATA, and the capital territory of Islamabad took part in five, two, one, four, five, and one respectively (Senate of Pakistan Website, 2021).

Table-7.1: Senator from other provinces 2012-2024 (Senate of Pakistan Website)

Territory	2018-24	2015-21	2012-18
Punjab	5	4	1
Sindh	2	1	0
Baluchistan	1	1	3
K.P	4	1	3
Fata	5	2	3
Capital Territory Islamabad	1	1	0
Total	18	10	10

7.3.2 Entire Representation in the Senate of Pakistan

In the constitutional history of Pakistan, equal representation has been given to all the provinces, but the question is to what extent each province provides equal representation. Actually, almost all the capital cities of provinces have been dominant in terms of overall representation in the senate of Pakistan.

This practice was carried out during Benazir Bhutto and Nawaz Sharif's eras (Syed, 2007). The political chiefs of political parties manipulate the election of the second chamber. Horse trading has been a serious dilemma for the upper house of Pakistan. Because of the aforesaid curses, the senators of Pakistan do not represent geographical constituencies. In Pakistan, Punjab is mainly divided into the north and south. By the same token, Sindh is divided into Sindhi and Mohjir ethnic groups. In KP, there exists a division between Pashtun and non-Pashtuns. In Baluchistan, Barahvis, Pashtun and Bloch raise the issue of under representation in the senate of Pakistan. The recent election of the Senate conducted in the month of March 2021 has indicated the side-lining of the principle of territorial representation. The principle of territorial representation envisaged by the constitution of Pakistan stipulates that under federal bicameralism, the second chamber or senate is the territorial chamber. Through their chosen members, that territorial chamber reflects the goals of the federating or component units. Normally, implementation of the principle of territorial representation is considered a viable mechanism to ensure the territorial interests of the units of a federal state. In the event that there is overrepresentation from a few cities of a federating unit, then territorial interests are not preserved. In principle, clause 2 of Article 59 of the Pakistan Constitution provides equal representation to all the provinces or units of Pakistan's federal political system. The principle of proportional representation is followed. The points of representation practiced during the different parliamentary terms from 2012–2018, 2015–2021, and 2018–2024 have been evaluated in the context of territorial representation and alien representation.

By the same token, the parliamentary tenure from 2021–27 discloses the side-lining of the principle of territorial representation. It becomes quite visible that the majority of the senators belong to a few cities in Pakistan. In that table, two categories of cities under the title of

"major city" have been incorporated. The category major city (I) stands for the provincial headquarters of the federating units, and the other category under the title of a major city (II) stands for prominent cities of different units. During the parliamentary term of 2021-27, twenty-six Senators were elected from Category of Major City (I) and nine Senators were elected from Category of Major City (II). A total of forty-six Senators were elected. The principle of territorial representation seems to be ignored. The four provincial headquarters seem overrepresented because Lahore, Karachi, Peshawar, and Quetta send five, nine, five, and seven Senators respectively. The provincial assemblies elected these senators who belong to provincial headquarters. Some other cities have over representation, which has been shown in the category of major cities (II). In that category, the senators having domiciles in Rawalpindi, Larkana, Mardan, and Lasbela have overrepresentation in the senate. Rawalpindi, Mardan, and Lsbela have representation under the ratio of two, three, and three senators respectively. It is an irony that there are one hundred and thirty-four districts in Pakistan. But in the Senate, four major cities have twenty-six Senators, while four minor cities have just nine Senators. Collectively, almost eight districts have thirty-five Senators out of forty-eight Senators. One hundred and twenty-six districts appear to have no representation in the second chamber, which preserves the essence of territorial representation.

Table-7.2: Entire Representation during 2012-24 (Senate of Pakistan Website)

Province	Major City	2018-24	2015-21	2012-18
Punjab	Lahore	11	02	07
Sindh	Karachi	16	11	10
Baluchistan	Quetta	12	05	06
K.P	Peshawar	05	03	06
Total		44	21	29

Earlier, it was questioned that the second chamber of Pakistan's parliament denotes territorial representation. Actually, it has been practiced in the senate election that the spirit of territorial representation is side-lined. For example, during the parliamentary tenure of 2012–18, seven senators out of fourteen general seats in the election came from only Lahore. Similarly, ten senators came from Karachi. Quetta and Peshawar provided six and six senators, respectively. A critical evaluation of the parliamentary tenure of 2012 to 2018 reveals a pathetic reality that twenty-eight senators represented four provincial headquarters of the federating units of Pakistan.

By the same token, during the parliamentary tenure of 2015, two senators came from Lahore. Eleven, five, and three senators joined the second chamber of Pakistan from Karachi, Quetta, and Peshawar, respectively. Contrary to the parliamentary tenure of 2012-18, in which twenty-eight senators joined the second chamber from only four provincial headquarters or

four major cities of Pakistan, now in the parliamentary term twenty-one senators were elected as senators from the same cities of Pakistan. Similarly, the parliamentary tenure of 2018–24 discloses the same practice followed during the parliamentary terms of 2012–18 and 2015–21. In the parliamentary tenure of 2018–twenty-four, eleven, sixteen, four, twelve, and five senators were elected from Lahore, Karachi, Quetta, and Peshawar respectively. The parliamentary tenure of 2018-24 clearly violates the spirit of territorial representation. It seems ironic that 38 senators belong to four provincial federating units of Pakistan.

The figures discussed here verify the demand for remote cities in Pakistan. The public of remote areas raises questions about the credibility of the second chamber of Pakistan, which, actually, is the house of territorial representation. The remote areas of all the federating units of Pakistan have remained underrepresented. There seems to be equal representation in the federating units, FATA (now part of KP), and Islamabad Capital Territory, but in reality, the underrepresentation of some groups remains a striking issue in the history of the second chamber of Pakistan (Adeny, 2012). For example, improper representation of Saraiki speaking, Pashtu speaking, Barhavi speaking, and Balochi speaking in rural areas has been an underpinning issue.

In fact, the senate election is held on the basis of a single transferable vote on the pattern of proportional representation. Every constituent unit elects equal members for the second chamber on the basis of proportional representation. Indirect election through proportional representation causes an improper representation of all territories of Pakistan. Besides that, each political party takes a share in the second chamber. This practice was carried out during Benazir Bhutto and Nawaz Sharif's eras (Syed, 2007). The political chiefs of political parties manipulate the election of the second chamber. Horse trading has been a serious dilemma for the upper house of Pakistan. Because of the aforementioned curses, the senators of Pakistan do not represent geographical constituencies. In Pakistan, Punjab is mainly divided into the north and south. By the same token, Sindh is divided into Sindhi and Mohjir ethnic groups. In KP, there exists a division between Pashtun and non-Pashtuns. In Baluchistan, Barahvis, Pashtun and Bloch raise the issue of underrepresentation in the second chamber.

Table-7.3: Entire Representation 2021-27 (Senate of Pakistan Website)

Province	Major City 1	2021-27	Major City 2	2021-27
Punjab	Lahore	05	Rawalpindi	02
Sindh	Karachi	09	Larkana	01
Baluchistan	Quetta	07	Lasbela	03
K.P	Peshawar	05	Mardan	03
Total		26		09

The recent election of the Senate, conducted in the month of March 2021, has indicated the sidelining of the principle of territorial representation. The principle of territorial representation envisaged by the constitution of Pakistan stipulates that under federal bicameralism, the second chamber or senate is the territorial chamber. That territorial chamber reflects the aspirations of the federating or constituent units through their chosen representatives. Normally, implementation of the principle of territorial representation is considered a viable mechanism to ensure the territorial interests of the units of a federal state. In the event that there is overrepresentation from a few cities in a federating unit, then territorial interests are not preserved. In principle, clause 2 of Article 59 of the Pakistan Constitution provides equal representation to all the provinces or units of Pakistan's federal political system. The principle of proportional representation is followed.

In light of the above, the points of representation practised during the different parliamentary terms from 2012–18, 2015–21, and 2018–24 have been evaluated in the context of territorial representation and alien representation. By the same token, the parliamentary tenure from 2021–2027 discloses the side-lining of the principle of territorial representation. In light of available data, it is clear that the majority of senators are from a few cities in Pakistan. In that table, two categories of cities under the title of "major city" have been incorporated. The category of major city 1 stands for the provincial headquarters of the federating units; the other category under the title of major city 2 stands for prominent cities of different units. During the parliamentary term of 2021–27, twenty-six senators were elected from the category of major city 1, and nine senators were elected from the category of major city II. A total of forty-six senators were elected. The principle of territorial representation seems to be ignored. The four provincial headquarters seem overrepresented because Lahore, Karachi, Peshawar, and Quetta send five, nine, five, and seven senators respectively. The provincial assemblies elected these senators, who belong to provincial headquarters. Some other cities have overrepresentation, which has been shown in the category of major cities two. In that category, the senators having domiciles in Rawalpindi, Larkana, Mardan, and Lasbela have overrepresentation in the senate. Rawalpindi, Mardan, and Lsbela have representation under the ratio of two, three, and three senators respectively. It is an irony that there are one hundred and thirty-six districts in Pakistan. But in the Senate, four major cities have twenty-six senators, while four minor cities have just nine senators. Collectively, almost eight districts have thirty-five senators out of forty-eight senators. One hundred and twenty-six districts appear to have no representation in the second chamber, which preserves the essence of territorial representation.

7.3.3 Woman Representation in Senate

Pakistan's parliament is split into two chambers under the 1973 constitution: the upper house (Senate) and the lower house (National Assembly) (i.e. National Assembly). The first senate was established with a total of forty-five senators (Senate of Pakistan, 2013). There was no set women's quota reserve. Mrs. Samia Usman Fateh of Gujarat was chosen as the senate's only female member. She was elected to the Pakistan People's Party Parliamentary as a member (PPPP). She served in the United States Senate from 1973 to 1975. She was the first female senator elected in Pakistan (Women's Parliamentary Caucus 2010). Then, in 1975, "Miss Asifa Farooqi" belonging to district Jhang was elected to the Senate, where she served until 1977. She became Pakistan's second female senator and was re-elected on the Pakistan People's Party ticket (Husain, 2019).

The Senate's total membership expanded from forty-five to sixty-three members in 1977. However, "General Zia Ul Haq" imposed martial law on the country in 1977. The military administration assumed control of all governmental institutions and stayed in power until 1985. The constitution was suspended for the length of the period. Elections to both houses of parliament were held in 1985, after the constitution's resuscitation. The Senate was enlarged in size from 63 to 87 members. Between 1985 and 1988, Pakistan has not elected a single woman to the Senate (Husain, 2019).

The second elections after martial law were conducted in 1988. In 1988, just one woman senator was elected out of a total of eighty-seven senators, giving women a pitiful 1.1 percent representation in the Senate. Dr. Noor Jehan Panezai of Baluchistan was the only woman elected to the Senate, serving till 1994 as a member of the Pakistan Muslim League Junejo (PML-J). Additionally, from March 21, 1991, to March 20, 1994, she served as the Senate's first female deputy chairman (Zia & Bari, 1999).

Mrs. Fiza Junejo of the PML-J and Mrs. Nasreen Jalil of the Mutahida Qaumi Movement (MQM) were both elected to the house in 1994 from Karachi. These two female household members remained at the property for the next six years, till the year 2000. (Pakistan Senate, 2013g). Apart from these two female senators, another Lahore resident, Begum Nadira Khan Khakwani, was elected to the Senate to fill a vacancy that had been for less than five months (i.e. from September 22, 1996, to March 20, 1997). Between 1994 and 2000, the house's total strength remained at eighty- seven. As a consequence, the proportion of women elected to the Senate remained at 2.29 per cent (except Ms. Nadira Khan who served for a short while).

Pakistan was once again controlled by General Parveez Musharaf's military regime from 1997 until 2007. After assuming state authority, he imposed legislative and constitutional quota

reservations for women in all political arenas, from parliament to local government. The Senate now has a total membership of one hundred members. Women were granted a 17% quota in the Senate. The panel consisted of four women from each province and one from the capital territory. This means that seventeen seats in the legislature have been reserved for female members. Following 2002, subsequent elections were held under the same quota reservation circumstances. As a consequence, a record number of women were elected to the upper house for the first time in Pakistani political history. In 2003, women comprised 18% of the senate's membership (PILDAT, 2004). Women were voted to seventeen reserved seats and one normal seat. The same quota reserve was utilized in the 2009 and 2013 elections. However, women's representation in the House was cut to 17% of the overall strength in both elections.

7.3.4 Patterns of Women's Representation in the Senate of Pakistan

A detailed review of Pakistan's legislative history, with a particular focus on the senate, indicates several fundamental tendencies in the representation of women in the Senate. Such patterns may be observed: One reason women's Senate participation has remained low throughout history is the tiny number of women elected to general and technocrat seats. Although the quota system for women's reserved Senate posts was implemented late, it has had a good effect on women's total representation in the Senate, and six, this quota system has stayed in place (Husain, 2020).

7.3.5 Gender Wise Composition of Senate in Pakistan

The study of the data demonstrates a clear tendency toward a significant gender disparity in Senate representation. Women were admitted to the Senate for the first time in 1973, with a representation percentage of 2.2 per cent, and it did not exceed 2.29 per cent till 2000. Women were, approximately, 18% of the House of Representatives of overall membership in 2003. It started to fall from 18% to 17% in the years after its 2009 high. Between 1985 and 1988, this insured that the Senate remained a male-dominated chamber. Women's Senate representation in Pakistan has varied between 2% and 18% during the country's history.

Men's Senate representation, on the other hand, grew from 97.7 per cent to 100 % between 1973 and 1988. Between 1998 and 1994, there were 99 % male families, 97 per cent male households between 1994 and 2000, 82 % male households between 2003 and 2009, and lastly 83 per cent male households after 2009. As a consequence, the male representation in Pakistan's senate has constantly exceeded 82 %. It was determined that Pakistan's Senate has a disproportionately low representation of males and women. Throughout Pakistan's history,

women have never constituted more than a quarter of the Senate's total membership, whereas males have consistently constituted between 80 and 90%.

