UOS Journal of Social Sciences & Humanities (UOSJSSH)
ISSN (P) 2224-2341, ISSN (E) 2310-0249
Volume: 8, (1) 2024, Pages (1-12)
Journal Homepage: https://uosjssh.su.edu.pk/

Shared Rule and the Senate of Pakistan: An analysis

Shahzad Munawar Ch.
Ph.D. Scholar, Department of Political Science & International Relations, University of Gujrat
shahzad.munawar1981@gmail.com

Muhammad Mushtaq
Associate Professor, Department of Political Science & International Relations, University of Gujrat
muhammad.mushtaq@uog.edu.pk

Abstract

The Senate of Pakistan, a House of Federation, is dedicated to promoting non-majoritarianism and protecting the territorial interests of the smaller provinces. But, owing to the parliamentary nature of the political system, it has traditionally held a subservient position to the popularly elected National Assembly. Yet, it is seen as a body that assures power sharing among the federating units at the national level. The purpose of this paper is to investigate the constitutional role of the Senate and to examine the ways in which the Senate of Pakistan offers the federating units shared rule. The analysis, primarily, relies on parliamentary data to assess how senators belonging to various provinces participate in the Senate's legislative business. The evidence shows that the Senate of Pakistan serves as a platform that guarantees smaller provinces a substantial voice in federal legislation and decision-making. The data shows that senators from smaller provinces have been more involved in the legislative proceedings of the chamber, demonstrating how important this chamber is to them. Hence, it can be argued that provincial minority groups regard the Senate of Pakistan as a House that provides them with shared rule at the national level.

Keywords: *Federalism, Shared rule, second chamber, Senate, Pakistan*

I-Introduction

Federal political systems are considered more suitable political design for such societies that are plural in nature. This political model is believed to provide autonomy through decentralization and division of power to geographically concentrated minority groups. Additionally, it establishes some power sharing mechanism to provide shared rule to all regional groups at federal level. Bicameralism is the most significant and commonly used instrument of federations to ensure overrepresentation of the minority groups/regions in second chambers that resultantly empowers these minority groups/regions to play significant role in federal legislation and decision making. Second chambers in contemporary federations are performing this role and providing shared rule to minority groups, albeit to varying degrees.

Pakistani federation established federal bicameral parliament under the 1973 constitution of Pakistan. The Senate of Pakistan is the Upper House of the Parliament. As the House of the Federation, the Senate of Pakistan provides parity representation to all units so that the minority

provinces should have meaningful representation in the federal parliament. The Senate of Pakistan serves as a catalyst for power-sharing and shared rule because it represents groups from smaller provinces that have historically been neglected and underrepresented in Pakistan's power structure. Power sharing mechanisms, both formal and informal, are needed to address imbalances among provinces and promote national integration in Pakistan (Mushtaq & Alqama, 2009). The National Assembly of Pakistan has an advantage over the Senate as it has the power to pass laws about money bills. Except for money bills, both houses have more or less equal powers regarding the legislative business of the federal parliament. A draft bill related to subjects enumerated in the federal legislative list may originate in either house. This paper examineshow the Senate of Pakistan provides shared rule to the provincial minority groups. Although, the Senate of Pakistan has attracted some scholarly attention (Tabassum et al., 2014; Mahmood, 2015; Mushtaq, 2017; Khan, 2017; Mushtaq & Mubariz, 2018; Rid, 2019; Rashid et al., 2021; Riaz et al., 2021; Ahmad, 2022) its role in providing shared rule is largely ignored (Faiz, 2015).

The next section presents an overview how the second chambers in contemporary federations are providing shared rule. The subsequent section elaborates how senate of Pakistan is providing shared rule in Pakistan. The paper is concluded in the final section.

II-Second chambers and shared rule in federal political systems

Federalism is regarded as a viable constitutional solution to manage diversity in modern plural societies. It establishes a political system that accommodates diversity by espousing self-rule and shared rule. The defining feature of modern federations is a political system that includes a combination of "self-rule" and "shared rule (Fenna & Schnabel, 2024). Ricker (1964) contends that the distinguishing feature of federalism is that self-rule and shared rule are constitutionally enshrined in a polity. In the same vein, Daniel Elazar (1995, 7) has emphasized that federalism can be "understood in the broadest political sense as a genus involving combinations of self-rule and shared rule. Similarly, De Villiers (2012) has also noted that federations, whose fundamental premise is the legal recognition of "self-rule" and "shared rule," are widely regarded as promoting national integration and unity while allowing diversity, resulting in more consensus and nation-building.

