

Pakistan Affairs

Q.2)

Introduction

"The Constitution cannot protect us unless we protect the Constitution"

- US Economist Thomas Sowell

The 26th amendment was enacted following a unanimous vote in both the National Assembly and the Senate, achieving a 2/3 majority. The President of Pakistan approved the amendment on October 21st 2024. It was primarily championed by the ruling coalition led by PM Shehbaz Sharif, with significant contributions from the PPP and other coalition partners. Understanding the main changes made by this amendment is central to understanding the effects it shall have on the country's political system.

What was the Rationale for the Amendment?

Primary Motivation = address the growing frustrations with the judiciary, particularly regarding its perceived interference in political matters, including the dismissal of elected officials

→ PM Sharif characterized the amendment as a demonstration of national consensus aimed at restoring parliamentary supremacy and curbing excessive judicial power

Main Changes Made in the Constitution of Pakistan through Twenty-Sixth Amendment

① Amendments to Article 175A

→ greatest number of amendments are to Article 175A, which deals with the process of appointment of judges to various courts

• CJP Appointment

→ Previously = President appointed the most senior Supreme Court judge as Chief Justice

→ New Method = CJP will be appointed based on recommendations from a Special Parliamentary Committee, which will consist of:

→ 8 members from National Assembly

→ 4 members from the Senate

→ the Judicial Commission of Pakistan will now send nominations directly to the Prime Minister

② Amendments to Article 184

→ this Article deals with the apex court's original jurisdiction

• Suo Motu Powers = Supreme Court's ability to exercise suo motu now restricted

↳ Supreme Court cannot issue orders or directions on its own beyond what is presented in an application

→ Supreme Court can now transfer cases from high courts to itself

③ Insertion of New Article 191A

- Formation of Constitutional Benches
 - ↳ establishes constitutional benches within the Supreme Court
 - ↳ Benches will include judges nominated by the Judicial Commission of Pakistan



~~④ Insertion of New Article 202A~~

④ Amendment to Article 193

- ↳ minimum age for high court judge has been reduced to 40 years from 45 years

Summary of Main Changes

Revoking the Supreme Court's suo motu powers (change to Article 184)



Setting the CJP term at three years



Empowering the PM to appoint the next CJP from among the most senior supreme court judges



Supreme Court is now empowered to transfer any case to itself



Federal Minister and senior counsel now included in process of appointing Islamabad High Court top judge

Legitimacy of
Democratic
Institutions

Investor
Confidence

Military
Influence

Effect of 26th
Amendment on
Political System

Concentration
of Power

Judicial
Legitimacy

Political
Polarization

Legal
Precedents

Public Access
to Justice

Judicial
Independence

① Investor Confidence and Economic stability
→ judicial independence is a critical factor for
attracting foreign direct investment

~~when investors~~

→ eg. if the judiciary is viewed as politically
compromised due to this amendment,
potential investors may look for more
stable environments

② Concentration of Power

→ amendment centralizes authority within the
ruling coalition, undermining checks and
balances in the political system

↳ e.g. Ruling PML-N may use its influence over judicial appointments to secure favorable rulings, further entrenching its political power and diminishing the role of opposition parties

③ Political Polarization

→ may exacerbate existing political divisions, leading to heightened tensions between parties

↳ e.g. Opposition PTI may mobilize public sentiment against the perceived manipulation of judiciary, leading to protests + political instability

④ Legitimacy of Democratic Institutions

→ perceived undermining of judiciary may lead citizens to question legitimacy of democratic institutions + processes

↳ e.g. may erode trust in electoral process

⑤ Military Influence

→ backing of military establishment in facilitating the amendment reflects an ongoing trend of military involvement in politics

↳ e.g. cooperation between the ruling coalition and the military may signify a return to a power dynamic that prioritizes military interests over democratic governance, impacting civilian political agency

⑥ Judicial Independence

→ amendment compromises judiciary's independence, as judicial appointments become subject to political considerations

↳ e.g. appointment of Justice Afridi, favored by the ruling coalition, may indicate that future judicial decisions will align more closely with government interests rather than uphold rule of law

⑦ Legal Precedents

→ politicized judiciary may establish legal precedents that favor the ruling party, impacting future judicial interpretations

⑧ Public Access to Justice

→ compromised judiciary may limit public access to fair legal recourse, disproportionately affecting marginalized communities

⑨ Judicial Legitimacy

→ perception of a politically motivated judiciary may erode public confidence in the legal systems

↳ e.g. if citizens believe that judges are beholden to political parties, they may be less likely to pursue legal action

Conclusion

The 26th amendment carries significant implications across various facets of Pakistan's political system. Long-term effects of the amendment will depend on Pakistan's ongoing political challenges.