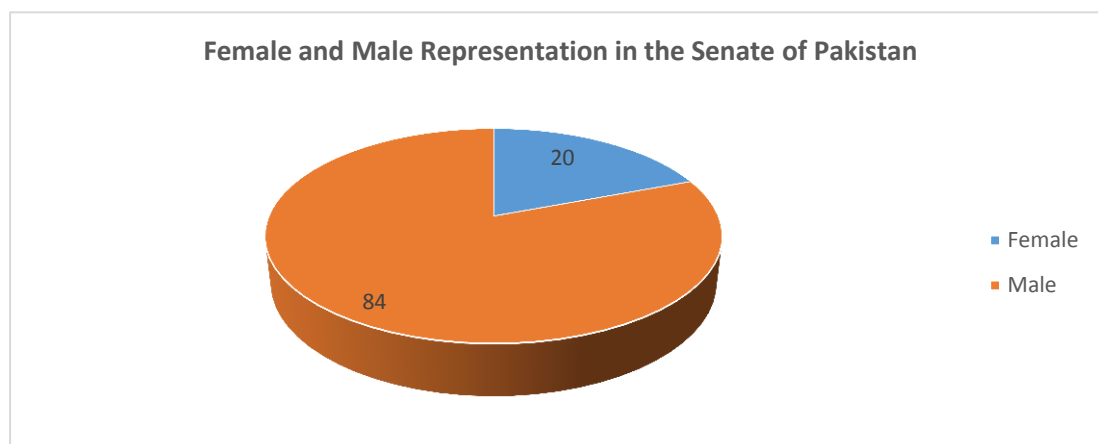


Figure-7.1: Female and Male Representation in the Senate of Pakistan (Senate of Pakistan website)

7.3.6 Women's Marginal Representation in the Senate of Pakistan

As a result, Zia and Barinote, women have had a sparse presence in the Senate, and their proportionate representation is much lower than in the [National Assembly]. Along with gender disparities, there is a considerable underrepresentation of women in leadership positions. Women have been either absent or underrepresented in Pakistan's senate throughout the country's political history. In its history, the Senate has never had more than 2% female senators, a harsh reminder of the Senate's little authority. Women were not permitted to sit in the upper chamber from 1985 until 1988. Only in 2002, when special quota reserves for women were established, did women's membership in the house reach 18%. However, it is overshadowed by the male predominance of 83%.

7.3.7 Women on General Seats in the Senate of Pakistan

Political parties, it is believed, were able to ensure that women were represented in the Senate since they provided a mechanism for the indirect selection of members (Zia & Bari, 1999). While the low number of female senators in the Senate is amusing, it demonstrates that neither party has ever attempted to increase female representation. This accusation was verified in 2000. Prior to 2000, the majority of political parties were unable to elect female candidates to non-indirectly elected general or reserved seats. As a consequence, women are underrepresented in the Senate, with just one or two women holding general seats.

For a lengthy period of time, no special Senate seats were reserved for women. Women were awarded a constitutional quota in Pakistan's Senate and National Assembly for the first time in 2002. Female MPs were allocated a quota of 17% of the total number of seats in the House.

Despite its delay, the quota had a positive effect, resulting in an unprecedented rise in the number of female members of Congress.

In 2002, the then-military leadership approved a quota of 17% for women in the Senate. This demonstrates that seventeen of the parliament's one hundred seats are reserved for women. Prior to this quota distribution, political parties were less inclined to consider female candidates for general or technocrat seats when male candidates were available since they were not obligated to include women in the senate body. Prior to 2000, women could only be elected to 2% of Senate members since the body lacked dedicated female seats. Only after the establishment of gender quotas in 2002 did the number of female senators begin to increase. Women in leadership roles climbed from 2% to 18% as a result of the quota reservation. Between 2003 and 2009, the proportion of female senators elected exceeded the percentage allotted, with 18% elected compared to just 17% assigned in 2003.

According to data research, women are less likely to occupy general or technical roles, indicating a pattern of quota distribution. When there was no quota for reserved seats, women were elected to normal senate seats. When the data was made public, there was a significant decline in the number of women elected to general or technocratic positions. Women were completely absent from general election seats in the two subsequent elections after 2009.

7.4 Senate Representation in Executive

According to the constitution, all federal and state ministers are chosen from Pakistan's parliament. The power to choose his cabinet rests with the prime minister. The Prime minister must be elected only from the national assembly. Following the 18th constitutional amendment, Pakistan's national assembly and senate now hold the cabinet jointly accountable. The Pakistani constitution set restrictions stating that the combined number of senate-affiliated federal and state ministers could not be more than one-fourth of the whole cabinet (Rule functions & procedure Senate of Pakistan, 2012).

The members of the Senate of Pakistan significantly participate in terms of initiating legislation and executive accountability by using various parliamentary tools. The members of the Senate of Pakistan raised various questions on the issue of small provinces or backward areas. Similarly, they drew the attention of the executives towards issues related to territorial interests. The Senate of Pakistan seems to play a vibrant role by participating in the federal executive and within the House.

7.5 Territorial Representation in Committees

The Senate distributes its responsibilities among committees' concentrating on the significance and complexity of its job. Each committee's chairman represents the majority party and is in charge of the committee's business. Each political party appoints members to committees, and each committee divides its members into subcommittees.

Senators are determined by the number and types of committees they can participate in. The main objective of a committee is to examine executive organizations regarding issues of public concern. Proceedings are arranged to gather information and opinions from experts who are not committee adherents. Amendments are also deliberated in committees and a committee's power grasps the passage of legislation. The committee frequently holds hearings on scheduled executions and investigations and they are referred to as oversight meetings.

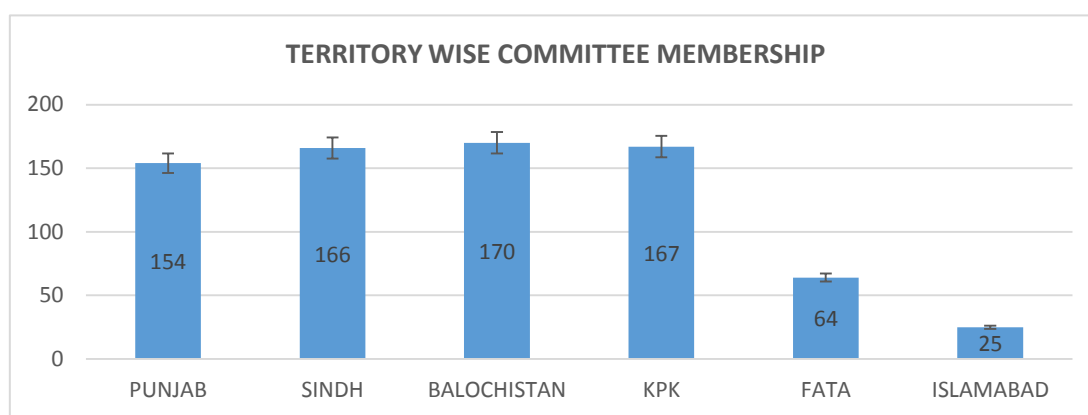


Figure-7.2: Territory Wise Committee Membership (Senate of Pakistan Score Card 215-16)

The data on territory wise committee membership is given here from 2015 to 2016. This data indicates that the strength of the Senators from Punjab remained at One hundred and fifty-four during that time. The strength of territory wise committee membership belonging to Sindh and Baluchistan remained at one hundred and sixty-six and one hundred and seventy respectively. From KP, one hundred and sixty-seven members got a membership on different committees constituted on the platform of the Senate. The significant point of this diagram is this it indicates that Baluchistan is the most thinly populated province of Pakistan but its presence remains substantial in the committees constituted on the platform of the Senate. Likewise, KP also got a substantial share in committees constituted on the platform of the Senate. Punjab, the highly populated province of Pakistan got less membership in committees constituted on the platform of the Senate as compared to Baluchistan, KP and Sindh.

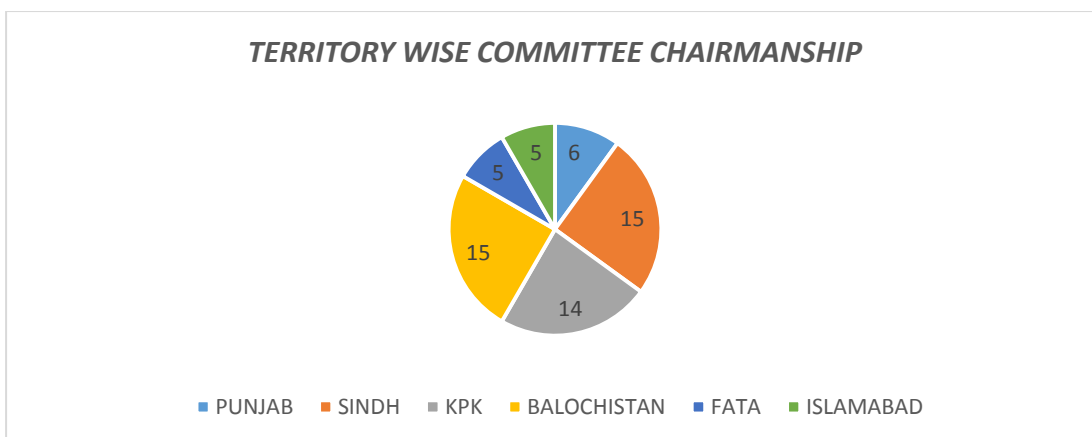


Figure-7.3: Territory Wise Committee Chairmanship (Senate of Pakistan Score Card 215-16)

In the domain of Committee Chairmanship formulated on the platform of the Senate from 2015 to 2016, it has been observed that the most populated province of Pakistan namely Punjab got Chairmanship of the only six committees. The province of Sindh got the chairmanship of fourteen committees. The provinces of Baluchistan and KP each got the chairmanship of the fifteen committees. This diagram indicates that the less populated provinces are getting more representation in the Senate as compared to the highly populated province of Pakistan namely Punjab.

7.5.1 Territorial Role of Committee

The committees, known as the political nerve centres which gather information, sift through alternatives, improve legislative detail and serve the majority of the business of the house and that handle the parliament's eyes and ears. The senate of Pakistan has an efficient committee structure that over time has developed traditions of legislative and addressed a wide variety of issues of national and public importance (Senate of Pakistan, Website). The Minister or Adviser concerned shall be an ex-officio member of the Committee with a total membership of not more than fourteen members elected by the Senate; provided, however, that the Minister or Adviser shall not be eligible to vote as an ex-officio member unless he is a member of the Senate. At any given moment, a member cannot be a member of more than five Standing Committees. The committees are named Standing Committees, Committee on Government Assurance (CGA), Functional Committees (FC), and Committee on Problems of Less Developed Areas (CLDA), Committee on Rule and Procedure, Committee on Human Rights, Privileges, and House Committee (Senate of Pakistan website).

When parliament's committees are functioning, it is deemed to be in session. The members rely on committees to accomplish their job; therefore, they are an essential part of the

legislative system. Members can use the committees to critically and thoroughly examine subjects brought to them by the parliament. The Pakistan Senate describes committees as "political nerve endings, information gatherers, alternative sifters, legislative detail refiners, and the Parliament's eyes and ears."

A strong and active committee system is a crucial condition for a successful parliamentary democracy since it gives space for executive scrutiny and connects the parliament with the citizens. "Much of the business is sent to committees where the bulk of the deliberations take place," according to the current model of parliaments. The committees' detailed and in-depth discussions ensure that both the legislative activities of the house and the functioning of the ministries are in the public's best interests. The Committee on Rules of Procedure and Privileges analyses topics relating to the House's procedure and conduct of business, as well as Privilege motions brought up by members of the House.

7.5.2 Parliamentary Committee on Constitutional Reforms (PCCR)

In 2009, a Parliamentary Committee on Constitutional Reforms (PCCR) with members from both houses of parliament was established under the COD. The PCCR's goal was to bring the 1973 Constitution again into effect. The committee "agreed to accept suggestions/proposals and revisions from the general public" in this respect. The work of the PCCR, which spanned seventy-seven meetings, resulted in the 18th Constitutional Amendment, which essentially restructured Pakistan's governance structure and gave provinces more autonomy, as envisioned in the 1973 constitution.

7.5.3 Parliamentary Committee on Electoral Reform

In June 2014, the PTI staged a sit-in, alleging cheating in the 2013 general elections, which resulted in the formation of an all-party Parliamentary Committee on Electoral Reforms (PCER). Its efforts resulted in the enactment of the Elections Act of 2017, which unified Pakistan's disparate electoral rules. With significant revisions in election regulations, the PCER was able to realize a long-standing demand for harmonizing electoral laws, enabling women's political involvement in particular.

7.5.4 Parliamentary Committee on National Security

In November 2008, a 17-member committee was formed to study "the national security strategy and revisiting the counter-terrorism policy for an independent foreign policy to confront the country's worsening law and order situation". It was founded in October 2008, after the parliament passed a 14-point resolution requiring "the definition of national counter-terrorism strategy guidelines" (Dawn News, 2009). It turned out to be an active committee,

led by Senator Raza Rabbani. In April 2009, it convened sixty-one meetings and issued a report on the national security strategy framework.

7.6 Council of Chairs

The Speaker and the Chairman of the National Assembly and Senate create a Council of Chairmen to coordinate committee matters. The Speaker of the National Assembly and the Chairman of the Senate lead the Council of Chairmen. The Council of Chairmen in the National Assembly is made up of the chairs of the Standing Committees, while in the Senate it also comprises the chairs of the functional committees. The Council of Chairmen has been active in both houses of parliament since 2008. The Senate, on the other hand, was empowered during its most recent term, from 2015 to 2018, by ensuring that its decisions were properly implemented.

The Senate, on the other hand, was empowered during its most recent term, from 2015 to 2018, by ensuring that its decisions were properly implemented. This resulted in the resolution of several outstanding concerns, including the poor participation of committee members at meetings.

7.7 Horse-trading and Rigging in the Senate Polls

The members of the National Assembly of Pakistan are elected through direct elections, while the members of the Senate of Pakistan are elected through indirect elections. The provincial assemblies elected them through a single transferable vote. Because of the parliamentary form of government and partisan elections for the upper house of Pakistan, horse trading has been a major issue. The issue of horse trading limits the credibility and the role of the Senate of Pakistan. The leadership of all the large political parties acknowledged the existence and alleged horse trading in the parliamentary history of Pakistan. For instance, a video emerged regarding massive rigging and horse trading in the 2018 elections. According to Transparency International Pakistan, a scandal of horse trading and rigging was exposed in which twenty members of the provincial assembly of the ruling party of that time (PTI) changed their loyalty. Six members of the KP provincial assembly participated in horse trading by taking forty million for each vote (Transparency International Pakistan Report 2021).

Similarly, in the 2021 Senate elections, solid evidence of horse-trading was reported. The Minister for Information, Mr. Shibli Fraz, claimed that in the Senate election of 2021, Pakistan People Party Parliamentarians (PPPP) purchased votes to ensure the victory of candidate Yousaf Raza Gillani for the seat of Islamabad. He further claimed that the vote-

purchasing video of Giuliani's son, Mr. Ali Haider, was watched by the entire nation (National Online News, March 8, 2021).

7.7.1 Measures Taken to Prevent Rigging and Horse Trading in Senate Elections

Some significant measures were taken to prevent rigging and horse-trading in the Senate elections from time to time. In the era of this issue was raised widely. In 2015, several resolutions were tabled by the opposition leader, Raja Zafarul Haq”, in the house, and the issue of horse trading was debated. Interestingly, in the tenure of the Chairman of the Senate” Mir Sadiq Sunjrani”, they were not ready to argue or debate the issue.