Various contemporary federations have designed shared rule keeping in view composition of their societies, political histories, and evolution of their political institutions. However, establishing bicameral parliament and providing substantial representation to the smaller federating units in second chamber is almost the common feature of all federations. While some federations such as US, Australia, Switzerland, and Pakistan provide equal representation to the all units irrespective of their population size, other federations such as India provide weighted representation to the states. Some federal chambers play more vibrant role than others and foster shared rule more prudently. It is argued that the German federation demonstrates a high degree of shared rule. It is observed that the policymaking process in the German federation entails cooperation between state and federal governments and the Bundesrat, the upper house of the German parliament (Gross et al., 2023). The second chambers in parliamentary federations do not enjoy much power owing to the nature of political system. The popularly elected lower houses dominate powers in such cases. However, Pakistan Senate appears more powerful second chamber than Indian Rajya Sabha or Canadian Senate. However, it does not enjoy constitutional powers like Australian Senate that is a directly elected house. US Senate stands alone and is considered as the most powerful upper house thanks to the non-parliamentary system of government. In this

context, this paper examines how Senate of Pakistan is constitutionally empowered and in what ways it ensures shared rule to safeguard the interests of the smaller provinces.

Table-1: Role and Powers of selected Federal Second Chambers

House	Composition of House	Powers of House	Role of House
Australian Senate	Equal State representation	Deadlock resolved by double dissolution	Legislature chamber only
Austrian Bundesrat	Weighted State representation Multiple categories	Suspensive veto	Legislative Chamber only.
Belgian Senat	Multiple categories : 50 from Two regions and 10 co-opted members	Veto on matters of affection of federal system	Legislature chamber only
Swiss Standerat	Two categories of Cantonal representation	Absolute veto with mediation committees	Legislature chamber only
German Bundesrat	Weighted State representation in three categories	Absolute veto on federal use of concurrent powers and suspensive veto on explosive federal powers	Combined legislative and intergovernmental role
Canadian Senate	Equal regional representation for the group of provinces	Equal power of legislation except money bills.	Legislature chamber only
Malaysian Dewan Negara	60% are elected from states and 40% minorities representation	Legislative power but not budgetary power	Legislative Chamber only.
Indian Rajya Sabha	Weighted State representation multiple categories	Deadlock resolved by joint sitting	Legislature chamber only
Senate of Pakistan	Equal representation of provinces	Legislative power and suspensive veto	Legislative chamber only

Source: Ahmad, I. (2022). *Second chambers in parliamentary federations: The role of Senate in Pakistan* (Unpublished PhD Thesis) University of Gujrat, Pakistan.

III- Shared rule and the Senate of Pakistan

a. The emergence and evolution of the Senate

Several constitutional proposals that stipulated a bicameral parliament were presented to the Constituent Assembly prior to the first constitution of Pakistan being enacted in 1956. It has been emphasized that during the entire constitutional debate which took place in the Constitutional Assembly during Pakistan's early years (1947–54), bicameralism was in the forefront (Rid, 2019). However, disagreements regarding the distribution of seats in the upper house across provinces, as well as the division of powers between the two houses resulted in a constitutional deadlock. Finally, the Constitutional Assembly adopted unicameral legislature, an unusual choice in modern federations. Subsequently, the 1962 Constitution of Pakistan continued with unicameral legislature and parity representation for both provinces, the Province of East Pakistan (Bengal) and the Province of West Pakistan. Finally, under the Constitution of Pakistan 1973, the federal chamber was established and in this house equal representation to all provinces regardless of population size was provided. However, the National Assembly, the lower house, provided representation to

the provinces based on population (Munawar & Mushtaq, 2022). The political leadership of Pakistan's smaller provinces contended that the Senate ought to be given more authority to protect the regional interests of those provinces during the House Debates in the National Assembly, which took place during the drafting of the 1973 Constitution. Wali Khan, for example, emphasized that this house cannot assist us in any way in resolving the issues of diversity and representation if the upper house is not given the necessary authority. He insisted that the Pakistani Senate can be referred to as "a debating society, an advisory board, or any other such name" in the absence of legislative authority (Ahmad, 2022).

It has been stated that Pakistan's First Senate (1973-77) was unable to fulfill its obligations as an efficient legislative body and as a chamber of federation to protect the interests of the federating units. For most of the period, the government controlled the Senate, and the ruling party's senators were more interested in defending their party's interests than in defending the regional or territorial interests that are fundamental to shared rule (Rashid et al., 2021). After Zia-ul-Haq's death in 1988, electoral democracy was restored. However, Pakistan witnessed political instability, which resulted in four general elections being held in a short period of time (1988, 1990, 1993, and 1997). In their election campaigns, the ethno-regional parties advocated not only for greater autonomy, but also for the Senate to play a larger role in Pakistani politics. As a result, when the PML-N and the PPP signed the Charter of Democracy in 2006, they pledged to strengthen the role of the Senate. Subsequently, when the 18th amendment was enacted by the parliament in 2010, following the general elections in 2008, it amended several articles of the 1973 constitution to provide greater role to the Senate.

b. Role of Senate after 18th Constitutional Amendment

It has been argued that since the enactment of 18th constitutional amendment Senate of Pakistan has adequately empowered minority groups in Pakistan (Mushtaq, 2017). It has been observed the members of Senate from smaller provinces considered this House as forum to voice their grievances and safeguard their interests. In this context, the following paragraphs are devoted to examining how the Pakistani federation has espoused shared rule after the 18th amendment to manage diversity.

