

Introduction to Pakistan Legal System (LAW 102)

Credit Hour: 4

Teaching Mode: In-Person

Schedule: Monday to Friday (10:00 AM – 12:50 PM)

Instructor: Muhammad Azeem

Course Description:

This course provides an introduction to the legal system of Pakistan. The course shall include an overview of the Constitutional and statutory provisions to help students understand how the state machinery derives legitimacy from the Constitution; discern the various rights and remedies available to citizens in Pakistan under domestic laws, and also help them learn about the rudimentary procedural laws pertaining to civil and criminal trials.

In order to provide a better understanding of the current system, the first module of the course pertains to a discussion about the constitutional genesis of the Country, including the constitutional politics surrounding the 1956 and 1962 Constitutions and their respective features; leading up to the promulgation of the Constitution of Islamic Republic of Pakistan, 1973 (the “Constitution”).

In light of this historical background, the second module of the course entails a discussion of the Federal and Provincial structure of Pakistan; the relation of the Provinces with the Federation; and the structure and powers of the Constitutional Courts in the country, that is, the Supreme Court, High Courts and the Federal Shariat Court.

The third module is aimed at making the students understand the basic rights available under Pakistan’s legal system, along with their respective remedies and procedures. For this, this section of the course will provide a comprehensive overview of the Fundamental Rights and the Principles of State policy prescribed in the Constitution. Furthermore, it also entails a description of the structure of the lower courts of Pakistan, along with outlining the substantive and procedural elements pertaining to criminal and civil trials in the country.

The course will conclude with an overview of the Constitution, by presenting the evolution of the Constitution since 1973 by a general perusal of constitutional amendments to date, along with an analysis of the legal and socio-political setting of the legal system in Pakistan.

The students will be encouraged to critically engage with the course material. This objective shall be furthered via group presentations, in which the students shall be expected to critically analyze and present the assigned material. The course outline also provides recommended readings for several sessions. While the recommended readings are not compulsory, the students are strongly advised to cover them in order to enhance their understanding of, and increase their grasp on the respective topics, especially students who shall be presenting during the assigned session.