**Powers And Functions of President of Pakistan Under 1973 Constitution**

**ChatGPT said:**

ChatGPT

Under the 1973 Constitution of Pakistan, the President serves as the ceremonial head of state, with powers largely symbolic. However, in certain circumstances, the President holds specific constitutional and executive powers. Here’s a breakdown of the powers and functions of the President of Pakistan under the 1973 Constitution:

**1. Ceremonial and Symbolic Head of State**

* **Representation of National Unity**: The President is seen as a symbol of the unity and continuity of the state.
* **Ceremonial Functions**: As the head of state, the President performs ceremonial duties, such as attending state functions, inaugurating parliamentary sessions, and representing Pakistan at certain official gatherings.

**2. Executive Powers**

* **Appointment of the Prime Minister**: The President appoints the Prime Minister, typically the leader of the majority party in the National Assembly, though this appointment is largely a formality.
* **Appointment of Key Officials**: On the advice of the Prime Minister, the President appoints governors of provinces, chief justices, judges of the Supreme Court and High Courts, ambassadors, and chiefs of the armed forces.
* **Ordinances**: When Parliament is not in session, the President can issue ordinances, which have the effect of law. However, these must be ratified by the Parliament within a specified time.

**3. Powers in Relation to the Prime Minister and Cabinet**

* **Appointment of Ministers**: The President formally appoints the Cabinet ministers on the advice of the Prime Minister.
* **Consultation and Advice**: Although the President is advised by the Prime Minister, certain actions, such as approving appointments and legislative proposals, formally pass through the President’s office.

**4. Legislative Functions**

* **Summoning and Proroguing Parliament**: The President can summon and prorogue sessions of the National Assembly and the Senate upon the Prime Minister’s advice.
* **Address to Parliament**: The President addresses a joint session of Parliament at the beginning of each parliamentary year and may address Parliament on important national issues.
* **Assent to Bills**: The President’s assent is required for bills passed by Parliament. However, the President can return a non-money bill to Parliament for reconsideration once; if Parliament passes it again, the President must assent.

**5. Judicial Powers**

* **Granting Pardons and Reprieves**: Under Article 45, the President has the authority to grant pardons, reprieves, and remissions of sentences, typically in consultation with the Prime Minister.

**6. Emergency Powers**

* **Proclamation of Emergency**: Under Article 232, the President can proclaim an emergency if there is a threat to the country’s security or if war or external aggression is imminent. However, this action requires the Prime Minister’s consent.
* **Provincial Emergencies**: The President can impose an emergency in a province if the situation demands federal intervention, though this also requires the Prime Minister's advice.

**7. Foreign Affairs**

* **Diplomatic Appointments and Relations**: The President represents Pakistan in certain diplomatic capacities, such as receiving credentials from foreign ambassadors, and has a symbolic role in foreign policy matters.
* **Treaties and Agreements**: The President may formally sign treaties and agreements with other states, typically on the advice of the government.

**8. Discretionary Powers**

* While the President’s role is largely symbolic, certain powers are vested in the President in extraordinary circumstances, particularly when a caretaker government is in place during election periods.

**9. Dissolution of National Assembly**

* **Dissolution on the Prime Minister’s Advice**: Under Article 58(1), the President can dissolve the National Assembly upon the Prime Minister’s advice, leading to fresh elections.
* **Discretionary Dissolution (Suspended Powers)**: Originally, Article 58(2)(b) allowed the President to dissolve the National Assembly at their discretion if the government was not functioning according to the Constitution. However, this power was removed by the Thirteenth Amendment (1997), reinstated by the Seventeenth Amendment (2003), and finally removed again by the Eighteenth Amendment (2010).

**10. Miscellaneous Powers**

* **Caretaker Government**: The President appoints a caretaker Prime Minister and cabinet during the period between the dissolution of the National Assembly and the next election, in consultation with the Prime Minister and the Leader of the Opposition.
* **Special Appointments**: The President can appoint members of the Election Commission and other key institutions, typically in coordination with the Prime Minister and opposition leaders.

**Limitations and Checks**

* **Binding Advice**: Under Article 48 of the Constitution, most of the President's powers must be exercised on the advice of the Prime Minister or the Cabinet, limiting the President’s independent authority.
* **Judicial Review**: Presidential actions, like all government actions, are subject to judicial review.

In summary, while the President of Pakistan under the 1973 Constitution holds important ceremonial and some discretionary powers, the office’s authority is largely constrained, especially after the Eighteenth Amendment. The Prime Minister and Parliament hold the core executive and legislative powers, making Pakistan a parliamentary democracy.