Q.3)

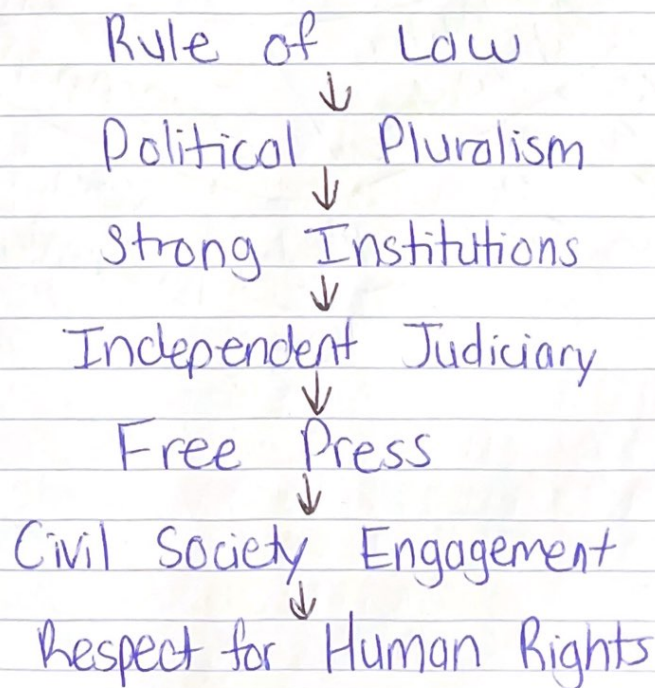
Introduction

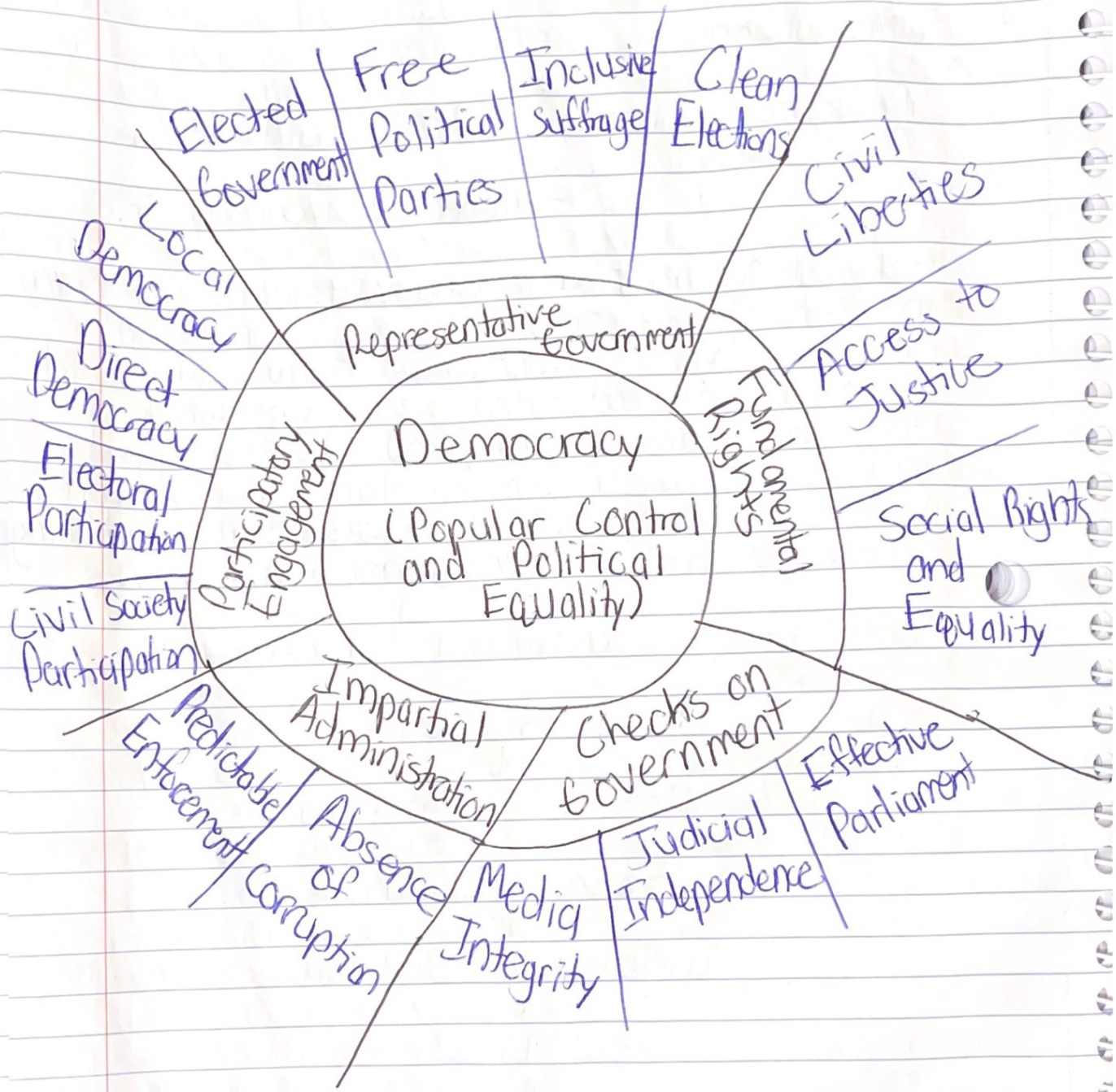
"Democracy is messy, and it's hard. It is never easy"