The committee of the whole Senate of Pakistan met twice in the year 2015-16. The proposals of the committee were presented in the house, and no one opposed these proposals. The committee proposed an open ballot election in the Senate of Pakistan. They also proposed that transparency is impossible in Senate elections without electoral reforms. The Committee also proposed that votes should be identified and that the voter's name should be published on the ballot paper. Senator Shahzad Waseem, the leader of the House, stated on February 19, 2021, that senators from the PML (N) and the PPPP are now contradicting themselves.

Two members of the Sindh provincial assembly who belonged to Pakistan Tehreek-e-Insaf and were allegedly involved in horse-trading in the senate elections 2021 were expelled by the party. The standing committee suggested to the leadership of PTI to approach the Election Commission to de-seat the aforementioned members of the provincial assembly (web desk 11 March 2021).

7.8 The Issue of Enforced Disappearances or Missing Persons

The issue of missing persons has been a major human rights concern in Pakistan. The people of KPK and Balochistan have been claiming to miss their dear ones. After 9/11, the Pakistani government purportedly captured suspected Al Qaida members and turned them over to the US government, which resulted in the first few examples of enforced disappearances in Pakistan being made public. Since then, local intelligence agencies have employed this strategy against a variety of individuals, including alleged religious extremists and political activists from Sindh and Balochistan, as well as social activists, human rights advocates, and bloggers who are critical of the armed forces and the military (The NHRF, 2021).

Since 2011, more than 7000 enforced disappearances have been reported in Pakistan to the Commission of Inquiry on Enforced Disappearances (COIED). The commission asserts that it has settled 4822 cases, although 2122 of them are still open. Independent rights organizations and the families of the victims, who label the panel as an incompetent body, assert that the

true figure is significantly greater than what the commission reported (COIED Pakistan website).

The issue of missing persons has been raised and debated in the senate of Pakistan by the various senators of all the provinces. The senators of Sindh and Balochistan played a significant role in this matter. In the 25th session of the Senate of Pakistan, Senator Sussui Palijo raised a point of public importance. On this point, the Senate formed a functional committee on human rights headed by Senator Mustafa Nawaz Khokhar. The members of the committee concluded their remarks by saying that the issue of missing persons should be resolved on an urgent basis. They decided that for this purpose, there is a dire need to establish a legal framework criminalizing and penalizing enforced disappearances. The Committee also decided that sections 365 of the Pakistan Criminal Code and the Pakistan Penal Code (PPC) should be amended (Senate Functional Committee for Human Rights Report 2018).

Similarly, Senator Muhammad Usman Kakar raised a question about missing persons in Pakistan. He asked a question from the ministry of interior "Will the minister of interior share the names and other details of the people who went missing in the country during the last ten years?" To respond to the abovementioned question, the standing committee on the interior was formed in 2018. The committee was headed by Senator Muhammad Rehman Malik. At the meeting, the commission of human rights reported all the cases of missing persons. The committee appreciated the commission's performance despite the limitations of powers and allocation of funds (Senate Standing Committee Report 2018).

On the International Day of Victims of Enforced Disappearance, the Pakistani Senate passed a declaration in which the members of the Senate strongly condemned the morally abhorrent practice of forced disappearance. They declare that this act is a serious crime and a breach of every citizen's civil, political, and constitutional rights. The members sincerely express their support for the relatives of the missing and the individuals who have been the targets of forced disappearances. Additionally, they reassured the families of all missing people that the Pakistani Senate would speak on their behalf in order to ensure justice, victim recovery, and violators (Daily Journal, Senate of Pakistan, August 30, 2018, Resolution 398)

7.9 Issue of Autonomy and the Role of Senate

The 18th constitutional amendment eliminated the previous concurrent list. Provincial autonomy has increased significantly through amendment. Transferred certain powers and responsibilities previously carried out by the federal government to the provincial government.

A functional Senate committee led by Senator Meer Kabir Ahmad Muhammad Shahi was established for the implementation of the 18th constitutional amendment in terms of autonomy issues. Approximately seventeen meetings of the Senate Committee on Devolution were held during the 2016–17 parliamentary year. The chairman of the Senate presided over a committee meeting once. Several autonomy-related constituent unit issues, particularly those pertaining to small provinces, were covered in the various meetings of the aforementioned committee (Report of Senate Functional Committee on Devolution Process 2017).

The Transgender Protection bill 2018, was initiated through the top-down approach and insufficiencies and inefficiencies of this process are highlighted above, thus it is recommended that the federal government needs to advise the provinces to expedite the ratification of their respective transgender laws and once all the provinces fulfil this requirement. The federal government needs to adopt a bill providing legal cover to all the provincial transgender protection laws.

7.10 Perspectives of Members of the Senate on Certain Autonomy Issues

In terms of provincial autonomy, central Punjab MPs seem to embrace the 18th amendment. It made no difference whether you were a National Assembly or Senate member. On the other side, legislators from southern Punjab were more concerned with their respective areas. They were more concerned with the rights of disadvantaged sections within provinces than with regional independence. Senators and MNAs had almost identical positions. The Member of Parliament representing Punjab's south area provinces.

Rural Sindh senators and representatives represent a diverse range of political groupings. They focused mostly on rural Sindh's challenges. They all supported the 18th amendment as a first step toward greater provincial autonomy, but they were opposed to intra-provincial devolution of power, which they said would suffocate the spirit of provincial autonomy. This is why they opposed the development of further provinces. Others addressed the issue of regional languages being recognized as the United States' official language. The representation of urban Sindh supported the 18th Amendment's devolution of authority but wished for more provincial autonomy (Mushtaq, 2017).

Balochistan's lawmaker was dissatisfied with the 18th Amendment. Members of the main political parties favoured more regional autonomy as well. Representatives of the JUI and PKMAP have little in common with PPP and PML-N members. The former desired to limit the federal government's power to three or four provinces, whilst the latter did not take such a drastic position. Both organizations have a similar position on the question of provinces'

rights to natural resources. They urged Pakistan's federal government to strengthen the Senate.

KP Pashtun lawmakers saw the 18th Amendment as a step forward, but not sufficient to provide them complete sovereignty over their province. Despite this fact, they seem to be at odds over a shared resource. They were overjoyed when the NWFP was renamed the KP. Despite his origins in Pashtun-majority KP, Senator Saleem Saifullah Khan rejected the province's name in line with the PML's stance. Hazara and Swat politicians opposed the province's renaming. Southern Punjab and urban Sindh residents were mostly concerned with regional concerns. They had a significant dispute over the sharing of provincial resources (Mushtaq, 2017).

7.11 Ethno Regional Minorities of Pakistan and the Role of Senate

Six ethno-linguistic groups were identified in Pakistan's 1998 Census Report. Punjabis are concentrated in the province's central and northern regions. Seraikis are the majority of the people in the southern section of Punjab. Sindhis, the country's second biggest ethnic group, live in rural Sindh. Sindh's urban areas are home to the bulk of Mohajirs who speak Urdu well. In the KP, the Pashtun population is the greatest. Additionally, northern Balochistan has a sizable Pashtun community. The Hazarewals, who speak Hindko in KP province, have recently campaigned for their own identity. The classifications are mostly geographical in nature. Sindh, KPK, and Balochistan's major ethnic groupings are Sindhis, Pashtuns, and Balochs. Siraikis, Mohajirs, Hazarewals, and Pashtuns are all ethnic minorities in Punjab, Sindh, Khyber Pakhtunkhwa, and Balochistan, respectively. National minorities have always demanded more autonomy and power sharing (majority groups in provinces other than Punjabis). Sindhis, Seraikis, and Balochs are underrepresented in both civil and military administrations. Punjabis continue to hold an overwhelming majority of Pakistan's top government jobs. Punjabis formed a relationship with Mohajirs and Pashtuns (Mushtaq & Alqama, 2009). Punjab has more members of Parliament than federal minorities, who constitute the majority in their respective provinces. As a consequence, attaining federal empowerment for ethnoregional minorities is contingent on Senate gender parity.

7.12 Role of Senate for Empowering Ethno Regional Minorities in Pakistan

The House of Units plays a critical role in nationally strengthening minorities. On the other hand, not all second chambers are created equal. The second chamber is endowed with a diverse array of talents and capacities. Federal chambers are more significant in non-parliamentary federations than they are in parliamentary federations. However, a strong bicameral system has been claimed to be compatible with "responsible government" in

Australia (Dickerson, M. O., Flanagan, T., & O'Neill, B. (2009). Similarly, in the United States of America, directly elected chambers precede appointed or indirectly elected chambers. Minorities/units may exert influence on federal policy through membership in federal government institutions such as the federal legislature, the federal executive, and federal administration in federations. According to Pakistan's 1973 Constitution, the Senate is responsible for legislation, accountability or oversight of the executive, and representation of the federating units at the federal level. Due to the equal presence of senators from smaller provinces in the Senate chamber, their opinions are heard more clearly. The Pakistan Senate, among other things, provides a forum for minority groups to exert influence on the government's choices (Mushtaq, 2017).

7.13 Seating Arrangements and Voting Patterns in the Senate

Today's federal chambers have seating arrangements and voting processes that are markedly different from those of the past. Numerous nations, such as Germany's Bundesrat and South Africa's ANC, have a House that votes in delegations rather than party blocs. On the other hand, political parties are the most prevalent method of organization for members. Party discipline in the second chambers of parliamentary federations such as Canada, India, and Pakistan limits the territorial spread of the house (Kennedy, 1993).

Provinces and regions are represented geographically in Pakistan's Senate. Senators, on the other hand, are structured into party groups and tend to vote mostly along party lines. Pakistan's Senate is now divided into three parliamentary groups. The PPP and its allies, which include the Muttahida Qauumi Movement (MQM), the Awami National Party (ANP), the Pakistan Muslim League (Q), the National Party, and Independents, form a quorum of MPs with a majority of more than a majority. The opposition alliance is comprised of the Pakistan Muslim League (N) and its supporters, the Pashtoonkhwa Milli Awami Party and its allies, the Balochistan National Party, the Balochistan National Party Awami, and the Pakistan Muslim League (N) (F). The Pakistan Tehreek-e-Insaf (PTI) and Jamaat-e-Islami form the Senate's third parliamentary group (Mushtaq, 2009).

When it comes to legislative groups in the Senate, a party is unquestionably the most significant factor to consider. Balochistan is represented in the Senate by the governing coalition with fourteen senators and the opposition with nine. Balochistan Senators no longer function as a unified body but as members of either the majority or minority. Senators from both majoritarian and minority parties are very evenly distributed in KP. Sindh has twenty-two members in the majority group out of a total of twenty-three. However, in Sindh, the PPP and MQM are bitter political adversaries with opposing perspectives on the province's

problems. Nonetheless, the majority of Punjab's senators are members of the Senate's opposition party, which is led by the PMLN. Senators are elected through proportional representation in provincial legislatures. As a consequence, members represent political parties rather than geographic regions, and legislative initiatives take on a politicized tone (Mushtaq, 2016).

Party discipline is thought to limit the second chamber's geographic role in legislative federations. Swenden argues that "party discipline is not necessarily tougher in the second chamber than in the lower house" in such cases. Despite this fact, the second chamber is often not involved in the administration's formation or dissolution. According to him, party discipline may have an effect on the second chamber, particularly when the same parties are represented in both chambers and when certain members of the second chamber are called upon to serve in the cabinet, as is the case in many bicameral legislatures. Senators are permitted to serve in the Pakistani government, although their total number cannot exceed one-fourth of the cabinet. Cabinet ministers participate actively in Senate legislative proceedings and exert pressure on members of the ruling party or coalition in the House to vote along party lines (Mushtaq & Alqama, 2009).

In this context, Pakistan's Senate has less territorial jurisdiction than the US Senate. The Senate's actual operations restrict regional minorities' influence in the House, even if they have a substantial representation. Pakistan's upper and lower chambers of parliament share legislative authority equally. When it comes to federal law, the Senate's primary function should be to "review federal legislation with the objective of incorporating regional and minority concerns." Due to the fact, this is a contentious matter, the Senate's position remains unknown.

7.14 An Analysis of a Parliamentary Year of Senators' Performance

The Pakistan Institute of Legislative Development and Transparency (PILDAT) has issued a study of senators' performance during the 2015–16 parliamentary year. The three primary components of a senator's role—oversight, legislation, and representation—are the emphasis of their performance scorecards. By attending Senate of Pakistan plenary sessions and taking part in Senate Committee activities and meetings, the honourable Senators are able to fulfil their roles and obligations as advocates for the interests of their particular province, political party, and country. Each Senator is required to attend the parliamentary sessions since they give them a platform to speak on behalf of their province, bring up important concerns, and discuss the problems facing the nation. The scorecard emphasises attendance in this regard (PILDAT, 2016).

A significant amount of work is also done in the Senate Committees, particularly with regard to oversight, which includes reviewing legislation, proposing constitutional amendments, making financial suggestions, and similar tasks. The Score Card includes a Senator's committee memberships and committee meeting attendance in order to emphasise this activity. The primary goals of evaluating a senator's performance are to give Pakistani citizens unbiased, analytical information about the performance of their political leaders so they can vote wisely, to evaluate the performance of Pakistan's political leadership to increase public focus and critical appraisal of the leaders, which will aid in future leadership development, and to evaluate any gaps, if any, in political leadership skills. In this study, it seems that the senators belonging to small provinces or territories played a significant role. They secured excellent scores in the parliamentary proceedings.

The performance of a senator in the Pakistani Senate has been evaluated using a locally developed 10-point framework developed by Parliamentary Institute of Legislative Development and Transparency (PILDAT). Additionally, weight has been given to each parameter of the framework. The three main pillars of the framework are Oversight, Legislation, and Representation. The criteria of assessment of performance were the quantitative dimensions of committee membership, committee chairmanship, attendance in committee meetings, presenting adjournment motions, presenting resolutions, moving calling attention notices, asking questions, introducing private member bills as co-movers, private bills passed by the Senate, and the attendance of the member in the parliamentary sessions (PILDAT,2016).