The Prime Minister and his cabinet are now answerable to the Senate as well as the National Assembly under the 18th Amendment. In practice, this meant that the Senate would have a "Question Hour" during which Senators could directly question cabinet ministers on any administrative matter of national importance. As a result, for the first time, the Senate was given authority to control the executive branch. Under the newly introduced Article 175A of the 18th Constitutional Amendment, four senators have been appointed to the Parliamentary Committee, which participates in the selection of judges to the Supreme Court and High Courts. If the National Assembly were to be dissolved, the Senate would appoint all eight members of the parliamentary committee. In addition, the Senate now has 14 days to provide recommendations on appropriations legislation, instead of just 7, as previously allowed, and the President is no longer entitled to sign ordinances during Senate sessions. There have also been a few small changes made to the Senate's organizational structure. The 18th Amendment resulted in the introduction of four minority seats, one for each of Pakistan's four provinces. The number of required Senate session days per year has also been increased from 90 to 110 (Rid, 2019). Since the enactment of this amendment, the Senate is now receiving a number of reports that were previously only given to the National Assembly, such as the Council of Commons Interests' reports and the report on Policy Principles. In a similar

vein, the National Finance Commission is now answerable to the parliament and it reports to both Houses. The Senate also has a representative on the Public Accounts Committee. The Senate has consistently worked to protect provincial autonomy and enact laws that serve the public interest. It gave the Executive instructions on matters of national significance. Additionally, it has implemented particular measures to promote accountability, openness, and transparency in the political system (Mushtaq, 2017).

While the 18th Constitutional Amendment has indeed brought about some significant constitutional changes that could improve the Senate's role, it was the able leadership of Mr. Raza Rabbani, the former Chairman of the Senate, who had a significant impact on elevating the Senate to a position of prominence within the Pakistani federation. The Senate was originally known as the "House of the Federation," and these words were added to the Senate emblem to acknowledge the Senate as a symbol of the federation. It was made mandatory for ministers and employees of the relevant Ministries and Divisions who were on the Orders of the Day in the Senate to mark their attendance on the day, and a mechanism was established to institutionalize the Senate's oversight of the executive branch provided by the 18th Constitutional Amendment. Furthermore, the Parliament House's Gali-e-Dastoor (the Constitution Gallery) was erected as a memorial to Pakistan's struggle for democracy and the rule of law. The introduction of the "Committee of the Whole" and the renewal of the Senate's committee system were the most significant changes implemented during that time period (March 2015-March 2018). By creating the Committee of the Whole House, which is governed by rule 172A, the Senate amended its rules to transform the entire body of senators into a single committee. Through this committee, Senate Chairman Raza Rabbani was able to bring the executive branch (civil administration), the armed forces, the legislature, and the judiciary together for an inter-institutional dialogue aimed at resolving matters of national importance. Anwar Zaheer Jamali, the former Chief Justice of Pakistan, paid the Senate a visit during an in-camera meeting on November 5, 2015, to discuss unblocking the backlog in cases in the legal system. Similarly, on December 19, 2017, Qamar Jawed Bajwa, the Chief of Army Staff (COAS), gave a comprehensive briefing on the current state of national security in Pakistan. These two incidents had great symbolic significance for Pakistan's parliamentary system even though they did not lead to a major change in policy (Rid, 2019).

Over-representation of minority provinces in Senate fosters shared rule. The smaller provinces in Pakistan are overrepresented in the Senate. For example, Punjab, which comprises over half of the population of Pakistan, and Balochistan, which makes up approximately 5% of the country's population, are equally represented in the house. It is worth mentioning that the ethno-regional parties of smaller provinces are able to get Senate seats due to the overrepresentation of smaller provinces in the upper house. In a similar vein, Islamist groups that enjoy widespread support in Balochistan and KP are able to gain Senate membership. In the general elections that were held in 2008, 2013, and 2018, it was noted that mainstream parties such as the PPP, PML, PML-N, and PTI had secured more than three-fourths of the seats in the national Assembly. Yet, independents, Islamist, and ethno-regional parties were unable to secure a sizable number of seats. The difference in seats between the mainstream parties and other parties (Islamist, independent, and ethno-regional) in the Senate, however, was not as significant (Munawer, 2022). This phenomenon is important because meaningful representation in the Senate gives ethno-regional parties the ability to defend their group rights and territorial interests. More significantly, though, this forum gives them a way to restrain majoritarianism and make majority-led cabinets answerable

to them and responsive to their needs. In this way, this house promotes shared rule and, consequently, accommodates diversity.