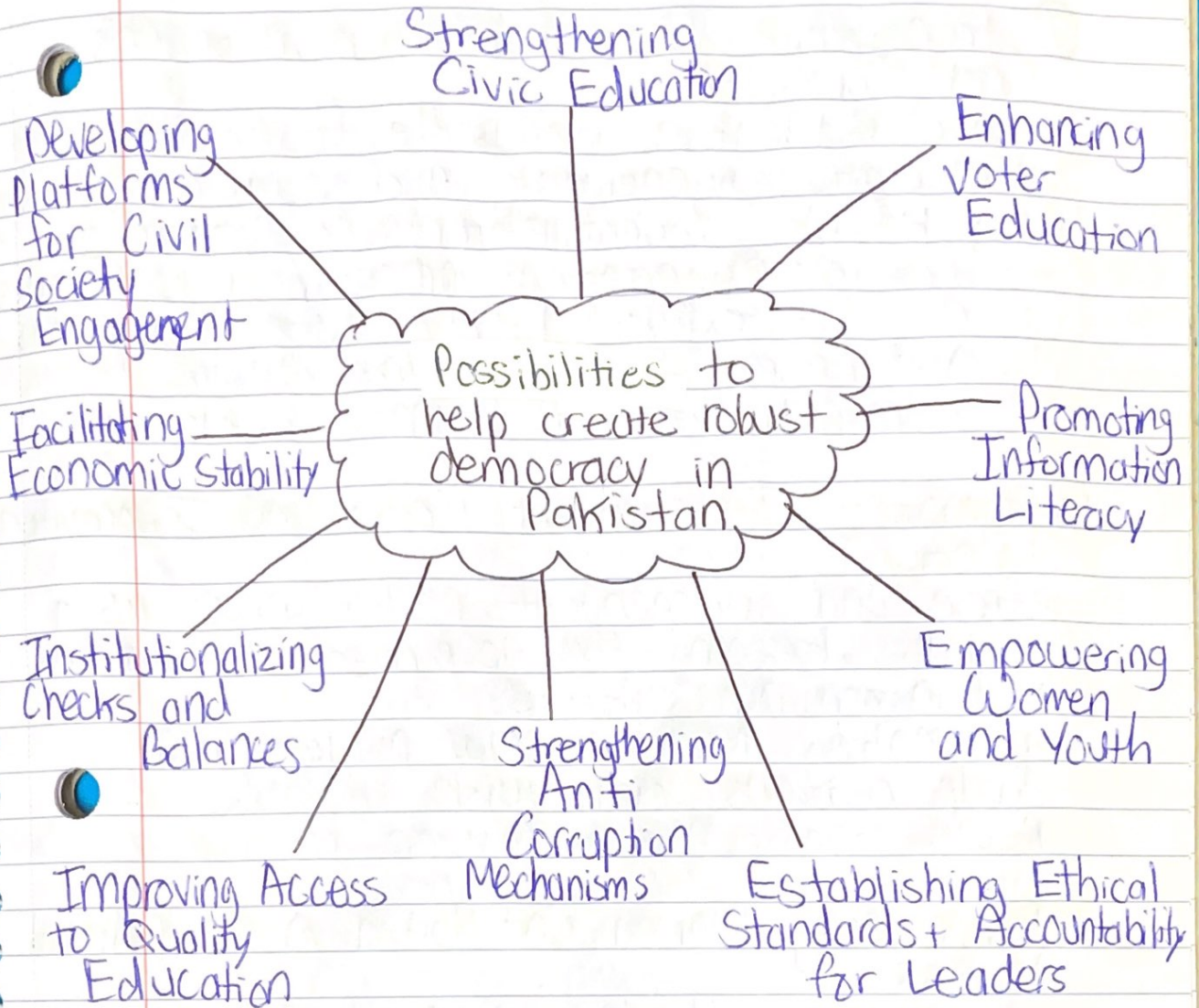
- Robert F. Kennedy Jr.