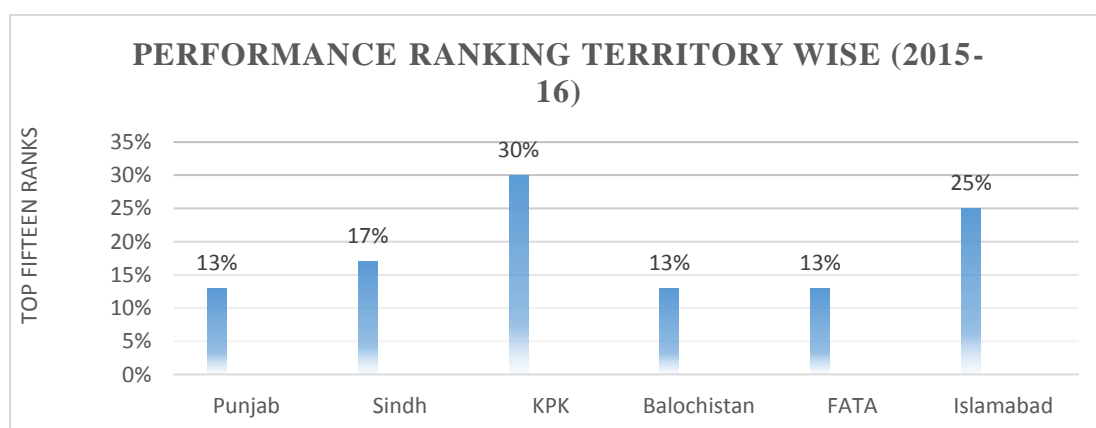


Figure-7.4: Ranking of Senator's Performance (2015-2016) (Website, Senate of Pakistan)

7.15 Issues of Backward Areas and the Role of Senate

Pakistan's backward provinces and territories have a lot of issues in every field of life. The senators belonging to small provinces have been raising their voices by using the platform of

the Senate. They played a considerable role in resolving the issues of backward areas. They use each and every tool in the senate of Pakistan to make their voice heard. Senator Mir Kabeer Ahmed Muhammad Shahi attracted the attention of the Minister of Federal Education and Professional Training in 2016 to the cancellation of the Prime Minister's Scholarship Program, which denied Balochistan students access to higher education. Senator Dr. Jehanzeb Jamaldini has written to the Minister of Water and Power to draw his attention to the announcement of Junior Engineer (BPS-17) positions in MEPCO for which the national testing service (NTS) conducted tests/interviews in November 2015, but the results of the candidates who applied under the reserved quota of Balochistan had yet to be announced, whereas candidates from other provinces/territories had already started working in the said positions (Senates of Pakistan Debates, 2016).

Senators Dr. Ashok Kumar, Muhammad Usman Khan Kakar, and Mir Kabeer Ahmed Muhammad Shahi petitioned the Minister of Petroleum and Natural Resources in 2017 to draw attention to low gas pressure in various areas of the district Qallat, Balochistan, forcing residents to cut down trees in the Arboi forest, Qallat. Senator Saleem Mandviwalla, on behalf of Senators Shahi Syed, Mir Muhammad Yousaf Badini, and Muhammad Yousaf, drew the attention of the Minister of Interior and Narcotics Control to the blocking of CNICs of Pakistani nationals from FATA, Khyber Pakhtunkhwa, and Balochistan, which was provoking institutional racism among the people of those areas (Senate of Pakistan Debate, 2017).” Senator Mir Kabeer Ahmed Muhammad Shahi introduced a motion in the Senate of Pakistan in 2018 to execute the Aaghaz-e-Haqooe-e-Balochistan package, which was unanimously passed. “This House recommends that the Aaghaz-e-Haqooe-e-Balochistan package be implemented in letter and spirit” (Senate of Pakistan Debate, 2018).

Senator Saleem Mandviwalla, on behalf of himself and Senators Shahi Syed, Mir Muhammad Yousaf Badini, and Muhammad Yousaf, had gotten the attention of the Minister of Interior and Narcotics Control to the blocking of CNICs of Pakistani nationals from FATA, Khyber Pakhtunkhwa, and Balochistan, which was causing discriminatory treatment among many of the people of those areas. Senator Mir Kabeer Ahmed Muhammad Shahi issued a resolution on education that was voted to pass by Pakistan's Senate in 2019."This House recommends that the Prime Minister’s Scholarship Programme for the students of Balochistan be extended for a further five years (Senate of Pakistan official Report, 2019).”

Senator Usman Khan Kakar introduced a resolution to ease access to Pakistan's backward districts. The Pakistani Senate passed a bill in 2020 that needed higher education facilities. "This House recommends that scholarships for admission in Medical and Dental Colleges be granted to the students of Balochistan and FATA by HEC under the scheme for "Provision of

Higher Education Opportunities for the Students of Balochistan and FATA" in 2019 be maintained and extended till 2022 (Senate of Pakistan Debates, 2022)."

Moreover, "Senators Karim Ahmed Khawaja", on his behalf, and Senators "Col. (R) Syed Tahir Hussain Mashhadi", Mian Muhammad Ateeq Shaikh, Rozi Khan Kakar, and Farhatullah Babar, on behalf of the Hazara Community of Balochistan, drew the attention of the Minister of Interior to the migration of about 70,000 people to Australia, Indonesia, New Zealand, and other countries due to violence. Senator Aurangzeb Khan, on his behalf and on behalf of Senators Hillal Ur Rehman, Sajjad Hussain Turi, Haji Momin Khan Afridi, and Hidayat Ullah drew the attention of the Minister for National Health Services, Regulations, and Coordination to various Medical Colleges' noncompliance with the indigenous scholarship program for students from Balochistan and FATA, as well as the Pakistan Medical and Dental Council's (PMDC) in this regard, resulting into wastage of academic year of needy and deserving students"(Senate of Pakistan Debate, 2022).

Additionally, Senators "Sana Jamali" and "Kalsoom Perveen", on behalf of themselves and Senator Sana Jamali, sought the attention of the Minister for Planning, Development, and Reforms to a recent UNDP report declaring Balochistan to be the poorest province in the world. Senators Mir Kabeer Ahmed Muhammad Shahi, Sherry Rehman, Sassui Palijo, and Mian Muhammad Ateeq Shaikh also called on the Minister of Petroleum to address the gas shortage in Balochistan as well as the latest gas crisis in Sindh. The Minister of Petroleum, Mr. Ghulam Sarwar Khan, gave a remark. Following that, the Acting Chairman Senate referred the Calling Attention Notice to the relevant Standing Committee for consideration and a ten-day report. Senator Kauda Babar, in the year 2021, brought to the attention of the Minister of Finance and Revenue the underrepresentation of Balochistan Province in particular, and other small provinces in general, in the Securities and Exchange Commission of Pakistan (SECP) at the Commissioners' and other senior levels. Senator Sardar Muhammad Azam Khan Musakhel, on behalf of Senators "Muhammad Usman Khan Kakar" and Gul Bashra, issued a resolution. Pakistan's Senate unanimously passed the bill in 2018."This House recommends that 2 to 5 % amount of the CPEC funds for less developed areas should be allocated for social development in those areas" (House Debates, 2021).

CONCLUSION

The rationale behind the formation of the “House of Federation” (Senate) was to ensure the representation of all the constituent units on the principle of parity. The other significant reason for its emergence was to counter the overwhelming influence of the lower house. In most countries, the majoritarian principle of democracy has been seen in its most prevalent form. The website of the inter-parliamentary union reveals that twenty-five federal bicameral legislatures are prevalent in the world. The issue with all these federal bicameral legislatures is that all of the houses of the federation do not preserve a unified structure of power in the domains of legislation and accountability. The directly elected houses of federations like the USA, Australia, and Switzerland preserve the powerful structures granted by their respective constitutions. The houses of federation elected through indirect and appointed methods have to face challenges from the popularly elected houses. The political systems of the contemporary world share a single principle which is that all the popularly elected preserve more influence as compared to appointed or selected houses of legislation, like Austria, India, Pakistan, Germany, Canada, and South Africa.

The preliminary model of a powerful house of the federation has always been the Senate of the USA. The other popularly elected houses of federation take guidance from the operative structure of the Senate of the USA. Contrary to that, the parliamentary democratic systems take guidance from the political system of the U. K., where the popularly elected lower house exerts more influence on the legislative and executive roles of the government. Actually, it is the parliamentary federal political system that, in its essence, limits the role of the “Second Chamber”. The upper houses of the parliamentary federation have not been granted an assertive role by the constitution of their respective parliamentary-federal political systems. For example, the houses of federation belonging to the parliamentary-federal category include Austria, India, Malaysia, and Pakistan

The cases of the United States and Germany maintain exceptional qualities in the parliamentary-federal category, where the houses of federation wield significant power in the domains of legislation and executive accountability. However, the case of Pakistan in the domain of the House of Federation raises serious inquiries felt to be addressed.

The preliminary constitutional document of Pakistan, namely "Objective Resolution", agreed on the federal form of the political system for Pakistan to specify the nature of bicameral legislation and representation of the federating units in the house of the federation, which remained a fundamental challenge for the early constitutional makers of Pakistan. The

initiatives like the Basic Principles Committee of 1950 and Muhammad Ali Bogra of 1954 suggested the establishment of the house of the federation to accommodate ethnolinguistic issues of the new Muslim state of South Asia. Unfortunately, the constitutions of 1956 and 1962 could not incorporate suggestions related to the house of federation given in all the reports of the “Basic Principle Committee”, “Muhammad Ali Bogra Formula”, and the “Constitutional commission” of 1960. However, it was the constitution of 1973 that incorporated the house of the federation as the upper house of parliament. Since its creation, the important question that remained to be addressed has been how the Senate of Pakistan performed its assigned task in the legislative and parliamentary history of Pakistan. At a glance, the political system of Pakistan presents a reflection of the mixture of political systems of the USA and the U. K. In the pattern of Britain's Parliament, the lower house of Pakistan is popularly elected and it has been granted enormous constitutionally in the domains of legislation and executive accountability. So far as the house of the federation is concerned, the principle of representation has been taken from the political system of the USA, where all the federating units enjoy equal representation despite the variations in population and territorial size in the Senate. The American pattern of giving parity representation to the federating units in the Senate, the Pakistani house of federation known as the Senate of Pakistan, provides equal representation to all the constituent units of Pakistan. The Constitution assigns legislative, executive, and safeguarding interests of the territorial unit's roles to the house of the federation. The constitutional history of the “House Federation” of Pakistan can be divided into two major portions. The first portion discusses its role before the introduction of the 18th constitutional amendment. The other portion discusses its assigned role in the context of the introduction of the 18th constitutional amendment. The overall constitutional history of the House of Federation seems to be in a balanced position where its role has neither been passive nor assertive.

In the domain of legislation, it has always been assumed that the house of federation operates as a revisory or second sober thought. On the basis of this assumption, the revisory chamber of Pakistan undertook initiatives in the domains of financial legislation, constitutional amendments, and ordinances. From 1972 to 2018, eight hundred and thirty-four laws were passed by the parliament of Pakistan unanimously. However, a statistical analysis of the legislative measures passed by Pakistan's parliament shows that between 2018 and 2022, the “National Assembly” passed nearly one hundred and fifty-seven bills, while the “Senate” passed one hundred and five bills. The legislation concentrated on the economy, human rights, the environment, energy, and international issues. Furthermore, the quantitative dimensions related to legislation passed by the Pakistan parliament further strengthen the already mentioned assertion that the role of the Senate of Pakistan has neither been an

assertive one nor a passive one. The role of the directly elected house in Pakistan, namely the “National Assembly”, has been an assertive one. From 2018 to 2022, the National Assembly passed one hundred and fifty-seven bills. Contrary to it, the Senate of Pakistan passed only one hundred and five bills. The comparative analysis of the “National Assembly” and Senate of Pakistan in the domain of legislation ascertains the argument that the “National Assembly” of Pakistan exerts an assertive role while the Senate of Pakistan plays a balanced role in which the Senate remains neither passive nor assertive. The practical way to assess the functioning of legislation is through the domain of executive accountability.

In the domain of executive accountability, different tools were used, like asking questions, calling attention notices, resolutions, adjournment motions, and the motions under rule 218. From 2008 to 2018, nineteen thousand eight hundred and one questions were asked in the Senate of Pakistan. Similarly, in the said period, nine hundred and ninety-four calling attention notices, two hundred fifty-one adjournment motions, two thousand eight hundred and forty motions under rule 218 and one thousand seven hundred and twenty-three resolutions were moved on the floor of the Senate of Pakistan. According to a comparative analysis of the use of executive accountability tools in the National Assembly of Pakistan and the Senate of Pakistan from 2008 to 2018, thirty - two thousand three hundred and twenty (32,320) questions were asked in the National Assembly of Pakistan and ten thousand six hundred and ninety-nine (10,699) questions were asked in the Senate of Pakistan.

From 2008 to 2018, 79.80% of questions were replied to by the executives in the National Assembly of Pakistan, while 81.70 % of questions were replied to by the executives in the Senate of Pakistan. In the said period, one thousand and seventy-six calling attention notices were moved in the National Assembly of Pakistan, while five hundred and forty-one calling attention notices were moved in the Senate of Pakistan. Eight hundred and forty-four calling attention notices were taken up in the National Assembly of Pakistan, while two hundred and eighty-two calling attention notices were taken up in the Senate of Pakistan. The analysis of the National Assembly and Senate of Pakistan in the domain of executive accountability determines the argument that the National Assembly of Pakistan exerts an assertive role as compared to the Senate of Pakistan. The Pakistani House of Federation plays a balanced role in the sense that it remains neither passive nor assertive.

The third constitutionally granted function of the Senate has been the protection of the rights of the federating units of Pakistan. The Senate of Pakistan has been protecting the rights of its territorial units through territorial representation in the Senate of Pakistan and the territorial representation of the senators in the different committees. Pakistan's Senators have been fighting for the rights of their constituents by speaking out against disappearances, granting

autonomy to provinces, protecting the rights of ethno-regional minorities, and uplifting Pakistan's backward areas. The thesis opens further ways of research on the Senate of Pakistan like issues of managing diversity, financial powers, representation in the executives, extra legislative powers, and other domains of territorial interests.