Table-2: Regional composition of the selected Committees of the Senate of Pakistan (2016-17)

S. No.	Standing, Functional, and Special Committees	Balochistan	KP	Punjab	Sindh	FATA	Federal Area	Total
1	St. Committee on Cabinet Secretariat	3	4	2	2	1	1	13
2	St. Committee on Climate Change	2	3	6	1	0	1	13
3	St. Committee on Commerce and Textile Industry	4	4	1	3	1	1	14
4	St. Committee on Defense	0	6	2	3	1	0	12
5	St. Committee on Federal Edu. & Professional Training	3	3	3	3	1	2	15
6	St. Committee on Foreign Affairs	1	3	2	4	1	1	12
7	St. Committee on Industries and Production	1	3	2	3	3	1	13
8	St. Committee on IT. & Telecommunication	2	3	2	4	2	0	13
9	St. Committee on Inter-Provincial Coordination	5	1	4	3	1	0	14
10	St. Committee on Law and Justice	1	2	7	4	0	0	14
11	St. Committee on Parliamentary Affairs	5	1	4	3	1	1	15
12	St. Committee on Petroleum and Natural Resources	6	4	1	0	1	0	12
13	St. Committee on Planning Development & Reforms	6	1	2	3	0	0	12
14	St. Committ. on Religious Aff. & Inter-Faith Harmony	2	2	3	3	1	0	11
15	St. Committee on Science and Technology	4	1	3	3	2	0	13
16	St. Committee on Water and Power	1	5	2	3	0	1	12
17	Functional Committee on Devolution	4	4	3	4	0	1	16
18	Functional Committee on Human Rights	3	4	3	2	0	0	12
19	Committee on Delegated Legislation	3	3	2	5	0	0	13
20	Spec. Committee on CPEC	7	5	4	4	1	2	23
21	Spec. Committee on Marginalized Segments of Society	2	5	2	2	1	0	12
	Total	**65**	**67**	**60**	**62**	**18**	**12**	284
	Percentage	**22.9**	**23.6**	**21.1**	**21.8**	**6.3**	**4.2**	100

Source: *Senate of Pakistan (https://senate.gov.pk).*
Note: The members of Committees other than Senators have been excluded from the analysis.

Table 3: Regional Distribution of Membership in the Pakistani Parliament (2022)

Region/Province	National Assembly	%	Senate	%	Joint Sitting	%
Punjab	173	53.06	23	23.96	196	46.45
Sindh	75	23.01	23	23.96	98	23.22
KP	55	16.87	23	23.96	78	18.48
Balochistan	20	6.13	23	23.96	43	10.19
Federal Capital	03	0.92	04	4.17	7	1.66
Total	326*	100	96	100	422	100

Source: *Authors calculations*.
Note: After the merger of FATA with KP, the reserved seats of the Senate for FATA are excluded. Similarly, the composition of the National Assembly shall be changed as per Article 51 of the constitution.

As the reserved seats for non-Muslims (10) are not regionally distributed, for analysis those seats have been excluded.

In federal bicameralism, the House of Units gives minorities more representation, which in turn empowers them to have considerable input in federal decision-making. However, not all "second chambers" operate effectively. Mulgan (1996) asserts that strong bicameralism and responsible government are not fundamentally incompatible in the case of Australia. In a similar vein, appointed or indirectly elected houses play an inferior role than directly elected chambers. Participation in federal institutions such as the federal legislature, federal executive, and federal administration—particularly in federations where the upper houses have a more powerful role—allows minority groups and units to have an impact on federal decisions. The Senate is entrusted with a number of responsibilities under the 1973 Pakistani Constitution to protect federating units' interests at the federal level (Government of Pakistan, 2017). Because this house offers minority units more space, equal province representation in the Senate has symbolic significance. Minority communities have opportunity to influence federal policy through the various roles that the Pakistani Senate performs (Mushtaq, 2017).

It has been observed that in parliamentary federations, party discipline limits the second chamber's power to influence territory. "Party discipline is not necessarily weaker there than it is in the lower house," according to Swenden (2004). Senators may join cabinet in Pakistan, although overall, their share of the cabinet should not be greater than one-fourth. The Senate's cabinet members actively participate in its legislative proceedings and exert pressure on coalition or ruling party members to strictly follow party lines in the House. This phenomenon undermines the territorial role of Senate and regional minorities' contributions are negligible even though they have strong representation in the chamber. However, the Senate of Pakistan and Pakistan's large lower house, the National Assembly, share equal legislative authority (Watts, 1999, p. 88). The electoral support pattern for political parties shows that while support for ethno-regional parties is significantly lower than that of national level parties, these parties have managed to maintain their support over time in smaller provinces. As a result, these parties have been able to influence federal policy and obtain Senate seats in smaller provinces (Mushtaq, 2018).

