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Key Amendment and their Implication in Pakistan Judiciary

The recent 26th amendment to the Constitution of Pakistan concerning the judicial system reflect a significant transformation in the Processes governing judicial appointment and the functioning of the judiciary.

1) Appointment of Chief Justice of Pakistan (CJP) Amendment (Article 175)

The appoint of the CJP will now be based on recommendation made by a special Parliamentary committee consisting of twelve members, replacing the previous default practice of appointing the most senior judge.

Implication:

The modification aim to enhance Parliamentary oversight, thereby reducing the potential for nepotism and bias in judicial appointments, and fostering a more inclusive consensus.

2. Judicial Committee's Nominations • Change in Article 175

The (JCP) will now send nominations

directly to the Prime minister, who will forward them to the President for appointment, omitting the earlier requirement for an eight-member Parliamentary committee.

Implication

While this streamlining may improve efficiency, it raises concerns regarding the potential concentration of power within the executive branch.

3) Term Limits for CJP (Article 175)

The term of the CJP is now limited to three years, irrespective of age, unless the individual resigns or is removed from office.

Significance

This change aims to introduce regular leadership turnover, which may contribute to more dynamic and adaptable judiciary.

4) SVO Motu Powers (Change Article 184)

The Supreme Court's suo motu jurisdiction has been restricted mandating that it can only act upon a formal application.

Consequences.

The amendment seek to limit discretionary powers and encourage greater accountability in judicial action.

5) Performance Evaluation

New Requirement (Article 175)

The Judicial Conduct and Accountability Commission (JCAC) is mandated to conduct annual performance evaluation of high court judges, with provisions for implementing improvement plans for those deemed inefficient.

6) Creation of constitutional Benches

New Mandate (Article 191)

The establishment of constitutional benches in both the Supreme Court and high court is now mandated to handle significant constitutional matters.

7) Right to a Clean Environment.

New Provision (Article 9A)

Article 9A guarantees every citizen the right to clean and healthy environment.

Effect on the Political System of Pakistan:

Increased Parliamentary Oversight

Enhances accountability and transparency in the judiciary.

Potential Executive Dominance

Direct submission of JCP nomination to Prime minister may concentrate power in executive, raising concerns about judicial independence.

Judicial Accountability:

Performance evaluation for judges are likely to improve accountability and boost public trust in judicial systems.

Dynamic Judiciary

Term limits for the CJP may lead to more responsive judiciary and reduce the risk of entrenched interests.

Environmental Legislation

Recognizing the right to clean environment could influence legislative priorities and foster most robust environmental policies.

Public Engagement:

Increased accountability and transparency may encourage greater citizen participation in legal and political processes, enhancing democratic vitality.

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Establishing a functioning, robust democracy in Pakistan hinges on two fundamental pillars; a healthy, educated and participatory citizenry and an educated, morally grounded leadership. Each of these elements is interdependent and plays a crucial role in the overall democratic framework.

Healthy, Educated, Participatory Followership

A. Education and Awareness:

Access to Quality Education

Ensuring that all citizens have access to quality education is paramount. Education fosters critical thinking, enabling citizens to understand their rights, responsibilities and the workings of government.

Civic Education:

Integrating civic education into school curricula empowers individuals with knowledge about democratic values and human rights, promoting informed decision-making.

b)

Health and Well-being

Public Health Initiatives:

Investing in public health and preventive care creates a healthier population, which is more likely to engage in civic activities.

Social Cohesion:

Addressing health disparities fosters community belonging, encouraging collective action in democratic governance.

c)

Engagement and Participation

Encouraging ~~and~~ ^{Voter} Participation:

Awareness campaigns can boost voter turnout, leading to a more engaged electorate. Grassroots movement can mobilize citizens for elections and local governance.

Community Involvement

Encouraging participation in local governance through initiatives like participatory budgeting empowers citizens and enhances ownership of democratic processes.

Education, Morally Grounded leadership Leadership Development.

A)

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Educational Programs for leadership

Training Program focused on ethical leadership can cultivate leaders who prioritize the common good.

Promoting Transparency and accountability

Mechanisms for holding leaders accountable reinforce ethical standards and build public trust.

Role of Political Parties

Reforming Political Parties

Political parties should prioritize merit-based candidate selection and internal democracy to cultivate accountability and service.

Encouraging Diverse Representation

Diverse representation within parties brings various perspectives, leading to more responsive governance.

Mutual Reinforcement

Civic Engagement:

Educated citizens demand better leadership, creating a feedback loop for accountability and transparency.

Ethical Standards:

Morally grounded leadership inspire

civic engagement fostering a culture of ethical governance and responsibility.

Challenges and Consideration:

Political instability:

Ongoing instability can hinder engagement and strong leadership addressing issues like corruption is essential.

Socio-economic barriers

Economic inequalities can limit access to education and healthcare necessitating targeted policies to promote engagement.

Cultural Factors:

Cultural attitude toward authority can affect ~~decrease~~ democratic participation. Promoting civic responsibility requires ongoing effort.

