

PART-II

Question no: 2

Introduction:

The Constitution (Twenty-sixth Amendment) Act, 2024, also known as the Constitutional Package, is legislation that takes away the Supreme Court's *suo motu* powers, sets the chief justice of Pakistan's (CJP) term at three years and empowers the (P.M.) Prime minister to appoint the new CJP from among the three most senior Supreme Court judges. The initial draft had reportedly proposed 56 amendments. However, after many deliberations among the parties, there were reduced to 27 in final version passed by National Assembly.

Main changes made in the Constitution:

1) Appointment of Chief Justice of Pakistan; expansion of Parliamentary Committee:

Under the amendment of Article

175 A, instead of the President appointing the 'most senior judge of the Supreme Court' as the CJP, the top judge will now be 'appointed on the recommendation of the Special Parliamentary Committee from the three most senior Supreme Court judges.

II) CJP's term:

The term of CJP is reduced to three years or unless he sooner resigns or attains the age of 65 years or is removed from his office in accordance with the Constitution, whichever is earlier, as well as provided further explanation, that the top judge on completion of his term of three years, shall stand retired not withstanding his age of superannuation.

III) Supreme Court, High Court powers:

Another change has been made to Article 184, which deals with the Apex Court's original jurisdiction, taking away the Supreme Court's

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iv. Formation of Constitutional benches in Supreme court:

A new Article 191A, is to be inserted into the constitution for the formation of these judicial benches. Under this article, the most senior judge among the judges nominated, shall be the Presiding Judge of the constitutional benches.

v) Constitutional Benches in high courts:

A new article 202A is to be inserted for the formation of constitutional benches in the high courts.

vi) Appointment of SC and HC judges:

The JCP will conduct a performance evaluation of judges of high courts. The term for SC judges has been reduced to two years instead of three years.

vii) Federal Shariat Court, Council of Islamic Ideology:

According to the amendment in

Article 203C, now the criteria for the appointment of the FSC chief justice will also include an FSC judge, qualified to be a judge of the Supreme Court.

VIII) Elimination of Riba:

According to another amendment in constitution the elimination of riba is mandatory before January 1, 2028.

IX) Right to clean, healthy environment:

According to a new Article 9A, every person shall be entitled to a clean, healthy and sustainable environment.

Effects of 26th amendment on the Political system of Pakistan:

The 26th Amendment focuses on the enhancing transparency of judicial system which will strengthen the governance stability in Pakistan. The amendment reduced the political interference in the judiciary. This framework could foster public trust in

The judicial system. Ultimately as governance becomes more transparent and less prone to centralized control, the political system may experience greater accountability, which will reinforce democratic principles and institutional integrity.

Question no: 8

Introduction:

National integration is the process of uniting people from diverse ethnic, linguistic, and cultural backgrounds into a cohesive whole, fostering a shared identity and loyalty towards the nation. It is essential for the stability, progress and social harmony of the country. Components like shared culture, social equality lay the foundation for unity, while various socio-economic and political challenges can threaten the integration.

Major Components of National Integration:

(a) Shared Identity and national culture:

Binding a common sense of belonging and national pride among diverse groups can foster national integration.

(b) Social and economic Equality:

Removing disparities to promote inclusiveness and fairness. Equitable distribution of resources will help to have national integration. Policies like 'NFC Award' (National Finance Commission), can be helpful in equitable distribution of resources.

(c) Effective Governance and political Representation:

By giving right to minorities of political representation and measures for effective Governance would strengthen unity.

(d) Education and Awareness:

Educating citizens about shared history, values, and national goals helps in this regard.

(2) Inter-Community Harmony:

promoting tolerance, respect, and cultural exchange programs helps to build national unity.

Issues Hampering National Integration:

(a) Ethnic and Sectarian divide:

Divisions based on ethnicity, language, or religion can erode unity. Here we can consider the striking example of 'separation of East Pakistan in 1971'.

(b) Economic Inequality:

Economic disparity can create resentment and fuel regionalism, like present situation of 'Balochistan'.

(c) External Interference:

Foreign influence can disrupt internal harmony by supporting divisions in groups and ideologies.

(d) Political marginalization:

The centralized power often dominated by Punjab elites, resulted in feeling of political exclusion in other provinces.

(e) Unequal Distribution of Resources:

It includes economic disparities as well as the control of resources, which leads towards the 'Baloch nationalism' and 'Sindhi and Pashtoon nationalism' movements.

Conclusion:

National integration is vital for a country's peace and prosperity. Issues such as ethnic divides, economic disparities, regionalism can disrupt cohesion. By addressing these challenges through inclusive policies and fostering tolerance is crucial to strengthening national unity and building a stable society.

Question no: 4

Introduction:

Sir Syed Ahmed Khan, a key Muslim reformer of the 19th century, introduced a "trinity of ideas" to uplift the social, economic and educational status of Muslims in British India. His focus was on three principles: loyalty towards the British, devotion to modern education, and maintaining a distance from politics. Each of these ideas carried specific motives, reflecting the complex social and political environment faced by the Muslim community after the 'war of independence' (1857).

I. Loyalty towards the Britishers:

After the event of 1857, Sir Syed believed that Muslims' relationship with Britishers needed repair to ensure their survival and future prosperity. He saw loyalty towards a pragmatic approach to rebuild trust with British rulers, especially given

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The perception that Muslims were largely responsible for the revolt.

His approach improved the standing of Muslims, who had been marginalized in governance and military. It helped them to secure jobs, avoid persecution, and gradually regain some lost influence.

However, critics argue that Sir Syed's loyalty stance may have led Muslims to become overly dependent on British goodwill, distancing from anti-colonial movements.

II. Devotion to Education:

Sir Syed saw Education as the critical tool for empowerment. He emphasized modern, scientific and secular education, which was absent in Muslim community.

This focus on education led to the intellectual and professional development of Muslims that could compete with Hindus in administration and civil services.

Some argues that his emphasis on English-medium, secular education may have distanced the community from traditional Islamic studies and values.

III. Aloofness from Politics:

He advised muslims to avoid any direct involvement in politics, which he felt could expose them to British reprisals, given their perceived role in the 1857 revolt.

This preserved muslims from confrontation with Britishers and helped them focus on building socio-economic stability first.

This detachment from politics became drawback as the 'Indian National Congress' emerged, representing nationalist aspirations.

Critical Evaluation:

Sir syed's trinity of ideas had significant short-term benefits but also long-term consequences that required adaptation by later

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leaders. His loyalty towards Britishers helped muslims regain stability but eventually isolated them from broader nationalist movements. Political aloofness was practiced in Sir Syed's time, it delayed muslim involvement in independence movement, creating a political gap. His education reforms provided a pathway for empowerment, though his focus on secular, english medium education drew criticism for alienating traditional scholars.

Conclusion:

Sir Syed's trinity of ideas laid a critical foundation for muslim community's socio-economic revival. But the limitations of his ideas became evident as a political landscape evolved. Sir Syed's legacy is therefore a blend of foresight and limitations, embodying both limitations and challenges of his approach to muslim modernization.