REFERENCES

- Adeney, K. (2012). A Step towards Inclusive Federalism in Pakistan? The Politics of the 18th Amendment. *The Journal of Federalism*, Volume 42, Issue 4, Fall 2012, Pages 539–565, <https://doi.org/10.1093/publius/pjr055>
- Ahmad, R. (2002). Pakistan's First Constituent Assembly's Efforts for the Making of Constitution 1947-1954. *Pakistan Journal of History & Culture*, 1-38.
- Ahmed, Philip Norton. Nizam. (1998). Legislatures in Asia: Exploring Diversity. *The Journal of Legislative Studies*, 1-12.
- Ali, S. A. (1995). Unicameralism in United Pakistan: Why and How? *Pakistan Horizen*, 48(3), 69-80.
- Anderson, J. E. (2009). The paradox of Federalism: Does Self-Rule Accomodate or Exacerbate Ethnic Divisions. *Regional & Federal Studies*, 191-202.
- Agnihortri, D. V. (2009). *Second Chamber In Indian Parliament : Role And Status Of Rajya Sabha*. New Delhi: Government of India Press,.
- Alanna Kamp, O. A. (2017). Australians' Views on Cultural Diversity,. *Cosmopolitan civil societies: An Interdisciplinary Journal*, 62.
- Alexander Hamilton, J. M. (1961). *The Federalist Papers*. New York: New American Library.
- Australia, S. o. (2020, 9 16). https://www.aph.gov.au/About_Parliament/Senate. Retrieved from <https://www.aph.gov.au/>: https://www.aph.gov.au/About_Parliament/Senate
- Ahmad & Javed (2017). Role and Significance of Senate in the Federation of Pakistan: An Analysis Before and After 18th Amendment to the Constitution of 1973. *Marglla Papers*, 19-31.
- Ahmad, R. (2002). Pakistan's First Constituent Assembly's Efforts for the Making of Constitution. *Pakistan Journal of History and Culture*, 1-36.
- Ahmad., S. J. (2013). Historical Evolution of Federalism in Pakistan: From Bewilderment to setting up of Path. *Pakistan Perspectives*, 105.
- Ahmed, S. J. (2013). Historical Evolution of Federalism in Pakistan: From Bewilderment to Setting up of a Path. *Pakistan Perspectives Vol. 18*, 11-29.
- Ahmed, Philip Norton. Nizam. (1998). Legislatures in Asia: Exploring Diversity. *The Journal of Legislative Studies*, 1-12.
- Abbasi, S. (2010, April 14). Senator of PPP from Sindh. Senate of Pakistan. House Debates. Vol IV. No 6. Ali, H.G. (2010, April 14). Senator of JUI from KP. Senate of Pakistan. House Debates). Vol IV. No 6.
- Anderson, G. (2008). *Federalism: An Introduction*. Ontario: Oxford University Press.
- Ahmed, Sayed Jaffar (2013) Historical Evolution of Federalism in Pakistan: From Bewilderment to Setting up of a Path. *Pakistan Perspectives*, Vol. 18, No. 2, July-December, p.105.

- Ahmad, Riaz (2002). Pakistan's First Constituent Assembly's Efforts for the Making of Constitution 1947-1954. *Pakistan Journal of History & Culture*, Vol. XXIII, No. 1, pp. 1-37.
- Ali, Mehrunnisa (1996). *Politics of Federalism in Pakistan*. Karachi: Royal Book Company.
- Ahmed, Sayed Jaffar (2013). Historical Evolution of Federalism in Pakistan: From Bewilderment to Setting up of a Path. *Pakistan Perspectives*, Vol. 18, No. 2, 11-29.
- Adeney, Katharine (2012). A Step Towards Inclusive Federalism in Pakistan? The Politics of 18th Amendment. *Publius: The Journal of Federalism*, Volume. 42, No.4, pp.1-27.
- Abbasi, Zubair Faisal (2010). *Federalism, Provincial Autonomy and Conflicts*. Islamabad: Centre for Peace and Development Initiatives.
- Adeney, K. (2007). *Federalism and Ethnic Conflict Regulation in India and Pakistan*. New York: Palgrave
- Ahmad, S. J. (1990). *Federalism in Pakistan: A Constitutional Study*. Karachi: Pakistan Study Centre, University of Karachi.
- Ahmed, N., & Ahmed, A. (1996). The Quest for Accountability: Parliament and Public Administration in Bangladesh. *Asian Journal of Public Administration*, 18(1), 70-95.
- Bakhtiar, N. (2010, April 14). PML-Q Senator from Punjab. Senate of Pakistan. House Debates. Vol IV. No 6. Baloch, A.M. (2010, April 14).
- Barnett, J. (1915). The Bicameral System in State Legislation. *The American Political Science Review* , 449-466.
- Baxter, C. (1974). Constitution Making: The Development of Federalism in Pakistan . *Asian Survey*, 1074-1085.
- Bokhari, A. M. (2008). The Constitution of Pakistan: Challenges and Options . *Journal of Political Studies* , 15-25.
- Bruce M. Hicks, A. B. (2008, November). Restructuring the Canadian Senate through Elections. *Institute for Research for Public Policy*, 14, 1-22.
- Bellamy, A. B. (2006). *Federalism and Regionalism in Australia*. Canberra: ANU E Press The Australian National University.
- Blais, B. M. (2008). Restructuring the Canadian Senate through Elections . *Institute For Research On Public Policy*.
- BPC Report (1950). *Basic Principle Report*. Karachi: Parliament of Government of Pakistan.
- Baloch, S.A. (2010, April 14). PPPP Senator from Balochistan. Senate of Pakistan. House Debates. Vol IV. No 6.
- Balor, A. (2010, April 14). Senator of ANP from KP. Senate of Pakistan. House Debates. Vol IV. No 6.
- Belor, G. A. (2010, April 7). MNA of ANP from KP. National Assembly. House Debates. Vol XXI. No 2.

- Bugti, S.H. (2010, April 14). Senator of JWP from Balochistan. Senate of Pakistan. House Debates. Vol IV. No 6. Choudhury, G.W. (1956). The Constitution of Pakistan. Pacific Affairs, 29(3), 243-252.
- Baxter, Craig (1974) The Development of Federalism in Pakistan. Asian Survey, Vol. 14, No. 12, pp. 1074-1085.
- Cal Jillson, D. B. (2014). *Perspectives on American Government Readings in Political Development and Institutional Change*. Routledge.
- Constitutional Commission Report (1960). *Constitutional Commission Report*. Karachi: Parliament of Pakistan .
- Cocherty, D. C. (2010). The Canadian Senate: Chamber of Sober Reflection or Loony Cousin Best Not Talked About. *The Journal of Legislative Studies*, 27-48.
- Choudhury, G.W. (1956). The Constitution of Pakistan. Pacific Affairs, 29(3), 243-252.
- Choudhury, G. W. (1955). Constitution-Making Dilemmas in Pakistan. The Western Political Quarterly, 8(4), 589- 600.
- Docherty, D. C. (2002). The Canadian Senate: Chamber of Sober Reflection or Loony Cousin Best Not Talked About. *Journal of Legislative Studies* , 27-48.
- Docherty, D. C. (2012). The Canadian Senate: Chamber of Sober Reflection or Loony Cousin Best Not Talked About . *The Journal of Legislative Studies* , 28.
- Drexhage, B. (2015). *Bicameral Legislatures An International Comparison*. The Hague: Ministry of the Interior and Kingdom Relations Directorate of Constitutional Affairs and Legislation.
- Dickerson, M. O., Flanagan, T., & O'Neill, B. (2009). An Introduction to Government and Politics: A Conceptual Approach. Toronto: Methuen.
- Docherty, D. C. (2002). The Canadian Senate: Chamber of Sober Reflection or Loony Cousin Best Not Talked About. The Journal of Legislative Studies, 8(3), 27-48.
- Durrani, M.A. (2010, April 14). PMLQ Senator from Punjab. Senate of Pakistan. House Debates. Vol IV. No 6.
- Ghouri, B. K. (2010, April 13). Senator of MQM. Senate of Pakistan. House Debates. Vol IV. No 5.
- Dickerson, M. O., Flanagan, T., & O'Neill, B. (2009). An Introduction to Government and Politics: A Conceptual Approach. Toronto: Methuen.
- Doria, G. (2006). The Paradox of Federal Bicameralism. Retrieved from European Diversity and Autonomy Papers-5
- Faisal, S. M. (2013). A Comparative Study of Federalism in Pakistan after 18th Amendment and USA. *Pakistan Journal of Social Sciences*, 33, 109-120.
- Fleiner, T. (2006). Distribution of Powers and Responsibilities in Federal Countries . *Global Dialogue on Federalism*, 392.

- Faiz, A. (2015). *Making Federation Work: Federalism in Pakistan After the 18th Amendment*. Karachi: Oxford University Press.
- Garran, S. R. (1929). *Report of the Royal Commission on Australian Constitution*. Australian Parliament .
- Giancarlo, D. (2006). The Paradox of Federal Bicameralism. *European Diversity and Autonomy Papers*.
- Griffith, C. (2020). Taxonomy of Powers and Roles of Upper Chambers in Bicameral Legislatures . *Indiana Journal of Constitutional Design*, 1-28.
- Gamper, A. (2018). Representing Regions, Challenging Bicameralism: *Perspectives On Federalism Volume 10, Issue 2*, 1-9.
- Griffith, C. (2020). Taxonomy of Powers and Roles of Upper Chambers in Bicameral Legislatures. *Indian Journal of Constitutional Design*, 1-27.
- Gondal, N. A. (2010, April 7). PPPP MNA from Punjab. National Assembly. House Debates. Vol XXI. No 2. Iqbal, A. (2010, April 6).
- The Constituent Assembly of Pakistan Debates (1949): Official Report of the Fifth Session of the Constituent Assembly of Pakistan Vol. V, Karachi:
- Hashmi, Sayed Shamoan (2014). *Leading The Way: A Handbook for Pakistan's Women Parliamentarians and Political Leaders*. Islamabad: Search For Common Ground Pakistan; Zakar, Mohammad Zakria (2014) *Baseline Survey for Strengthening Women Parliamentarians in Pakistan for Effective Government*. Islamabad: Search For Common Ground Pakistan.
- Khan. H (2001). *Constitutional and Political History of Pakistan*. Oxford University Press Karachi
- Hussain, Mahboob (2015). Power Dynamics of State Institutions in Pakistan, Discourse Analysis of Bureaucracy and the Legislature (1971-1977). *Research Journal of South Asian Studies, Vol.30, No.2, pp. 177-186*.
- Hamid, Shahid (2010) *Impact of 18th Constitutional Amendment on Federation-Provinces Relations*. Islamabad: Pakistan Institute of Legislative Development and Transparency.
- Hussain, M. (2011). Institution of Parliament in Pakistan: Evolution and Building Process(1947-1970). *Journal of Political Studies* , 77-99.
- Hai, L. H. (2002). Electoral Politics in Malaysia: 'Managing' Elections in aPlural Society. *Electoral Politics in Southeast and East Asia*, 1-48.
- Happacher, E. (2018). Extra-legislative Functions of Second Chambers in Federal Systems. *Perspectives on Federalism, Vol. 10*, E134-E151.
- Heard, A. (1991). *Canadian Constitutional Conventions: The Marriage of Law and Politics*. Toronto: Oxford University Press.
- House Debates. (1974, April 2). *Senate of Pakistan*. Islamabad: Senate Secretriare .

- Hussain, M. (2019). *The Parliament of Pakistan: A History of Institution-Building and (Un)Democratic Practices, 1971–1977*. Karachi: Oxford University Press.
- Inter-Parliamentary Union (2022, 08 21). *Canada | Inter-Parliamentary Union*. Retrieved from IPU: <https://www.ipu.org/parliament/CA>
- Inter-Parliamentary Union Archives*. (2020, September 16). Retrieved from Inter-Parliamentary Union: data.ipu.org
- Jones, M. (1957). *Parliament in India*. London: Longmans.
- Khan, H. (2001). *Constitutional and Political History of Pakistan*. Karachi: Oxford University Press.
- Khan, H. (2017). *Constitutional and Political History of Pakistan* . Karachi: Oxford University Press .
- Khan, K. (2017). Bicameralism in a Federation: An Historical Analysis of Role of Senate in Promoting Federalism in Pakistan. *SSRN Electronic Journal*, 135-159.
- Keating, M. (2008). Thirty Years of Territorial Politics. *West European Politics*, 60-81.
- Kokab, R. U. (n.d.). Constitution Making in Pakistan and East Bengali's demnd for Provincial Autonomy(1947-58). *Pakistan Vision vol 12*.
- Kundi, M. A. (2002). Federalism In Pakistan: Problems & Prospects . *Asian And African Studies*, 37-48.
- Khan, K. (2017). Bicameralism in a Federation: An Historical Analysis of Role of Senate in Promoting Federalism in Pakistan. *Pakistan Perspectives Vol. 22, No. 1,* 135-158.
- Keating, M. (2008). Thirty Years of Territorial Politics. *West European Politics*, 60-81.
- Khan, A. H. (2010, April 14). Senator of MQM from Sindh. Senate of Pakistan. House Debates. Vol IV. No 6.
- Khan, S.S. (2010, April 14). PMLQ Senator from KP. Senate of Pakistan. House Debates. Vol IV. No 6.
- Khattak, A. Senator of ANP from KP. Senate of Pakistan. House Debates. 2010 April 14. Vol IV. No 6. Laghari, J. K. (2010, April 14). PMLQ Senator from Punjab. Senate of Pakistan. House Debates. Vol IV. No 6.
- Muhammad, Mushtaq (2017) Empowering Ethnoregional Minorities and the Federal Bicameralism: Examining the Role of Senate in Pakistan. *FWU Journal of Social Sciences, Special Issue, No.4, pp.1-11*.
- Khan, Hamid (2001) *Constitutional and Political History of Pakistan* (2nd ed.). Karachi: Oxford University Press.
- Kennedy, C. H. (1993). Managing ethnic conflict: the case of Pakistan. *Regional and Federal Studies*, 3(1), 123- 143
- Lijphart, A. (1985). Non-Majoritarian Democracy: A Comparison of Federal and Consociational Theories. *Publius* 15, 3-15.

- Livingston, W. S. (1956). *Federalism and Constitutional Change*. London: Oxford University Press.
- Lijphart, A. (1999). *Patteren Of Democracy: Gornment Forms and Performace*. New Haven: Yale University Press.
- Lijphart, A. (1999). *Patterns of Democracy: Government Forms and Performance in Thirty-Six Countries*. New Haven: Yale University Press.
- Lot, G.M. (2010, April 14). Senator of PPP from Sindh. Senate of Pakistan. House Debates. Vol IV. No 6. p. 96. Mandokhel, A. (2010, April 13).
- Lijphart, Arend (2012) *Patterns of Democracy: Government Forms and Performance in Thirty-six Countries, Second Edition*. New York: Yale University Press.
- MalU. K. a, Z. K. (1995). *The Myth of constitutionalism in Pakistan*. Karachi: Oxford university press.
- Morris-Jones, W. H. (1957). *Parliament in India*. Pennsylvania: University of Pennsylvania Press.
- Mahmood, T. (2015). A Comparative Analysis of the Functioning of the Senate in USA and Pakistan. *South Asian Studies* , 265-280.
- Malik, R. (2001). The Process of Constitution Making in Pakistan 1947-56. *Pakistan Journal of History & Culture* , 57-80.
- Money, T. & (1997). *Bicameralism*. U. K.: Combridge University Press.
- Mughan, S. C. (1999). *Senates: Bicameralism in the Contemorary World*. Ohio: The Ohio State University Press.
- Muhriz, T. ". (2012). *A new Dawn for the Dewan Negara? A Study of Malaysia's Second Chamber and Some Proposals for Reform*. Kuala Lumpur : Institute for Democracy and Economic Affairs.
- Mujahid, S. A. (2012). Finding Balance between Unity and Diversity: A major Challange to Democracy, Gvernance and National Unity. *Pakistan Vision vol 13*, 1-19.
- Mushtaq, M. (2009). Mananging Ethnic Diversity and Federalism in Pakistan . *European Journal of Scentific Reserach* , 279-294.
- Mushtaq, M. (2016). Regional Identities in Quest of Separate Provinces: A New Challenge for the Pakistani Federation. *Journal of Political Studies Vol 23*, 289-307.
- Muhammad Mustaq & Sultan Mubariz Khan (2018). Territorial Role of Second Chambers in Parliamentary Federations: Evidence from Pakistan. *FWU Journal of Social Sciences vol 12*, 114-122.
- M. O. Dickerson, T. F. (2009). *An Introduction to Government and Politics*. Canada : Nelson Education Limited.
- Madison, J. (1788). The Necessity of the Senate in the Federal Government. *Federalist 62*.
- Mill, J. S. (1861). Considerations on Representatives Government. *London Everyman*, 325.