It is worth mentioning that parliamentary nature of the institutions limits the role of Senate and undermines the shared rule. Political leadership selects practically all of the candidates for the Senate. It is quite uncommon for political parties to select their nominees with first conferring with local party leadership or to assign party tickets based on any set standards for Senate elections. Parties have occasionally nominated such candidates who have not contributed much to their party and may not even be residents of the province from which they are running election. As a result, elected senators who were nominated by the party leadership tend to strictly adhere to party lines.

It is matter of fact that in the Senate committees and house debates, senators usually advance party interests. It is also noteworthy that the comparative analysis of House debates in the Senate and National Assembly of Pakistan demonstrates that the members of Senate participated more actively in the legislative process than members of the National Assembly. For example, the Senators paid greater attention to the 18th Constitutional Amendment bill as compared to the National Assembly members. The evidence shows that 48 of the 100 senators participated in the discussion, compared to 21 out of the 342 (6.14 percent) National Assembly members who participated in the debates. The membership to participation ratio in the debate was larger for the Senate than for the National Assembly, as shown Figure-1. This figure also shows that

participation in debates by the members of the Senate from smaller provinces was relatively higher than the most populous province of Punjab. This phenomenon suggests that the institution of Senate means a lot for the smaller province to influence federal legislation and decision making at central level in Pakistan.

Table-4: Distribution of seats in National Assembly and Senate (2009-21)

Parliamentary Year	**2008**	**2009**	**2012**	**2015**	**2015**	**2018***	**2018**	**2021**
Political Parties	NA	Senate	Senate	NA	Senate	NA	Senate	Senate
All-Pakistan parties								
PPP	36.8	27	39.4	13.9	38.5	15.8	19.3	20.2
PML-N	27.0	7	13.5	56.0	15.4	24.9	31.7	21.2
PML	14.7	21	4.8	0.6	4.8	1.5	0	1.1
PTI	***	***	***	9.1	***	45.6	11.5	24.2
Sub Total	**78.5**	**55**	**57.7**	**79.6**	**58.7**	**87.8**	**62.5**	**66.7**
Ethno regional parties	13.2	18	24.1	12.4	25.0	6.3	17.3	17.2
Islamist Parties	2.4	13	6.7	5.1	4.8	4.7	5.8	3.0
Independents	5.9	14	11.5	2.9	11.5	1.2	14.4	13.1
Sub Total	21.5	45	42.3	20.4	41.3	12.2	37.5	33.3
Grand Total	100	100	100	100	100	100	100	100

Source: *Authors calculations*. Note: Ethno-regional parties represent specific ethnic groups or have popular support limited to particular regions. * Seats after the general elections held in July 2018.

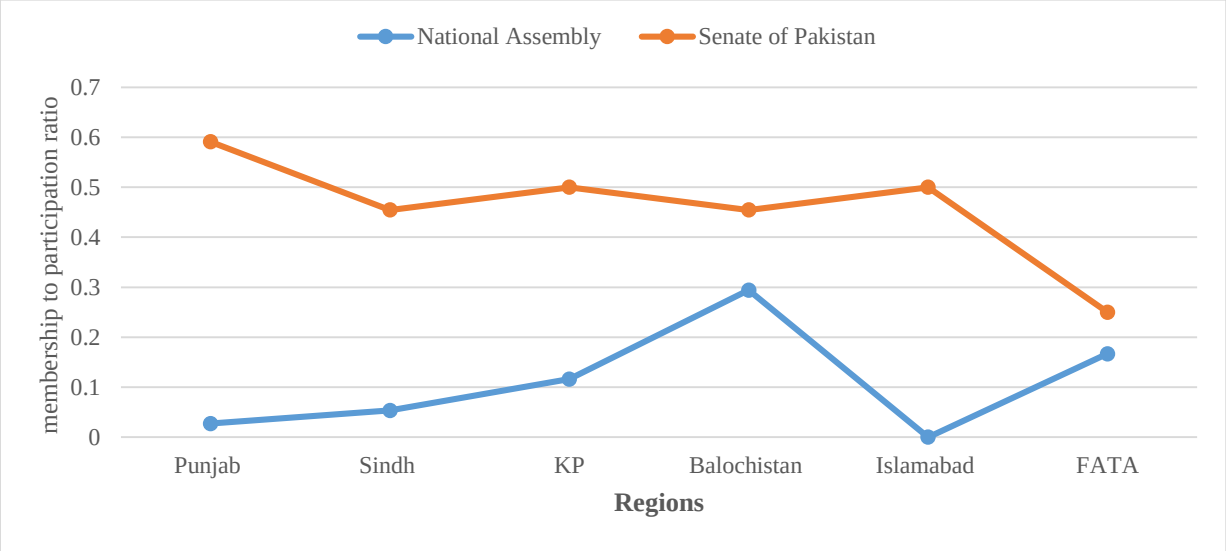
Commonly party discipline places some restrictions on the members of upper houses in parliamentary federations. As noted by Wilfried Swenden, "party discipline is not necessarily weaker in Senates than in the lower house, despite the fact that the second chamber is not typically involved in the appointment or removal of the executive. He argues that party discipline can spill over into the second chamber in certain bicameral legislatures where the same parties are represented in both houses and some members are part of the cabinet. When the Pakistani Senate voted on the 18th constitutional amendment, this pattern was observed. Nevertheless, it is a matter of fact that the senators' participation still seems to be compelling (Mushtaq & Khan, 2018). The Senate serves as an effective platform for regional parties of smaller provinces to protect the territorial and regional interests of their respective provinces, despite the fact that the Senate functions more as a house of regional parties than as a house of units. (Mushtaq, 2017).