Establishing a robust and sustainable democracy in Pakistan requires nurturing a political culture where citizens are actively involved, informed, and educated, and where leaders are ethical, accountable, and well-equipped to serve. It is critical to look at strategies that could help Pakistan create a functioning democracy that promotes good governance

Tools For a Successful Democracy







- ① Enhancing Voter Education and Awareness Campaigns
- well informed electorate is critical to democracy
 - in 2024, Election Commission launched initiatives aimed at educating voters about their rights, electoral processes, and the importance of choosing representatives wisely
 - expanding such campaigns will enable citizens to make informed choices and reduce susceptibility to populist/demagogic influences

② Strengthening Civic Education in Schools and Universities

- civic education builds the foundation for democratic engagement and social responsibility
- ↳ e.g. HEC's recent efforts to promote civic engagement programs in universities can be expanded to include workshops and courses on governance, public administration, and human rights

③ Promoting Independent Media and Information Literacy

- free and independent media serves as a watchdog, keeping the government accountable and informing citizens
- promoting media literacy programs will help citizens distinguish reliable news from misinformation

④ Empowering Women and Youth in the Political Process

- a democracy thrives when all segments of society are represented
- ↳ e.g. Women's empowerment initiative launched in 2024 by the Ministry of Human Rights encourages public participation can help address gaps
- Quotas, leadership workshops, and mentorship programs can encourage young and female citizens to run for office or participate in local governance

⑤ Establishing Ethical Standards and Accountability for Leaders

- educated, morally grounded leadership is the bedrock of a robust democracy
- establishing clear ethical guidelines for politicians and a stringent code of conduct can help set standards for leadership
- ↳ e.g. introducing regular performance reviews and disclosure requirements

⑥ Strengthening Anti-Corruption Mechanisms

- corruption erodes public trust and weakens democracy
- empowering anti-corruption bodies like NAB with resources and authority to investigate high-profile cases impartially is essential
- ↳ e.g. building robust, transparent audit systems will make it harder for public funds to be misused, fostering a cleaner political environment

⑦ Improving Access to Quality Education for All Citizens

- education is a fundamental pillar of an informed democracy
- providing quality, universal education enables citizens to understand and engage in political processes
- ↳ e.g. initiatives under Pakistan's Education Reforms Act of 2024 focused on reducing dropout rates and improving curriculum standards

⑧ Developing Platforms for Civil Society Engagement

→ a vibrant society plays a crucial role in democracy by advocating for citizen rights and holding government accountable

→ e.g. in 2024, organizations such as the Pakistan Institute of Legislative Development and Transparency continued to champion democratic governance through public forums and research

⑨ Institutionalizing Checks and Balances in Governance

→ a robust democracy requires a system of checks and balances to prevent the concentration of power

→ further strengthening the independence of the judiciary, executive, and legislative branches will help prevent abuse of power and maintain transparency

Conclusion

Building a functioning, robust democracy in Pakistan requires comprehensive reforms in education, civic engagement, leadership accountability, and institutional resilience. While challenges remain, a committed effort to implement these strategies will undoubtedly bring Pakistan closer to realizing its democratic potential.