- Money, G. T. (1997). *Bicameralism*. Cambridge: Cambridge University Press.
- Mughan, A., & Patterson, S. (1999). *Senates: Bicameralism in the Contemporary World*. Ohio: Ohio State University Press.
- Mughan, S. C. (1999). *Bicameralism In The Contemporary World*. Ohio: The Ohio State University Press.
- MNA of PMLN from Punjab. National Assembly. House Debates. Vol XXI. No 1. Ismail, M. (2010, April 13).
- MNA of JUI-F from Balochistan. National Assembly. House Debates. Vol XXI. No 2. Khan, A. (2010, April 13).
- Meer, S. (2010, April 14). Senator of JAH from Punjab. Senate of Pakistan. House Debates. Vol IV. No 6. Memon, M. (2010, April 14).
- MNA of PMLQ from Sindh. National Assembly. House Debates. Vol XXI. No 2. Muqam, E.A. (2010 April 6).
- Mushtaq, M. (2016). Managing Ethnic Diversity: The Pakistani Experience. In S. N. Romani U. K., & M. Marlin, *Democracy and Civil Society in a Global Era* (pp. 86-102). New York : Routledge .
- Mushtaq, M., & Alqama, S. K. (2009). Poverty Alleviation Through Power-Sharing in Pakistan. *European Journal of Social Sciences*, 8(3), 459-468.
- Nazir, M. (2008). The Problems and Issues of Federalism in Pakistan . *Pakistan Vision Vol. 9*, 1-20.
- Naseeb, M. G. (2010, April 14). Senator of JUI from KP. Senate of Pakistan. House Debates. Vol IV. No.2
- Norton, P. (2007). Adding Value? The Role of Second Chambers. *Asia Pacific Law Review*, 15(1), 3-18.
- Norton, P., & Ahmed, N. (1998). Legislatures in Asia: Exploring diversity. *The Journal of Legislative Studies*, 4(4), 1-12.
- Official website Government of Canada . (2020). *Senate of Canada*. Retrieved from <https://sencanada.ca/en/senators/>: <https://sencanada.ca/en/senators/>
- Preece, A. A. (2001). Upper Houses And Financial Legislation. *SRRN Papers* , 115-143.
- Paleker, S. A. (2006). Federalism: A Conceptual Analysis. *The Indian Journal of Political Science*, 303-310.
- Pakistan. Constituent Assembly *Debates (1953)*. Karachi: Government of Pakistan Press Karachi.
- Pakistan. National Assembly. Parliamentary Debates. (2010, April 6). XXI (1), 1-89. Retrieved from http://www.na.gov.pk/uploads/documents/1457954626_402.pdf
- Pakistan. National Assembly. Parliamentary Debates. (2010, April 7). XXI (2), 1-147. Retrieved from http://www.na.gov.pk/uploads/documents/1457954681_583.pdf

- Pakistan. Senate of Pakistan. Parliamentary Debates. (2010, April 13). IV (5), 1-152. Retrieved from http://senate.gov.pk/uploads/documents/debates/1318053681_638.pdf
- Pakistan. Senate of Pakistan. Parliamentary Debates. (2010, April 14). IV (6), 1-151. Retrieved from http://senate.gov.pk/uploads/documents/debates/1318053725_571.pdf
- Parveen, K. (2010, April 13). Senator of BNP-A. Senate of Pakistan. House Debates. Vol IV. No 5.
- Pirzada, R. H. (2010, April 7). PMLQ Senator from Punjab. Senate of Pakistan. House Debates. Vol IV. No 2. Rizvi, H.A. (2010, April 7). MNA of MQM. National Assembly. House Debates. Vol XXI. No 2.
- Parveen, Kausar (2000) The Constitutional and Political Dimensions of Eighth Amendment. Pakistan Journal of History and Culture, Vol.XXI, Vol.I, pp.67- 92.
- Patterson, S. C., & Mughan, A. (1999). Senates: Bicameralism in the contemporary world. Ohio: State University Press.
- PILDAT (2019a) How to be an Effective Legislator. Islamabad: Pakistan Institute of Legislative Development And Transparency (PILDAT)
- PILDAT (2019b). Effective Role in Committees. Islamabad: Pakistan Institute of Legislative Development And Transparency (PILDAT).
- PILDAT (2019c) Performance of the National Security Committee 2013-2018. Islamabad: Pakistan Institute of Legislative Development And Transparency (PILDAT).
- Regis Dandoy, J. D. (2015). The new Belgian Senate. A (dis) continued evolution of federalism in Belgium. Routledge Taylor & Francis Group, 1-13.
- Russell, M. (2001). The Territorial Role of Second Chambers. Journal of Legislative Studies, 105-118.
- Rid, S. A. (2019). Federalism in Pakistan: Evolving from a highly centralised federal system to a more decentralised federal structure. *Jahrbuch des Föderalismus*, 373-384.
- Rid, S. A. (2019). The Emergence and Evolution of Upper House (the Senate) in Pakistani Federalism (1947 to the 18th Constitutional Amendment 2010 and Afterwards). *Pakistan Journal of History and Culture* , 1-20.
- Rid, S. A. (2019). The Emergence and Evolution of Upper House (The Senate) in Pakistani Federalism (1947 to the 18th Amendment 2010 and Afterwards). *Pakistan Journal of Hoistory & Culture*, Vol. xI, 1 -20.
- Rashiduzzaman, M. (1969-70). The National Assembly of Pakistan Under the 1962 Constitution . *Pacific Affairs*, Vol. 42, 481-493.
- Regis Dandoy, J. D. (2015). The new Belgian Senate. A (dis) continued evolution of federalism in Belgium. *Routledge Taylor & Francis Group*, 1-13.
- Russell, M. (2013). Rethinking Bicameral Strength: A Three Dimensional Approach. *The Journal of Legislative Studies*, 370-391.
- Russell, M. (2013). Rethinking Bicameral Strength: A Three-Dimensional Approach. *The Journal of Legislative Studies*, 370-91.

- Rawlings, H. F. (2008). The Malaysian Constitutional Crisis of 1983. *International & Comparative Law Quarterly*, 237-254.
- Régis Dandoy, Jérémy Dodeigne, Min Reuchamps & Audrey Vandeleene (2015). The New Belgian Senate. A (Dis)Continued Evolution of Federalism in Belgium? *Representation*, 327-339.
- Rid, S. (2019). The Emergence and Evolution of Upper House (the Senate) in Pakistani Federalism (1947 to the 18 th Amendment 2010 and afterwards). *Pakistan Journal of History and Culture*, Vol. XL, No. 2., 1-21.
- Russell, M. (2012). The Territorial Role of Second Chambers. *The Journal of Legislative Studies*, 105-118.
- Russell, M. (2012). Why are second chambers difficult to reform. *The Journal of Legislative Studies*, 82.
- Russell, M. (2001). What are Second Chambers for? *Parliamentary Affairs*, 54(3), 442-458.
- Rudolph, J. R. (1971). Federalism and nation-building : India, Pakistan, Malaysia and Nigeria (Unpublished doctoral dissertation). University of Virginia, Virginia, US.
- Scully, R. (2001). Dealing with Big Brother: Relations with the First Chamber. *Journal of Legislative Studies*, 93-104.
- Sharman, C. (2007). The Australian senate as a states house. *Australian Journal of Political Science* , 64-75.
- Shell, D. (2001). The History of Bicameralism . *The Journal of Legislative Studies* , Volume 7, 2001 - Issue 1 5-18.
- Steffen Ganghof, S. E. (2018). Australian bicameralism as semiparliamentarism. *Australian Journal of Political Science*, 212.
- Swenden, W. (2010). Sub-national participation in national decisions: the role of second chambers. *Multi level governance* , 103-123.
- Samuel C. Patterson. Anthony Mughan. (2001). Fundamentals of Institutional Design: The Functions and Powers of Parliamentary Second Chambers. *The Journal of Legislative Studies*, 39-60.
- Sayeed, K. B. (1954). Federalism and Pakistan. *Institute of Pacific Relations*, 139-143.
- Scully, R. (2010). Dealing With Big Brother: Relation with the First Chamber. *Journal of Legislative Studies* , 93-104.
- Shell, D. (2010). The History of Bicameralism . *The Legislative Studies* , 5-18.
- Swenden, W. (2010). *Sub-national participation in national decisions: the role of second chambers*. Eidinbgh : Ashgate Publishing.
- Saba Noor, A. S. (2018). Fata Merger With Khyber Pakhtunkhwa: Prospects And Opportunities. *Issra Papers (The Journal of Governance and Public Policy)*.

- Secretariate, S. (2021). *Senate of Pakistan*. Retrieved from Senate of Pakistan: <http://www.senate.gov.pk/en/essence.php?id=10&catid=4&subcatid=138&leftcatid=125&cattitle>About%20the%20Senate>
- Senate of Pakistan Annual Report . (2012). *Senate of Pakistan Annual Report* . Islamabad: Senate Secretariat .
- Swenden, W. (2004). *Federalism and Second Chambers: Regional Representation in Parliamentary Federations: The Australian Senate and German Bundesrat Compared*. Buresells: Peter Lang.
- Senator of NP from Balochistan. Senate of Pakistan. House Debates. Vol IV. No 6. Baloch, A.Q. (2010, April 7).
- Schneier, E. (2006). *Crafting Constitutional Democracies: The Politics of Institutional Design*. Maryland: Rowman & Littlefield Publishers
- Senate of Pakistan. (2012). *Role, functions, and procedures*. Islamabad: Senate Secretariat
- Senator of JUI from Balochistan. Senate of Pakistan. House Debates. Vol IV. No 5. Kakar, R.U. (2010, April 7).
- Senator ANP from KP. Senate of Pakistan. House Debates. Vol IV. No 5.
- Senator of PKMAP, Balochistan. Senate of Pakistan. House Debates. Vol IV. No 5. Mashhadi, T.H. (2010, April 13). Senator of MQM. Senate of Pakistan. House Debates. Vol IV. No 6.
- Sajjad, W. (2010, April 13). PML-Q Senator from Punjab. Senate of Pakistan. House Debates. Vol IV. No 5.
- Sattar, F. (2010, April 7). MNA of MQM from Karachi. National Assembly. House Debates. Vol XXI. No 2.
- Sawati, A.K. (2010, April 13). Senator of JUI from KP. Senate of Pakistan. House Debates. Vol IV. No 5.
- Schneider, E. (2006). *Crafting Constitutional Democracies: The Politics of Institutional Design*. Maryland: Rowman & Littlefield Publishers.
- Seehar, B.K. (2010, April 7). PMLQ MNA from Punjab. National Assembly. House Debates. Vol XXI. No 2.
- Shah, N.A. (2010, April 7). PPPP MNA form Balochistan. National Assembly. House Debates. Vol XXI. No 2.
- Shah, S.N. (2010, April 7). PPPP MNA form Balochistan. National Assembly. House Debates. Vol XXI. No 2.
- Sherpao, A. A. (2010, April 7). MNA of PPP (S) from KP. National Assembly. House Debates. Vol XXI. No 2.
- Shirani, M. K. (2010, April 13). JUI Senator from Balochistan. Senate of Pakistan. House Debates. Vol IV. No 5.

- Shirani, M.K. (2010, April 13). JUI Senator from Balochistan. Senate of Pakistan. House Debates. Vol IV. No 5.
- Smith, D. E. (2003). *The Canadian Senate in Bicameral Perspective* (2nd ed.). University of Toronto Press.
- Soomro, K.M. (2010, April 14). Senator of JUI from Sindh. Senate of Pakistan. House Debates. Vol IV. No 6.
- Swenden, W. (2004). *Federalism and Second Chambers: regional representation in parliamentary federations: the Australian Senate and German Bundesrat compared*. Brussels: Peter Lang.
- Swenden, W. (2010). Sub-national participation in national decisions: the role of second chambers. In H. Enderlein, S. Walti, & M. Zurn, *Handbook of Multi-Level Governance* (pp. 103-123). Cheltenham, U. K.: Edward Elgar.
- The India Act 1833. (n.d.). *The India Act 1833*. apakistan, Pakistann: Constitutional Documents Pakistan Volume 1.
- Tripathi, R. (2002). *Emergence of Second Chamber in India*. New Delhi: National Publishing House 2/35 Ansari Road, Darya Ganj, New Delhi-11 0002 (India).
- Tripathi, R. C. (2002). *Second Chambers: Bicameralism Today*. New Dehli: Rajya Sabha Secretariat.
- Thompson, E. (1980). The West Minister Mutation. *Politics* , 32-40.
- Thorlakson, L. (2007). An institutional explanation of party system congruence: Evidence from six federations. *European Journal of Political Research*, 69-95.
- Thaem, A. R. (2010, April 14). MNA of PML-F from Sindh. National Assembly. House Debates. Vol XXI. No 2.
- Tsebelis, G., & Money, J. (1997). *Bicameralism*. Cambridge: Cambridge University Press.
- Tsebelis, G., & Money, J. (1997). *Bicameralism: Political Economy of Institutions and Decisions*. Cambridge University Press.
- Thorlakson, L. (2003). Comparing federal institutions: Power and representation in six federations. *West European Politics*, 26(2), 1-22.
- Uhr, J. (2006). The Australian and New Zealand parliaments: Context, response and capacity. *Australian Journal of Political Science*, 257-272.
- Union, I.-P. (1999). The parliamentary system of Belgium. *ASGP Review*, 1-15.
- Uhr, J. (1999). *Generating Divided Government: The Australian Senate in S C Patterson and A Muga (ed.), Senates: Bicameralism in the Contemporary World*., Ohio State University Press,.
- Umbreen Javed, & Z. (2017). Role and Significance of Senate in the Federation of Pakistan: An Analysis Before and After 18th Constitutional Amendment to thr Constitution of 1973. *MARGALLA PAPERS*, 19-32.
- Waseem, D. M. (2010). *Federalism in Pakistan*. Islamabad: LUMS.