Parliamentary oversight empowers regional minorities to scrutinize the legislation. Parliamentary oversight is defined as the "review, monitoring, and supervision of the government and public agencies, including the implementation of policy and legislation" (Yamamoto, 2007, p. 9). The effectiveness of oversight mechanisms is determined by the frequency and intensity of parliamentary inquiries into the policies and acts of the administration (Ahmed & Ahmed, 1996). The Senate's oversight powers highlight the body's significance in Pakistani politics. It is important to consider how frequently and prudently senators from smaller provinces raise concerns about government initiatives when analyzing the territorial role of the Senate.

In many contemporary federations, the federal chambers have the authority to inspect and oversee the legislative business and executive role of the government. Even, sometimes, they supervise foreign affairs as well. Adjournment motions, calling attention notices, resolutions, queries, as well as effective committee systems are the most commonly employed techniques for supervision. These strategies have recently been used relatively successfully by the Pakistani

Senate to limit the majoritarian role of the polity. While not having the same ratification authority over foreign treaties and federal appointments as the US Senate, the Senate nevertheless carries out the monitoring responsibilities. It is worth mentioning that the importance of committees to parliaments' deliberative processes has been emphasized by experts on federalism and shared-rule (Mattson & Strom, 1993). In this regard, like most federal parliamentary systems, the Pakistani Parliament has a dynamic committee system. The committees handle "a wide range of issues of national importance and public interest" (Pakistani government, 2017). The parliamentary committees include functional, standing, human rights, rules of procedure, privileges, and house committees, among others (Government of Pakistan, 2017).

Figure-1: Provincial participation in parliamentary debates over 18th constitutional amendment



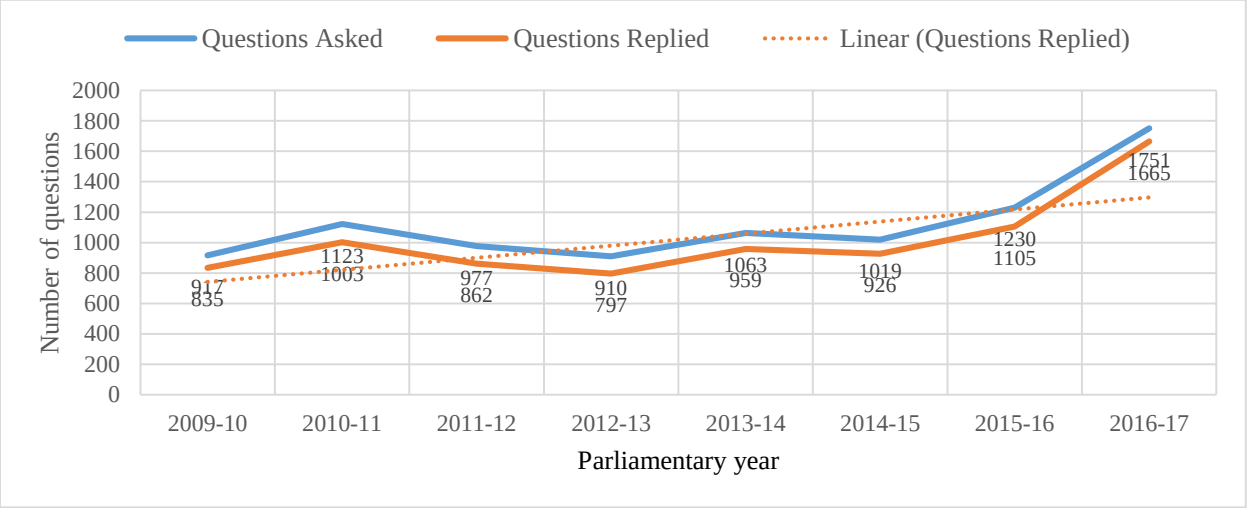
Note: *Data retrieved from Mushtaq & Khan, 2018*.