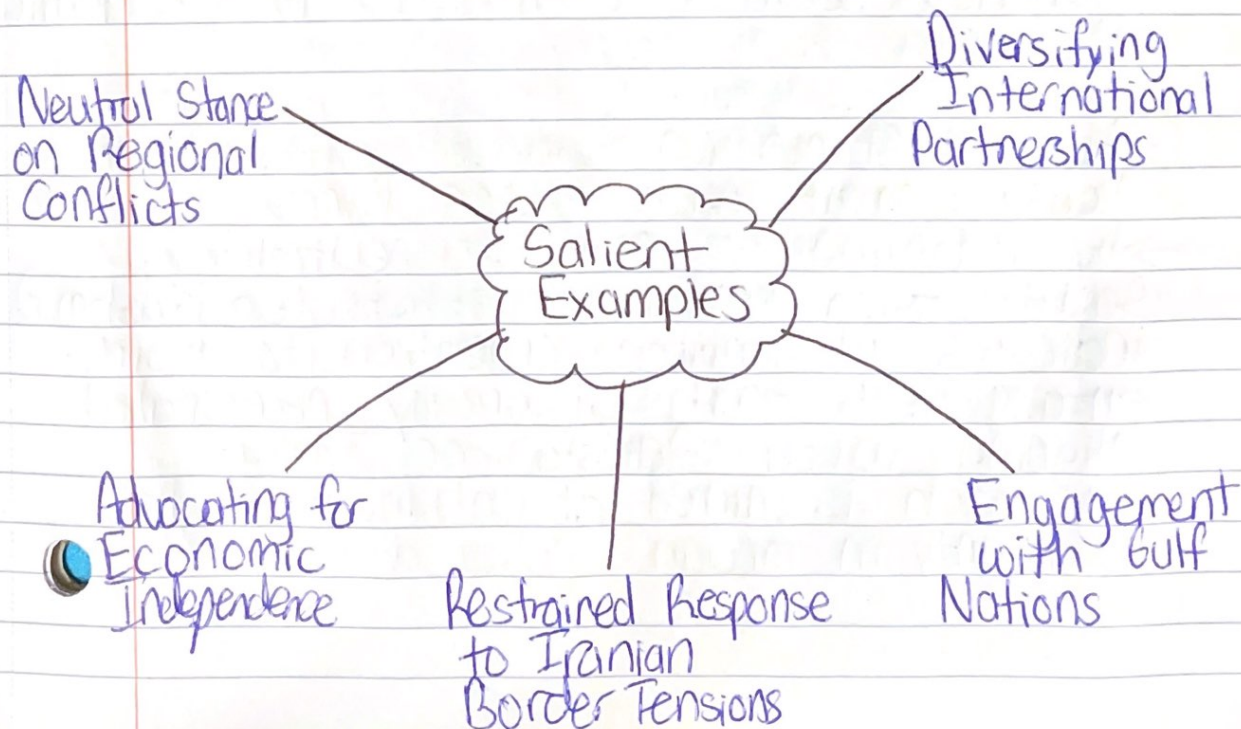
Q.5)

Introduction

"Peace in Afghanistan means peace in Pakistan"
- Former COAS General Bajwa

In 2024, Afghanistan is at a critical juncture as its leaders navigate complex geopolitical challenges while signaling a desire for a more independent foreign policy. The pivot towards autonomy can be seen in recent diplomatic moves, economic policies, and engagements with non-traditional allies. These shifts are reshaping Pak-Afghan relations, presenting new opportunities and challenges for both nations.

Afghanistan's Pursuit of Independent Foreign Policy in 2024:



① Diversifying International Partnerships

Beyond Regional Neighbours

→ Afghan government recently held high-level talks with the European Union to explore humanitarian aid programs

→ this approach not only lessens Afghanistan's reliance on regional allies but also creates room for Afghanistan to engage in policies without direct influence of neighboring countries

② Engagement with Gulf Nations and Economic Investments

→ in 2024, Afghanistan signed a comprehensive investment deal with UAE for mineral extraction projects, reducing dependency on trade routes that go through Pakistan