- Watts, R. L. (1996). *Comparing Federal Systems in 1990s*. Ontario: Institute of Intergovernmental Relations, Queen's University Kingston Ontario Canada.
- Watt, R. (1990). *Comparing Federal Systems in the 1990s*. Ontario: Queen University Kingston.
- Watts, R. L. (2003). Federalism, Federal Political Systems, and Federations. *Annual Review of Political Science* , 117-137.
- Where, K. C. (1963). *Federal government*. London: Oxford University Press.
- Wildavsky, A. (1967). American Federalism in Perspective. Ed. *American Political Science Review*, 624.
- Wali, A.Y. (2010, April 7). MNA of ANP from KP. National Assembly. House Debates. Vol XXI. No 2.
- Watts, R. L. (1999). *Comparing Federal Systems* (2nd ed.). Montreal & Kingston: McGill-Queen's University Press.
- Zafar, S. M. (2010 April 14). Senator of PML-Q from Punjab. Senate of Pakistan. House Debates. Vol IV. No 6.
- Waseem Mohammad (1994) *Politics and the state in Pakistan*. Islamabad: National Institute of Historical And Cultural Research.
- Watts, R. (1999). *Comparing Federal Systems* (2nd ed.). Montreal & Kingston: McGill-Queen's University Press.
- Yamamoto, H. (2007). *Tools for Parliamentary Oversight: A Comparative Study of 88 National Parliaments*. Geneva: Inter-Parliamentary Oversight Union. Geneva.
- Zaman, F. F. (2010, April 14). Senator of PML-Q from KP. Senate of Pakistan. House Debates. Vol IV. No 6.
- Ziauddin, M. (2013) Nawaz Sharif's Shariat bill. [Online] The Express tribune, March 05, 2013. <https://tribune.com.pk/story/516152/nawaz-sharifs-shariatbill/> (Accessed on 18/05/2018)

APPENDIX-01

Abbreviations Used in the Thesis

Sr #	Item	Abbreviations
1	Alternative Dispute Resolution	ADR
2	Acquired immunodeficiency syndrome	AIDS
3	Awami National Party	ANP
4	Army Medical College	AMC
5	Capital Administration and Development Division	CADD
6	Calling Attention Notice	CAN
7	Council of Common Interests	CCI
8	Capital Development Authority	CDA
9	Committee on Government Assurance	CGA
10	Central Intelligence Agency	CIA
11	Committee on Problems of Less Developed Areas	CLDA
12	Computerized national identity cards	CNIC
13	Chief of Army Staff's	COAS
14	Chief Minister	CM
15	Chief Justice of Pakistan	CJP
16	Commission of Inquiry on Enforced Disappearances	COIED
17	Coronavirus Disease	COVID
18	Criminal Procedure Code	CPC
19	China-Pakistan Economic Corridor	CPEC
20	Central Superior Services	CSS
21	Deoxyribonucleic acid	DNA
22	Drug Regulatory Authority of Pakistan	DRAP
23	Election Commission of Pakistan	ECP
24	Free and Fair Election Network	FAFEN

25	Federal Administrated Tribal Areas	FATA
26	Federal Bank for Cooperatives	FBC
27	Functional Committees	FC
28	Federal Flood Commission's	FFC
29	Federal Government Services Hospital	FGSH
30	Federal Investigation Agency	FIA
31	Federal Legislative List	FLL
32	Gilgit Baltistan	GB
33	Gross Domestic Product	GDP
34	Plus Generalized Scheme of Preferences Plus	GSP
35	House Building Finance Corporation	HBFC
36	Higher Education Commission	HEC
37	Hyderabad Electric Supply Company	HESCO
38	human immunodeficiency virus	HIV
39	Inter Board Committee of Chairmen	IBCC
40	Islamabad Capital Territory	ICT
41	Islamabad Healthcare Regulations Act	IHRA
42	Independent Power Procedure	IPPs
43	Inter-Parliamentary Union	IPU
44	Information Technology	IT-Park
45	Jameat Ulema Islam	JUI
46	Karachi Electric Supply Company	K- Electric
47	Khyber Pakhutunkhaw	KP
48	Legal Framework Order	LFO
49	Law and Justice Commission of Pakistan	LJCP
50	Line of Control	LOC
51	Metropolitan Corporation Islamabad	MCI

52	Member of the National Assembly	MNA
53	Member of the Provincial Assembly	MPA
54	Muttahida Qaumi Movement	MQM
55	Magnetic Resonance Imaging	MRI
56	Multan Electric Power Company	MEPCO
57	National Assembly	NA
58	National Database and Registration Authority	NADRA
59	North Atlantic Treaty Organization	NATO
60	National Disaster Management Authority	NDMA
61	National Economic Commission	NEC
62	National Electric Power Authority	NEPRA
63	National Finance Commission	NFC
64	Non-governmental organizations	NGOs
65	Non-objection certificate	NOC
66	National Power Control Centre	NPCC
67	National Radio and Telecommunication Corporation	NRTC
68	National tuberculosis control program	NTBP
69	North West Frontier Province	NWFP
70	Norwegian Human Rights Fund	NHRF
71	National Testing Service	NTS
72	Organization for Economic Cooperation and Development	OECD
73	Organization of Economic Cooperation	OIC
74	Public Accounts Committee	PAC
75	Pakistan Environment Protection Agency	Pak-EPA
76	Parliamentary Committee on Constitutional Reforms	PCCR
77	Parliamentary Committee on Electoral Reforms	PCER
78	Pakistan Council of Renewable Energy Technologies	PCRET

79	Pakistan Engineering Council	PEC
80	Pakistan Investment Corporation	PIC
81	Private Educational Institutions Regulatory Authority	PIERA
82	Pakistan Institute of Medical Sciences	PIMS
83	Pakistan Institute of Parliamentary Studies	PIPS
84	Pakistan Muslim League Junejo	PML-J
85	Pakistan Muslim League Nawaz	PMLN
86	Pakistan Penal Code	PPC
87	Pakistan People's Party Parliamentarians	PPPP
88	Public Procurement Regulatory Authority	PPRA
89	Public Sector Development Program	PSDP
90	Pakistan Telecommunication Company Limited	PTCL
91	Pakistan Tehreek e Insaaf	PTI
92	Pakistan Medical and Dental Council	PMDC
93	Proportional Representation	PR
94	Pakistan Institute of Legislative Development and Transparency	PILDAT
95	Pashtunkhwa Milli Awami Party	PKMAP
96	Result Transmission System	RTS
97	State Bank of Pakistan	SBP
98	Securities and Exchange Commission of Pakistan	SECP
99	Single transferable Vote	STV
100	Thar Coal Power Plant	TCCP
101	United Nations Conference on Trade and Development	UNCTAD
102	United Nations Economic and Social Commission for Asia and the Pacific	UNESCAP
103	United Nation Development Programme	UNDP
104	World Health Organization	WHO

Turnitin Originality Report

PhD Thesis

ORIGINALITY REPORT

19% SIMILARITY INDEX	17% INTERNET SOURCES	6% PUBLICATIONS	5% STUDENT PAPERS
--------------------------------	--------------------------------	---------------------------	-----------------------------

PRIMARY SOURCES

1	senate.gov.pk Internet Source	2%
2	Submitted to Higher Education Commission Pakistan Student Paper	2%
3	pr.hec.gov.pk Internet Source	2%
4	www.schoolplace.com Internet Source	1%
5	www.nihcr.edu.pk Internet Source	1%
6	www.senate.gov.pk Internet Source	1%
7	www.sbbwu.edu.pk Internet Source	<1%
8	na.gov.pk Internet Source	<1%
9	centreline.com.pk Internet Source	<1%

10	on-federalism.eu Internet Source	<1 %
11	westminsterresearch.westminster.ac.uk Internet Source	<1 %
12	www.ucl.ac.uk Internet Source	<1 %
13	sbbwu.edu.pk Internet Source	<1 %
14	e.jang.com.pk Internet Source	<1 %
15	pdffox.com Internet Source	<1 %
16	mopa.gov.pk Internet Source	<1 %
17	www.repository.law.indiana.edu Internet Source	<1 %
18	en.wikipedia.org Internet Source	<1 %
19	docplayer.net Internet Source	<1 %
20	dokumen.pub Internet Source	<1 %
21	molwa.gov.bd Internet Source	<1 %

22	hdl.handle.net Internet Source	<1 %
23	ebin.pub Internet Source	<1 %
24	www.civiceducation.org Internet Source	<1 %
25	www.app.com.pk Internet Source	<1 %
26	journal.psc.edu.pk Internet Source	<1 %
27	www.cdint.org Internet Source	<1 %
28	"Two Decades of Legislative Politics and Governance in Nigeria's National Assembly", Springer Science and Business Media LLC, 2021 Publication	<1 %
29	eprints.lmu.edu.ng Internet Source	<1 %
30	eprints.soas.ac.uk Internet Source	<1 %
31	fafen.org Internet Source	<1 %
32	dailytimes.com.pk Internet Source	<1 %

33	Submitted to National Law School of India University, Bangalore Student Paper	<1 %
34	opus.lib.uts.edu.au Internet Source	<1 %
35	nation.com.pk Internet Source	<1 %
36	Constitutions of Nations, 1985. Publication	<1 %
37	Dickovick, J. Tyler, Eastwood, Jonathan, LeBlanc, Robin M.. "Comparative Politics", Comparative Politics, 2022 Publication	<1 %
38	ndl.ethernet.edu.et Internet Source	<1 %
39	zombiedoc.com Internet Source	<1 %
40	Donald Shell. "The History of Bicameralism", The Journal of Legislative Studies, 2001 Publication	<1 %
41	ndu.edu.pk Internet Source	<1 %
42	pu.edu.pk Internet Source	<1 %

cor.europa.eu

43	Internet Source	<1%
44	ncf.org.np Internet Source	<1%
45	Régis Dandoy, Jérémy Dodeigne, Min Reuchamps, Audrey Vandeleene. "The New Belgian Senate. A (Dis)Continued Evolution of Federalism in Belgium?", Representation, 2015 Publication	<1%
46	www.pure.ed.ac.uk Internet Source	<1%
47	Sidra Akram, Mian Muhammad Azhar, Shakil Akhtar, Husni Mubarak, Muhmmad Ikram Ul Haq. "THE PARLIAMENTS OF CANADA AND PAKISTAN: A COMPARATIVE ANALYSIS OF STRENGTHS AND WEAK", Humanities & Social Sciences Reviews, 2021 Publication	<1%
48	glsrjournal.com Internet Source	<1%
49	Roger Scully. "Dealing with Big Brother: Relations with the First Chamber", The Journal of Legislative Studies, 2001 Publication	<1%
50	central.bac-lac.gc.ca Internet Source	<1%

51	tribune.com.pk Internet Source	<1 %
52	fsi-live.s3.us-west-1.amazonaws.com Internet Source	<1 %
53	www.na.gov.pk Internet Source	<1 %
54	"The Forum of Federations Handbook of Federal Countries 2020", Springer Science and Business Media LLC, 2020 Publication	<1 %
55	www.loc.gov Internet Source	<1 %
56	Submitted to Aga Khan University Student Paper	<1 %
57	wrap.warwick.ac.uk Internet Source	<1 %
58	Martin Lau. "The Role of Islam in the Legal System of Pakistan", Brill, 2006 Publication	<1 %
59	Petr JUST, Jakub CHARVÁT. "Second parliamentary chambers as safeguards against democratic backsliding? Case study of Czech and Polish senates", Eastern Journal of European Studies, 2022 Publication	<1 %

60	silo.pub Internet Source	<1 %
61	John Uhr. "The Australian senate in its second century", Representation, 2000 Publication	<1 %
62	rajyasabha.nic.in Internet Source	<1 %
63	"Courts in Federal Countries", University of Toronto Press Inc. (UTPress), 2017 Publication	<1 %
64	irpp.org Internet Source	<1 %
65	pure.rug.nl Internet Source	<1 %
66	2017-2021.state.gov Internet Source	<1 %
67	irigs.iiu.edu.pk:64447 Internet Source	<1 %
68	journals.sagepub.com Internet Source	<1 %
69	Hasan-Askari Rizvi. "Military, State and Society in Pakistan", Springer Science and Business Media LLC, 2000 Publication	<1 %

70	Lorne Neudorf. "The Dynamics of Judicial Independence", Springer Science and Business Media LLC, 2017 Publication	<1 %
71	Moonis Ahmar. "The Dynamics of Pakistan's Intra-national Security: The Role of the New Provinces", India Quarterly: A Journal of International Affairs, 2016 Publication	<1 %
72	Submitted to UC, San Diego Student Paper	<1 %
73	www.theresearchers.org Internet Source	<1 %
74	Jonathan Malloy. "The executive and parliament in canada", The Journal of Legislative Studies, 2004 Publication	<1 %
75	Meg Russell. "The Territorial Role of Second Chambers", The Journal of Legislative Studies, 2001 Publication	<1 %
76	staging.nation.com.pk Internet Source	<1 %
77	www.bayefsky.com Internet Source	<1 %

78	Submitted to Symbiosis International University Student Paper	<1 %
79	ideas.org.my Internet Source	<1 %
80	www.brecorder.com Internet Source	<1 %
81	www.documents.pk Internet Source	<1 %
82	Submitted to London School of Economics and Political Science Student Paper	<1 %
83	global-jws.com Internet Source	<1 %
84	repub.eur.nl Internet Source	<1 %
85	www.ideapublishers.org Internet Source	<1 %
86	www.pildat.org Internet Source	<1 %
87	epaper.brecorder.com Internet Source	<1 %
88	"Reconstituting the Constitution", Springer Science and Business Media LLC, 2011 Publication	<1 %

89	Kristin Hulme. "Alberta's Great Experiment in Senatorial Democracy", <i>American Review of Canadian Studies</i> , 2016 Publication	<1 %
90	Samuel C. Patterson, Anthony Mughan. "Fundamentals of Institutional Design: The Functions and Powers of Parliamentary Second Chambers", <i>The Journal of Legislative Studies</i> , 2001 Publication	<1 %
91	archive.org Internet Source	<1 %
92	classic.iclrs.org Internet Source	<1 %
93	garymarks.web.unc.edu Internet Source	<1 %
94	pure.manchester.ac.uk Internet Source	<1 %
95	researchcommons.waikato.ac.nz Internet Source	<1 %
96	www.grrjournal.com Internet Source	<1 %
97	www.viewpointonline.net Internet Source	<1 %

98	Hoolo 'Nyane. "Bicameralism in Lesotho: A review of the powers and composition of the second chamber", Law, Democracy and Development, 2019 Publication	<1 %
99	Submitted to University of Wales, Bangor Student Paper	<1 %
100	archive.pakistantoday.com.pk Internet Source	<1 %
101	constitutionnet.org Internet Source	<1 %
102	Submitted to Liverpool John Moores University Student Paper	<1 %
103	www.pcp.gov.pk Internet Source	<1 %
104	dokumen.site Internet Source	<1 %
105	en.wikisource.org Internet Source	<1 %
106	website.uob.edu.pk Internet Source	<1 %
107	www.iiu.edu.pk Internet Source	<1 %