The primary responsibilities of committees are to review legislation and amendments and probe the executive branch on the matters of public interest. The Senate "divides its tasks amongst various committees" (Government of Pakistan, 2017). This committee mechanism gives provincial minorities' greater ability to engage in federal legislative and administrative affairs. The Standing Committees are most prominent among parliamentary committees and are empowered under the constitution to oversee the relevant ministries. Comparative study of National Assembly and Senate reveals that while Punjab is home to about half of the National Assembly's committee members, the four provinces have nearly equal representation in the Senate's Committees. Additionally, the committee chairpersonships are judiciously distributed among provinces. According to the committee attendance data, members from smaller provinces tend to be more consistent and productive than their Punjabi counterparts. This phenomenon demonstrates members' faith in the committee's work. It appears that the members from smaller provinces consider committees as apposite forums for debating government policy and coming to consensus (Mushtaq, 2017).

Parliamentary questions are widely used for holding the Executive accountable in parliamentary democracies. It is argued that overseeing the Executive by putting parliamentary questions is an effective way of "controlling the current government and monitoring its policies" (Wiberg, 1993, p. 180). The 1973 Constitution of Pakistan empowers senators to ask questions by

the ministers regarding government policies and performance. The senators frequently ask questions, for instance during the 2015-16 legislative session, 1230 questions were asked by senators. It is noteworthy that members from smaller provinces remained more vigilant by asking multiple questions. For Instance, Sindh and KP members submitted 261 (21.10%) and 467 (37.75%) queries, respectively. According to Mushtaq (2017), these findings demonstrate the Senate's role in empowering ethno-regional minorities residing in smaller units. The trend toward increased executive accountability in the Pakistani Senate is shown in Figure-2.

Figure-2: Question hour in Senate of Pakistan (2009-17)



Source: *Data retrieved from Senate of Pakistan (https://senate.gov.pk/).*

An adjournment motion is another common tool for legislative monitoring. Adjournment motions are typically proposed by members in parliamentary democracies to notify the government of any pressing public interest. At the federal level, this members' right is regarded as a mechanism for fostering shared rule. It has been noted that during the 2015–16 legislative year, senators representing the smaller provinces utilized adjournment motions more frequently. During this period, 174 adjournment motions were submitted in the Senate of Pakistan; 58 (33.33%) of them came from Sindh members and 72 (41.14%) from KP members. This phenomenon suggests that senators representing minority provinces use the tool more frequently than the Punjab members and consider Senate as a suitable forum for expressing their grievances (Mushtaq, 2017).

Another tool of legislative monitoring that is most frequently employed in the Pakistani Senate is the call attention notice. Members of the Pakistani Parliament may submit call attention notes to a minister in order to draw their attention to any urgent matter. It has been observed that during 2015–16 legislative year, representatives from KP and Sindh submitted almost 70% out of the total 522 call attention notices that were answered by ministers (Mushtaq, 2017).

Conclusion

In many plural societies, federalism has not only provided regional majority groups with autonomy and self-government, but it has also organized federal governance in such a way that genuine power sharing and shared rule for these groups at the national level are possible. In this regard, federations have set up bicameral parliaments to give minority groups more representation

in second chambers, with the goal of giving smaller entities a significant voice in the federal legislation and policy formulation. As with other examples of federal second chambers, the Senate of Pakistan is a platform that assures significant representation of smaller provinces in the Pakistani parliament. Pakistan is a parliamentary federation; hence the prime minister and his cabinet are answerable to both chambers of parliament. Members of the Senate join cabinet, and any bill, with the exception of money laws, can be introduced in the Senate. It is worth mentioning that the role of Senate has expanded since the 18th constitutional amendment was enacted. It has been given an equal role as the National Assembly in appointing judges to superior courts, nominating caretaker governments, amending the constitution, and exercising legislative powers in respect to the federal legislative list. This substantial role of the Senate empowers regional minorities and assures shared rule. The evidence shows that Senators from smaller provinces have been more involved in the legislative proceedings of the chamber, demonstrating how important this chamber is to them. This phenomenon seems to suggest that Senate of Pakistan is seen as forum by the regional minorities that provides them with shared rule.