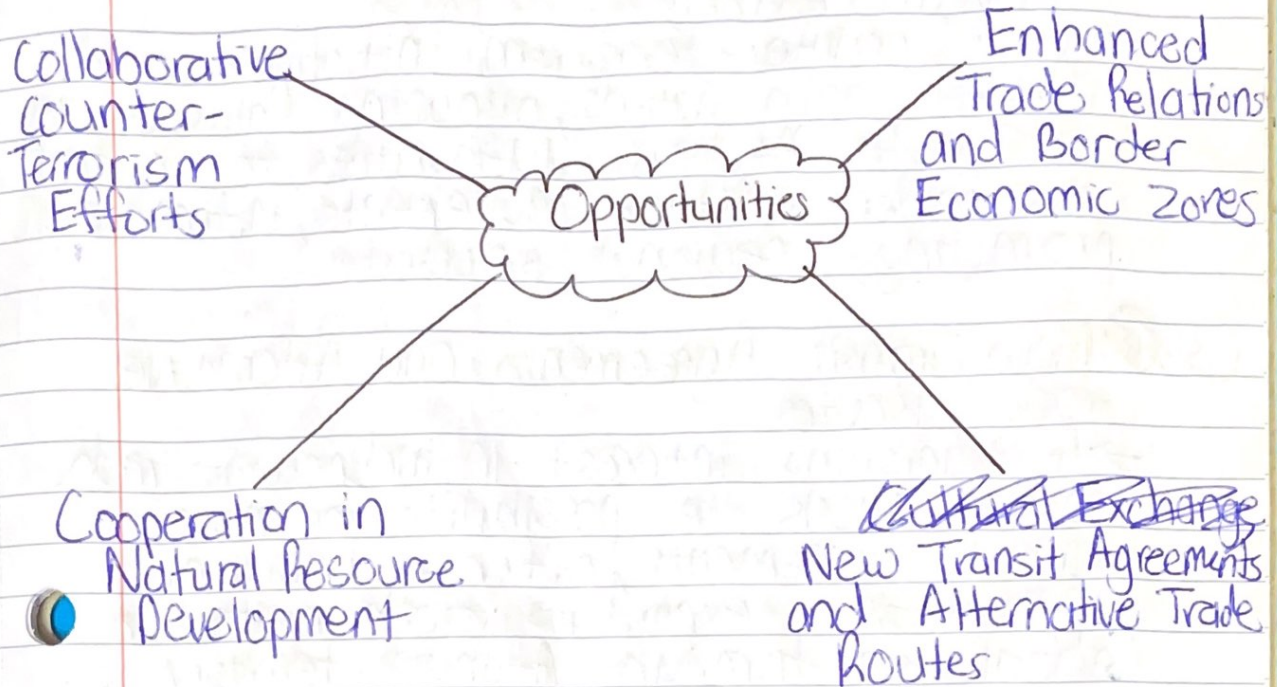
→ this alignment with Gulf economies not only strengthens Afghanistan's economy but also builds leverage over neighboring countries seeking to influence its economic policies

③ Neutral Stance on Regional Conflicts and Non-Alignment with Power Blocs

→ by adopting a policy of neutrality in South Asian regional conflicts (e.g. Kashmir) indicates Afghanistan's intention to avoid entanglements that historically necessitated aligning with Pakistan or India

→ approach is aimed at enhancing Afghan sovereignty in foreign policy decisions

Opportunities for Pak-Afghan Relations Under This New Context:



① Enhanced Trade Relations and Border Economic Zones

- Afghanistan's independent economic policies offer Pakistan an opportunity to establish mutually beneficial trade arrangements, including border economic zones
- these zones could reduce informal trade, enhancing official trade and providing a stable income source for both countries, thus strengthening economic ties without dependency

② Collaborative Counter-Terrorism Efforts
→ Afghanistan's neutral stance and engagement with various global actors may allow for collaborative counter-terrorism efforts

→ joint counter-terrorism initiatives could benefit both nations, allowing Pakistan to work with Afghan authorities to control cross-border militant movements, ultimately promoting regional security

③ ~~②~~ New Transit Agreements and Alternative Trade Routes

→ Afghanistan's interest in independent trade routes opens the possibility for new transit agreements, offering Pakistan an opportunity to expand its trade routes to Central Asia through Afghan territory
→ could diversify Pakistan's trade portfolio

④ Cooperation in Natural Resource Development

→ Pakistan could offer expertise and resources, which would benefit Afghanistan's economy while providing Pakistan with valuable mineral resources, fostering economic interdependence in a balanced partnership