108	Abeeda Qureshi, Sara Ahmad. "Reserved seats for women in Pakistan: Reinforcement of patriarchy and powerlessness (2002-2018)", Women's Studies International Forum, 2022 Publication	<1 %
109	Submitted to King's College Student Paper	<1 %
110	epdf.pub Internet Source	<1 %
111	globaljournals.org Internet Source	<1 %
112	www.dawn.com Internet Source	<1 %
113	www.gssrjournal.com Internet Source	<1 %
114	www.pkcolumns.com Internet Source	<1 %
115	www.tandfonline.com Internet Source	<1 %
116	"Religion, Human Rights and International Law", Brill, 2007 Publication	<1 %
117	Francesco Rizzuto. "European integration and the french parliament: From ineffectual	<1 %

watchdog to constitutional rehabilitation and
an enhanced political role", The Journal of
Legislative Studies, 2006

Publication

118	epdf.tips Internet Source	<1 %
119	expeditiorepositorio.utadeo.edu.co Internet Source	<1 %
120	papyrus.bib.umontreal.ca Internet Source	<1 %
121	snappar.com Internet Source	<1 %
122	thefinancialdaily.com Internet Source	<1 %
123	uir.unisa.ac.za Internet Source	<1 %
124	Submitted to Coventry University Student Paper	<1 %
125	Tahir Wasti. "The Application of Islamic Criminal Law in Pakistan", Brill, 2009 Publication	<1 %
126	democracy-reporting.org Internet Source	<1 %
127	mafiadoc.com Internet Source	<1 %

128	media.neliti.com Internet Source	<1 %
129	www.elevenjournals.com Internet Source	<1 %
130	www.researchgate.net Internet Source	<1 %
131	"Legislating for Equality", Brill, 2016 Publication	<1 %
132	Submitted to Evangel University Student Paper	<1 %
133	etheses.whiterose.ac.uk Internet Source	<1 %
134	insights.techmahindra.com Internet Source	<1 %
135	ruj.uj.edu.pl Internet Source	<1 %
136	www.criterion-quarterly.com Internet Source	<1 %
137	www.scribd.com Internet Source	<1 %
138	Ali Shah. "Federalism constraints and opportunity in Pakistan", African Journal of Political Science and International Relations, 2013 Publication	<1 %

139	Devin Hagerty. "US policy and the Kashmir dispute: prospects for resolution", India Review, 2003 Publication	<1%
140	Katharine Adeney. "How to understand Pakistan's hybrid regime: the importance of a multidimensional continuum", Democratization, 2015 Publication	<1%
141	Submitted to Richmond The American International University In London Student Paper	<1%
142	Wilfried Swenden. "Federalism and Regionalism in Western Europe", Springer Science and Business Media LLC, 2006 Publication	<1%
143	commons.wikimedia.org Internet Source	<1%
144	pakobserver.net Internet Source	<1%
145	www.un.org Internet Source	<1%
146	Submitted to Association of Chartered Certified Accountants Student Paper	<1%

147	B. Zittel, S.H. Ezzeddine, M. Makatjane, I. Graham, S. Luangamornlert, T. Pemo. "Divergence and convergence in nursing and health care among six countries participating in ICN's 2010 Global Nursing Leadership Institute", International Nursing Review, 2012 Publication	<1 %
148	Journal of International Trade Law and Policy, Volume 12, Issue 1 (2013-05-27) Publication	<1 %
149	Submitted to Kozep-europai Egyetem Student Paper	<1 %
150	SILVIE BOVARNICK. "Universal human rights and non-Western normative systems: a comparative analysis of violence against women in Mexico and Pakistan", Review of International Studies, 2007 Publication	<1 %
151	The Politics of Constitutional Reform in North America, 2000. Publication	<1 %
152	ips.org.pk Internet Source	<1 %
153	researchspace.auckland.ac.nz Internet Source	<1 %
154	Submitted to Asian Institute of Technology Student Paper	<1 %

155	Submitted to Mahidol University Student Paper	<1 %
156	Muhammad Mahbubur Rahman. "Criminal Sentencing in Bangladesh", Brill, 2017 Publication	<1 %
157	Submitted to Nottingham Trent University Student Paper	<1 %
158	Submitted to University of Leeds Student Paper	<1 %
159	www.ohiostatepress.org Internet Source	<1 %
160	"Territory, Democracy and Justice", Springer Science and Business Media LLC, 2006 Publication	<1 %
161	Katharine Adeney. "Federalism and Ethnic Conflict Regulation in India and Pakistan", Springer Science and Business Media LLC, 2007 Publication	<1 %
162	dawn.com Internet Source	<1 %
163	www.dilemascontemporaneoseduacionpoliticaayalpre Internet Source	<1 %
164	www.tandf.co.uk Internet Source	<1 %

165	www.utwente.nl Internet Source	<1 %
166	"Reform Processes and Policy Change", Springer Science and Business Media LLC, 2011 Publication	<1 %
167	"Revisiting Unity and Diversity in Federal Countries", Brill, 2018 Publication	<1 %
168	Francesco Zucchini. "Dividing Parliament? Italian Bicameralism in the Legislative Process (1987–2006)", South European Society and Politics, 2008 Publication	<1 %
169	Mohammad Aslam Khan, Jawed Ali Khan, Zulfiqar Ali, Imran Ahmad, Muhammad Nauman Ahmad. "The challenge of climate change and policy response in Pakistan", Environmental Earth Sciences, 2016 Publication	<1 %
170	Muhammad Zubair Abbasi. "Sexualization of Sharīʿa: Application of Islamic Criminal (Ḥudūd) Laws in Pakistan)", Islamic Law and Society, 2021 Publication	<1 %
171	Niaz Shah. "Women, the Koran and International Human Rights Law", Brill, 2006	<1 %

172	Sean Mueller, Oscar Mazzoleni. "Regionalist Protest through Shared Rule? Peripherality and the Use of Cantonal Initiatives in Switzerland", <i>Regional & Federal Studies</i> , 2016 Publication	<1 %
173	Submitted to University Of Tasmania Student Paper	<1 %
174	Submitted to Uttaranchal University, Dehradun Student Paper	<1 %
175	apps.eui.eu Internet Source	<1 %
176	centaur.reading.ac.uk Internet Source	<1 %
177	discovery.dundee.ac.uk Internet Source	<1 %
178	fp.brecorder.com Internet Source	<1 %
179	pakistannewstoday.4com.co Internet Source	<1 %
180	www.elections.com.pk Internet Source	<1 %
181	www.latestlaws.com Internet Source	<1 %

182	www.pinknews.co.uk Internet Source	<1 %
183	www.queensu.ca Internet Source	<1 %
184	"How Power Changes Hands", Springer Science and Business Media LLC, 2011 Publication	<1 %
185	"Perspectives on the Legislature and the Prospects of Accountability in Nigeria and South Africa", Springer Science and Business Media LLC, 2019 Publication	<1 %
186	A. T. M. Obaidullah. "Institutionalization of the Parliament in Bangladesh", Springer Science and Business Media LLC, 2019 Publication	<1 %
187	Campbell Sharman. "The Australian senate as a states house", Australian Journal of Political Science, 1977 Publication	<1 %
188	Donald Eugene Smith. "South Asian Politics and Religion", Walter de Gruyter GmbH, 1967 Publication	<1 %
189	Karolina Borońska-Hryniewiecka. "Differential Europeanization? Explaining the impact of the early warning system on subnational	<1 %

parliaments in Europe", European Political
Science Review, 2015

Publication

190	Submitted to Leiden University Student Paper	<1 %
191	Muhammad Ibrahim, Razia Mussarat. "Electoral Politics: A Case Study of Pakistan (1947-1985)", Journal of Public Administration and Governance, 2015 Publication	<1 %
192	Rizwan Shaikh, Chien-Kai Chen. "China's Debt Trap in Pakistan? A Case Study of the CPEC Project", South Asia Research, 2021 Publication	<1 %
193	d-nb.info Internet Source	<1 %
194	dam.abbott.com Internet Source	<1 %
195	open.library.ubc.ca Internet Source	<1 %
196	pure.qub.ac.uk Internet Source	<1 %
197	sanipanhwar.com Internet Source	<1 %
198	scholarship.law.ufl.edu Internet Source	<1 %

199	surkhiyan.pk Internet Source	<1 %
200	vital.seals.ac.za:8080 Internet Source	<1 %
201	www.aspg.org.au Internet Source	<1 %
202	www.constituteproject.org Internet Source	<1 %
203	www.forumfed.org Internet Source	<1 %
204	www.oapen.org Internet Source	<1 %
205	www.ssoar.info Internet Source	<1 %
206	www.thenews.com.pk Internet Source	<1 %
207	www.ut.ee Internet Source	<1 %
208	"Bureaucracy and Political Development. (SPD-2)", Walter de Gruyter GmbH, 1963 Publication	<1 %
209	"Emerging Federal Structures in the Post-Cold War Era", Springer Science and Business Media LLC, 2022 Publication	<1 %

210	<p>"III: Governmental and Administrative Institutions/Institutions Politiques et Administratives", International Political Science Abstracts, 2016</p> <p>Publication</p>	<1 %
211	<p>Abu Elias Sarker. "The New Mode of Public Governance and Public Accountability in Developing Countries: An Analysis with Particular Reference to Bangladesh", International Journal of Public Administration, 2009</p> <p>Publication</p>	<1 %
212	<p>Bruce Stone. "Bicameralism and Democracy: The Transformation of Australian State Upper Houses", Australian Journal of Political Science, 7/1/2002</p> <p>Publication</p>	<1 %
213	<p>Submitted to Central University of Bihar</p> <p>Student Paper</p>	<1 %
214	<p>Fiona Barker. "Nationalism, Identity and the Governance of Diversity", Springer Science and Business Media LLC, 2015</p> <p>Publication</p>	<1 %
215	<p>G. Taylor. "Germany: The subsidiarity principle", International Journal of Constitutional Law, 2006</p> <p>Publication</p>	<1 %

216	Grace J. Calder. "CONSTITUTIONAL DEBATES IN PAKISTAN. I", The Muslim World, 1956 Publication	<1 %
217	Javid Rehman, Ayesha Shahid, Steve Foster. "The Asian Yearbook of Human Rights and Humanitarian Law", Brill, 2020 Publication	<1 %
218	Jean-François Godbout. "Lost on Division", University of Toronto Press Inc. (UTPress), 2020 Publication	<1 %
219	Jon Armajani. "Modern Islamist Movements", Wiley, 2011 Publication	<1 %
220	K. Adeney. "A Step Towards Inclusive Federalism in Pakistan? The Politics of the 18th Amendment", Publius: The Journal of Federalism, 2012 Publication	<1 %
221	Matthew Flinders. "Majoritarian Democracy in Britain: New Labour and the Constitution", West European Politics, 2005 Publication	<1 %
222	Máiréad Dunne, Naureen Durrani, Kathleen Fincham, Barbara Crossouard. "Troubling Muslim Youth Identities", Springer Science and Business Media LLC, 2017 Publication	<1 %

223	Rein Taagepera. "The size of second chambers and European assemblies", <i>European Journal of Political Research</i> , 03/2002 Publication	<1 %
224	Shamaila Amir, Fayyaz Ahmad. "Constitutional Development and Political (in) stability of Pakistan: An Analysis Since Inception of Pakistan till 2018", <i>RMC Journal of Social Sciences and Humanities</i> , 2020 Publication	<1 %
225	Taeko Hiroi. "The Dynamics of Lawmaking in a Bicameral Legislature", <i>Comparative Political Studies</i> , 2008 Publication	<1 %
226	Verma, R., and V. Tripathi. "Making Sense of the House: Explaining the Decline of the Indian Parliament amidst Democratization", <i>Studies in Indian Politics</i> , 2013. Publication	<1 %
227	constitutioncenter.org Internet Source	<1 %
228	core.ac.uk Internet Source	<1 %
229	cronfa.swan.ac.uk Internet Source	<1 %

230	dtk.tankonyvtar.hu Internet Source	<1 %
231	economictimes.indiatimes.com Internet Source	<1 %
232	eprints.mdx.ac.uk Internet Source	<1 %
233	es.scribd.com Internet Source	<1 %
234	etd.aau.edu.et Internet Source	<1 %
235	lawethiopia.com Internet Source	<1 %
236	most.comsatshosting.com Internet Source	<1 %
237	pidswebs.pids.gov.ph Internet Source	<1 %
238	pips.gov.pk Internet Source	<1 %
239	pjsr.com.pk Internet Source	<1 %
240	rashhatqalam.com Internet Source	<1 %
241	strathprints.strath.ac.uk Internet Source	<1 %

242	theses.ncl.ac.uk Internet Source	<1 %
243	vuir.vu.edu.au Internet Source	<1 %
244	worldwidescience.org Internet Source	<1 %
245	www.apsa2013.com Internet Source	<1 %
246	www.citefactor.org Internet Source	<1 %
247	www.gprjournal.com Internet Source	<1 %
248	www.historycentral.com Internet Source	<1 %
249	www.radio.gov.pk Internet Source	<1 %
250	www.studymode.com Internet Source	<1 %
251	www.textroad.com Internet Source	<1 %
252	"Beyond Autonomy", Brill, 2021 Publication	<1 %
253	"Comparative Law in Global Perspective", Brill, 2001	<1 %

254	"Crime Prevention and Justice in 2030", Springer Science and Business Media LLC, 2021 Publication	<1 %
255	"Crime, Criminal Justice, and the Evolving Science of Criminology in South Asia", Springer Science and Business Media LLC, 2017 Publication	<1 %
256	"Crossing Borders: Constitutional Development and Internationalisation", Walter de Gruyter GmbH, 2008 Publication	<1 %
257	G.W. Choudhury. "Constitution-Making Dilemmas in Pakistan", Political Research Quarterly, 12/01/1955 Publication	<1 %
258	Howard Brasted, Imran Ahmed, Saira Bano Orakzai. "Chapter 7 Whither Pakistan: The Ambivalence of Constitutional Road Mapping?", Springer Science and Business Media LLC, 2019 Publication	<1 %
259	Imtiaz Omar. "Emergency Powers and the Courts in India and Pakistan", Brill, 2002 Publication	<1 %

260 John Coakley. "The Strange Revival of Bicameralism", *The Journal of Legislative Studies*, 2014 <1 %
Publication

261 Nuruzzaman, M.. "Federalism and State Disintegration - United Pakistan, 1947-1971: Some Historical Lessons for Afghanistan and Iraq", *Journal of Asian and African Studies*, 2010. <1 %
Publication

262 *The Treaty on European Union (TEU)*, 2013. <1 %
Publication

Exclude quotes Off
Exclude bibliography On

Exclude matches < 5 words