References

Ahmad, I. (2022). Challenges in designing Bicameral Parliament in Multiethnic Federations: The Pakistani Experience. *Annals of Human and Social Sciences*, 3(2), 371-382.

Ahmed, N., & Ahmed, A. (1996). The Quest for Accountability: Parliament and Public Administration in Bangladesh. *Asian Journal of Public Administration*, 18(1), 70-95.

De Villiers, B. (2012). Federations: Shared rule and self-rule in the search for stable governance. *Politikon*, 39(3), 391-410.

Elazar, D. J. (1995). From Statism to Federalism: A paradigm shift. *Publius: The Journal of Federalism*, 25(2), 5-18.

Faiz, A. (2015). *Making federation work: Federalism in Pakistan after the 18th amendment*. Oxford University Press.

Fenna, A., & Schnabel, J. (2024). What is Federalism? Some Definitional Clarification. *Publius: The Journal of Federalism*, *54*(2), 179-200.

Government of Pakistan. (2017). *Role and Powers of Senate.* Retrieved from Senate of Pakistan: http://www.senate.gov.pk/uploads/documents/5.%20Role%20and%20Power%20of%20Senate.pdf

Gross, M., Müller, J., Stecker, C., & Debus, M. (2023). Navigating complexity: exploring the changing dynamics of coalition avoidance in Germany, 1946–2023. *Regional & Federal Studies*, 1-23.DOI: 10.1080/13597566.2023.2268532

Khan, K. (2017). Bicameralism in a Federation: An Historical Analysis of Role of Senate in Promoting Federalism in Pakistan. *Pakistan Perspectives*, 22(01), 135-158.

Mahmood, T. (2015). A Comparative Analysis of the Functioning of the Senate in USA and Pakistan. *Journal of South Asian Studies*, 30(2), 265–280.

Mattson, I., & Strom, K. (1993). Parliamentary Committees. In M. N. Franklin, & P. Norton, *Parliamentary Questions* (pp. 249-307). Oxford: Clarendon Press.

Mulgan, R. (1996). The Australian Senate as a' House of Review'. *Australian Journal of Political Science*, 31(2), 191-204.

Munawar, S. (2022). *Diversity and unity in federal countries: The Pakistani experience after 18th constitutional amendment* (un-published PhD Dissertation). University of Gujrat, Pakistan.

Munawar, S., & Mushtaq, M. (2022). Evolution of Federalism in Pakistan: A Constitutional Study. *Pakistan Journal of Social Research, 4*(4), 468-479.

Mushtaq, M. (2017). Empowering ethnoregional minorities and the federal bicameralism: Examining the role of senate in Pakistan. *FWJ Journal of Social Sciences*, 11(4), 1-11.

Mushtaq, M. (2018). Ethno-Regional Political Party Success in Pakistan (1970-2013): An Analysis.*ISSRA Papers*, 10(1): 97–116.

Mushtaq, M., & Alqama, K. (2009). Poverty alleviation through power-sharing in Pakistan. *European Journal of Social Sciences*, 8(3), 459-468.

Mushtaq, M., & Khan, S. M. (2018). Territorial Role of Second Chamber in Parliamentary Federations: Evidence from Pakistan. *FWU Journal of Social Sciences*, 12(1), 114-122.

Rashid, F., Hussain, D. M., & Kokab, D. R. U. (2021). The First Senate of Pakistan (1973-77): An Assessment of Performance. *VFAST Transactions on Education and Social Sciences*, 9(4), 128–134.

Riaz, H., Bukhari, S. M. H., Gill, S. A., Javaid, S., & Murtza, M. H. (2021). Role of Senate in Federalism: An Evidence from Pakistan in the Post 18th Amendment Scenario. *Journal of Management Practices, Humanities and Social Sciences*, 5(3), 1-8.

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 History and Culture*, 40(2), 1-20.

Riker, W. H. (1964). *Federalism: Origin, operation, significance*. Boston: Little, Brown.

Swenden, W. (2004), *Federalism and Second Chambers: Regional Representation in Parliamentary Federations: The Australian Senate and German Bundesrat Compared*. New York: Peter Lang.

Tabassum, N., Afzal, T., Taherani, A., & Tabassum, H. (2014). Women's Representation in the Senate of Pakistan. *The Government-Annual Research Journal of Political Science*., 3(03), 58–66

Watts, R. (1999). *Comparing Federal Systems (2nd ed.)*. Montreal & Kingston: McGill-Queen's University Press.

Wiberg, M. (1993). Parliamentary Questioning: Control by Communication. In M. Franklin, & P. Norton, *Parliamentary Questions* (pp. 179-222). Oxford: Clarendon Press.

Yamamoto, H. (Ed.). (2007). *Tools for parliamentary oversight: A comparative study of 88 national parliaments.* Inter-parliamentary union.