Border Disputes

Security Concerns

Challenges for Pak-Afghan Relations Under This Context

Dependency on Non-Regional Economic Backers

Economic Competition

① Security Concerns due to Diverging Counter-Terrorism Approaches

→ Afghanistan's independent stance has led to varied counter-terrorism strategies that do not always align with Pakistan's security objectives, particularly regarding groups like the TTP

→ lack of coordinated counter-terrorism policies could lead to cross-border security issues, posing a threat to regional stability

② Economic Competition over Regional

Trade Routes
→ Afghanistan's partnerships with Gulf countries and Central Asia may create competition over regional trade routes, especially as Afghanistan seeks to bypass Pakistani transit routes

③ Border Disputes and Immigration Policies

→ Afghanistan's increasingly assertive foreign policy could lead to heightened border tensions with Pakistan, particularly around the Durand Line dispute

→ Afghan leaders are pushing for relaxed immigration controls, while Pakistan is implementing stricter border management

④ Dependency on Non-Regional Economic Backers for Infrastructure Projects

→ Afghanistan's reliance on funding from non-regional players like the UAE/EU may reduce the appeal of Pakistani investments in Afghan infrastructure

→ Pakistan may find limited opportunities to engage in Afghan infrastructure projects

Conclusion

Afghanistan's quest for an independent foreign policy in 2024 reflects its ambition to reduce dependency on regional powers, including Pakistan, while asserting its sovereignty in international relations. Ultimately, the future of Pak-Afghan relations hinges on their ability to balance Afghanistan's pursuit of independence with the shared interests that bind them.

Q.6)

Introduction

"We maintain and hold that Muslims and Hindus are two major nations by any definition or test of a nation"
- Jinnah in 1944

The history of the Indian subcontinent in the 18th and 19th centuries witnessed the emergence of various Muslim reformist movements, each striving to preserve the identity, culture, and socio-political rights of the Muslim community under British colonial rule. Collectively, these movements laid the ideological foundation for the formulation of the Two-Nation Theory, which later became the basis for the creation of Pakistan.

Various ~~the~~ Reformist Movements:

Deoband
Movement

Faraizi
Movement

Various
Muslim
Reformist
Movements

Barelvi
Movement

Ahl-i-Hadith
Movement

Aligarh
Movement

Timeline of Muslim Reformist Movements and Their Contribution to the Two-Nation Theory:

Early
19th
Century
↓
Faraizi
Movement

Originating in the Bengal region in the early 19th century, Faraizi movement was led by Haji Shariatullah and later by his son. Sought to purify Islam by encouraging a return to fundamental Islamic practices and opposing un-Islamic practices such as the worship of saints. It strengthened the Muslim identity by emphasizing religious purity and resisting Hindu landlord oppression in Bengal.

Founded
in
1866
↓
Deoband
Movement

Founded in 1866 in Deoband, movement was led by scholars such as Maulana Qasim Nanautawi. Movement aimed at revitalizing Islamic teachings through education and a strict interpretation of Islamic jurisprudence. It promoted a distinct Islamic identity, which resonated with Muslims.

Mid
19th
Century
↓
Aligarh
Movement

Initiated by Sir Syed Ahmad Khan, this movement established the Muhammadan Anglo-Oriental College to modernize Muslim education. It advocated for educational reform, political awareness, and collaboration with the British to uplift the Muslim community. It emphasized the distinctiveness of Muslims and played a crucial role in popularizing the Two-Nation Theory.