Conclusion:

In Pakistan, the establishment of a robust democracy is feasible but requires concerted efforts to foster an educated, healthy, and participatory followership alongside an ethical and educated leadership. By investing in education, public health, and civic engagement, and by promoting ethical leadership practice, Pakistan can work toward a more resilient democratic system.

Q = 8

National integration refers to the process of uniting various groups within a ~~group~~ nation to form a cohesive and harmonious society. It involves fostering a sense of belonging, shared identity, and mutual respect among diverse communities. Here are the major components of nation integration and issue that may hamper it.

Major Components of National Integration

Common National Identity:

A shared sense of belonging to a nation transcending ethnic, linguistic, and cultural differences.

Promotes unity and ~~sig~~ solidarity among diverse groups, fostering patriotism.

Civic Education:

Awareness of rights, responsibilities and the working of government among citizens.

Empowers individuals to participate actively in democratic processes and promotes informed citizenship.

Social Cohesion:

~~But~~ Building strong relationships and networks among individuals and communities.

Encourage collaboration, understanding and support among different groups, reducing divisions.

Economic Development:

Ensuring equitable distribution of resources and opportunities for all citizens. Reduce disparities and fosters sense of shared prosperity contributing to social stability.

Political Stability:

Establishing effective government and rule of law.

Creates a conducive environment for dialogue and cooperation, enhancing trust in institutions.

Cultural Exchange

Promoting understanding and appreciation of diverse cultures, traditions and language.

Fosters mutual respect and reduces stereotypes, promoting harmony among different communities.

Participation in Governance:

Encouraging citizens to engage in political processes and decision-making. Ensures that diverse voices are heard, enhancing representation and inclusivity.

Issues that May Hamper Nation Integration:

Ethnic and Sectarian Tensions:

Conflicts due to ethnic, religious, or cultural difference can lead to violence and ~~des~~ discrimination.

Escalating discrimination and mistrust hinder collaboration, exemplified by the rise sectarian violence in Pakistan particularly against Shia communities in 2023.

Socio-economic Disparities

Unequal access to resources and opportunities can marginalize certain groups.

Economic inequality fosters resentment with over 24% of Pakistan's population living below the poverty line in 2022 heightening feelings of disenfranchisement.

Political instability

Frequent government change and corruption can erode trust in institutions.

Political turmoil, such as 2022 crisis involving Imran Khan's ousting can deepen divisions and create insecurity, undermining national unity.

Lack of Civic Education:

Insufficient knowledge about rights and responsibilities leads to disengagement. A 2023 UNDP survey showed that many young Pakistanis are unaware of their voting rights, affecting electoral participation.

Cultural Insensitivity:

Ignoring diverse cultures can alienate minority groups.

The marginalization of communities like the Ahmadiyya in Pakistan highlights how cultural insensitivity fuels social isolation and division.

Misinformation and Propaganda

Spreading false information creates misunderstandings and fear.

The rise of misinformation, particularly on social media during elections exacerbates political polarization in Pakistan.

External Influences:

Foreign intervention can exploit internal divisions.

Geopolitical tension, especially with India and Afghanistan, can distract from national unity efforts, influencing

domestic relations and Perceptions.

Conclusion:

National integration is a complex process influenced by multiple factors. Addressing the issues that hamper this integration requires concerted efforts from government, civil society, and communities to promote understanding, equity, and unity among diverse groups. Recognizing and tackling these challenges is essential for fostering a cohesive and resilient society.

Q=4

Sir Syed Ahmed Khan, a prominent reformer in 19th-century British India, is well-known for his trinity of ideas: loyalty towards the British, devotion to education, and aloofness from politics.

A) Loyalty Towards the British

Strategic Pragmatism:

Sir Syed's loyalty to the British can be understood as a pragmatic strategy during a period of colonial rule.

By aligning with the British authorities, he sought to secure educational and economic opportunities for Muslims, fostering a sense of security and

Stability within the Community

Access to Resource

His cooperation enable Muslims to secure government jobs and educational access, which improved their social socio-economic status and facilitated their integration into the modern state structure.

B) Devotion to Education Foundation for Modernity

Sir Syed emphasized education, founding institutions like the Muhammadan-Anglo-Oriental College, which promoted modern learning and rational thought among Muslims.

Intellectual Awakening

His focus on education led to the emergence of a new class of educational professionals enhancing the community's socio-economic conditions and instilling pride.

Promotion of Critical Thinking:

By encouraging education, he fostered critical thinking, allowing Muslims to understand their right and responsibilities within the political landscape.

C) Aloofness from Politics Focus on Self-Improvement

His political aloofness allowed Muslims

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to concentrate on social reform and community welfare, preparing them for future political engagement.

Strengthening Community Identity

This approach promoted unity among Muslims, ~~en~~ enabling organized advocacy for the interests, which later aided political mobilization during the independence struggle.

Ethical leadership:

Sir Syed's model of ethical leadership emphasized integrity and community service, influencing Muslims leadership positively in India.

Conclusion:

Overall, Sir Syed Ahmed Khan's ideas despite facing criticism, had a profound positive impact on the Muslim community. His emphasis on education, economic integration, and ethical leadership established a strong foundation for future generations to navigate the complexities of colonialism and engage effectively in social and political spheres.