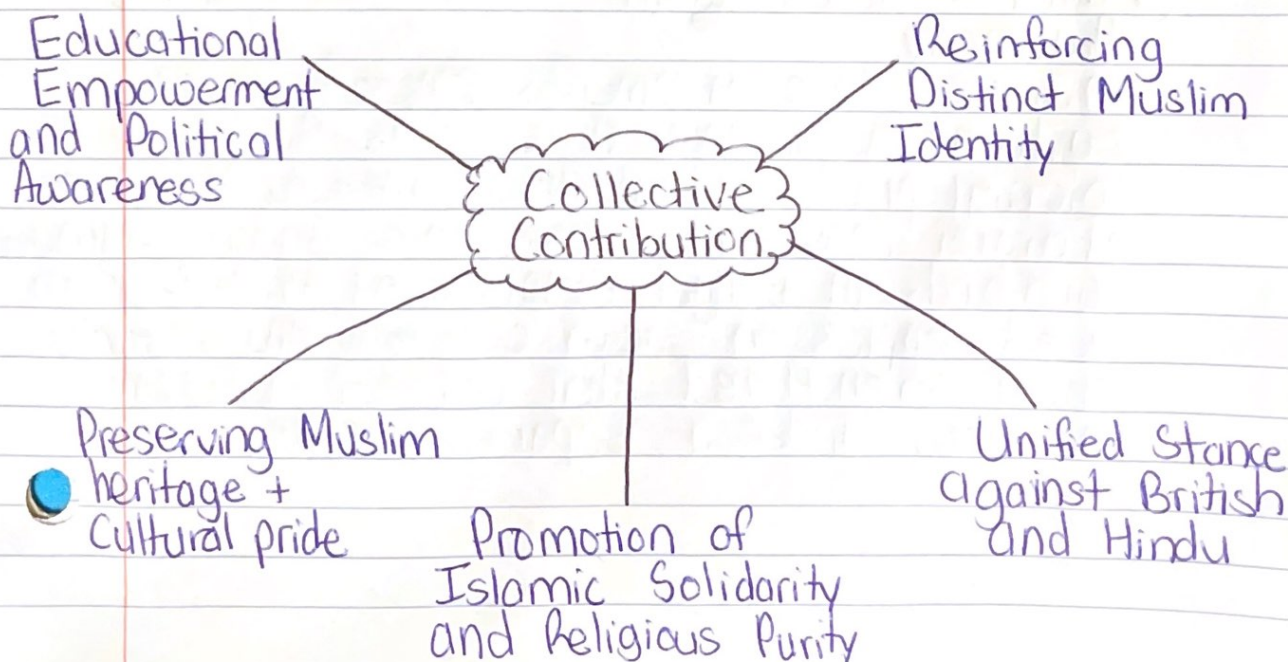
Mid-19th Century
↓
Ahl-i-Hadith Movement

Founded by Sayyid Nazir Husain and Siddiq Hasan Khan. It focused on purifying Islamic beliefs by rejecting innovations in religious practice. It promoted a return to Quranic teachings and Hadith, rejecting any religious practices considered innovations.

Mid-19th Century
↓
Barelvi Movement

Founded by Ahmed Raza Khan, this movement promoted the traditional practices and reverence for saints among Indian Muslims. It strengthened the cultural aspect of Muslim identity, nurturing unity by fostering pride in Muslim traditions and heritage, which contrasted with Hindu customs and practices.

Collective Contribution to the Sequential Unity of the Two-Nation Theory:



① Reinforcing the Distinct Muslim Identity
→ these movements, though varied in beliefs, collectively emphasized the distinctiveness of Muslim religious and cultural practices
→ this collective reinforcement of distinct identity highlighted that Muslims were a separate entity, ultimately justifying the need for a separate nation

② Educational Empowerment and Political Awareness
→ Aligarh Movement = Sir Syed emphasized modern education and political consciousness
→ his argument that Muslims could not be subsumed into a Hindu-majority political system laid the ideological groundwork for the Two-Nation Theory
→ this educational reform and political awareness shaped an entire generation of Muslims who saw themselves as separate from Hindus

③ Unified Stance Against British and Hindu Hegemony
→ many of these movements opposed Hindu cultural dominance as well as British colonial practices that disadvantaged Muslims
→ Faraizi movement's resistance against Hindu landlords in Bengal emphasized that Muslims faced oppression both culturally and politically, which strengthened their call for autonomy and unity under a separate identity

④ Promotion of Islamic Solidarity and Religious Purity

→ Ahl-i-Hadith and Barelvi Movements, despite their theological differences, both advocated for the preservation of Islamic purity + solidarity

→ this common focus on maintaining a 'pure' form of Islam bolstered Muslim unity, inspiring Muslims to see their religious and cultural values as unique and worthy of preservation through an independent Muslim state.

⑤ Preserving Muslim Heritage and Cultural Pride

→ By fostering pride in Muslim identity, these movements cultivated the idea that Muslims needed a separate political space to protect and celebrate their unique heritage without external interference

Conclusion

Collective impact of these reformist movements helped Muslims in India to visualize themselves as a distinct community, culturally and politically. These movements, with their varied approaches, provided the ideological foundation for the Pakistan movement, illustrating how religious, cultural, and political unity among Muslims became the bedrock for the demand of Pakistan.