

- Q. No. 8

Enlist the major components of national integration. What are the certain issues that may hamper it? Explain.

National integration solidifies the foundation of nationhood, which is crucial for national security against internal and external challenges.

H.A Ghani describes national integration as a "socio-psychological and educational process through which feelings of unity and cohesion develop in hearts of people." Ever since the creation of Pakistan, the country has remained entangled with the multiple challenges: bad governances, socio-economic and power disparities; politico-ethnic polarization; racial and lingual differences and so on. These challenges have complicated the process of national integration.

### MAJOR COMPONENTS OF NATIONAL INTEGRATION:

i) Social cohesion:

Building trust and understanding among different social, religious and ethnic groups strengthens the national integrity. It reduces conflicts and promotes sense of belonging.

As quotes by Mahatma Gandhi:

"Our ability to reach unity in diversity will be the beauty and the test of our civilization."

ii) Political Unity:

Establishing a political environment where all citizens, regardless of the background feel represented and have equal rights under the law, is what ensures national integration. Political unity is strengthened by fair electoral system, representative leadership, and an inclusive approach that recognizes diverse voices.

iii) Economic Equality:

Economic equality focuses on bridging income disparities and ensuring equitable access to resources, jobs and opportunities.

A society with less economic inequality tends to experience less tension, as all the groups have the means to improve their livelihoods. As John Kenneth Galbraith has rightly said:

The more equal we become in economic terms, the more we are likely to achieve integration in social terms."

#### iv) Cultural Unity:

Cultural unity involves respecting and celebrating the nation's diversity while promoting shared values, traditions and heritage. In a multi-cultural society, national integration is considered as a tool to create unity in diversity by minimizing the cultural differences.

#### v) Educational Development:

Education is vital in shaping young citizens' values, attitudes and understanding of their country. A curriculum that includes national history, civics and social studies promotes awareness of shared heritage and national challenges.

"Education is the most powerful weapon which you can use to change the world."

- Nelson Mandela

#### vi) Legal Equality and Justice:

Constitutional rights, anti-discrimination laws, and an accessible justice system contribute to legal equality. When citizens see

that the legal system protects them equally, they are more likely to feel invested in their country. Legal equality reinforces national integrity and reduces tensions caused by perceived injustices.

### Vii) National Symbols and Celebrations:

Symbols and national holidays are powerful tools for fostering unity. National symbols like the flag, anthem, and emblems, along with holidays commemorating independence or significant events, are celebrated to reinforce national pride. Public events and ceremonies that include diverse cultural expression further strengthen unity.

"communities are to be distinguished not by their falsity/genuineness, but by the style in which they are 'imagined.'"

Anderson's concept of "imagined communities" explains how symbols and shared history create a sense of belonging.

### Viii) Good Governance:

Good governance ensures transparency

accountability and responsiveness to citizens' needs. Citizens are more loyal and cooperative when they feel that their government serves their interests. Good governance reduces grievances that can fuel discontent and division.

"Good governance is perhaps the single most important factor in eradicating poverty and promoting development."

- Kofi Annan

### CERTAIN ISSUES THAT HAMPER NATIONAL INTEGRATION IN CONTEXT OF PAKISTAN:

As of today, the political leadership of Pakistan still faces the challenges of creating "a national identity out of diverse regional, linguistic and cultural identities." (challenges to national integration: A case study of Balochistan, Faiza Mir). The hurdles to national integrity are not specifically internal to Pakistan, as they also originate by the unfavourable circumstances and environment engineered by the external elements. The complications in phenomenon of national integration are etop.

explained below.

a. Leadership Dilemma:

The leadership's charisma, sagacity, and deeper insight into people's feelings play a constructive role in minimizing the socio-cultural, and politico-economic identity rifts to implement national order. But, after the death of Quaid-e-Azam, the leadership of Pakistan has been making efforts to transform the centrifugal tendencies of marginalized ethnic groups into centripetal feelings.

→ Case study:

Even influential leaders like Zulfikar Ali Bhutto lost his charisma after the debacle of East Pakistan and had been unable to transform the parochial feelings of the people of East Pakistan, Balochistan, and NWFP by diluting the separatist sentiments with national loyalty. (National Integration: challenges and options for Pakistan, Muhammad Nawaz Khan)

b. Bad Governance and social-economic Integration:

Bad governance is the root cause of all inefficiencies: social injustice; economic inequality; regional disparity;

unemployment, unaccountability and so on. The lax governance has generated economic backwardness in Pakistan, giving rise to social ills fuelled by massive poverty, and crime and spreading frustration and demoralization especially in unprivileged regions especially Southern Punjab, Interior Sindh, Balochistan and tribal areas of Pakistan, whose sentiments of marginalization have triggered militancy casting serious consequences to on national integration.

### C. Ethno-cultural divide:

The ethno-cultural divide in Pakistan is prone to suffer owing to the tendency of unwillingness of the interest groups to accept the cultural and linguistic diversity. (Zaheer Ud Din Qureshi, Role of Interest Groups in Public Policy Formulation, March 2021).

Though the result is seen in the tug of power among various political parties at the provincial and federal levels dominated by the conflicting ethnicity, causing unease of relations between the center and the provinces - the key corner concerns for national integration.

d. Exploitation of provincial or regional identity:  
 Though the provincial or regional identity is essential to solid nationhood. Yet, using regional identity as a political card for vested interests poses challenge to national integration as evident in the activism of PTM and in the slogans of separatism raised by the Baloch insurgents like the Balochistan Liberation Army (BLA) (Who are Baloch Liberation Army?, Srijan Shukla, February 2020).

e. Foreign actors fanning the flames of being 'leftover' sentiments of marginalized groups:  
 The radical sentiments of marginalized groups are sponsored by the hostile states with the aim to destabilize the country. Pakistan has repeatedly raised its voice against the support extended by many foreign countries and their hostile intelligence agencies to their sleeper cells to conduct subversive acts, equally lending patronage to the terrorist elements to sabotage the



national integration process.

f- Sub-nationalist politics damaging national integration:

Muslim nationalism of sub-continent played a crucial role in the Pakistan movement. However, after independence, the failure of the state to resolve the issues of language, provincial status and division of natural resources among the state-holders of diverse cultural backgrounds. With the passage of time, perceived marginalization of provinces and deprivation of nationalities set a stage for launching sub-nationalist movements and provided opportunity to the leaders of sub-national groups like Jeay Sindh Mahaz, Muhajir/ Muttahida Qaumi Movement (MQM), and National Awami Party (NAP), to start gripping the political landscape of the regional politics, while creating and exploiting controversy on issues like Kalabagh Dam.

### CONCLUDING REMARKS

National integration brings together culturally and socially distinct groups within the unified geographical boundaries of a country to create a sense of oneness. The clusters of languages, cultures and

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ethnicities are perceived as the key elements that set a stage to the concept of nationhood, whose people friendly policies encourage all segments of society. Opposite to this, any sense of marginalization, ethno-linguistic and socio-economic deprivations are the impediments to the growth of nationhood!

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## Pakistan Affairs

### Part-II

Q2. Discuss the main changes made in the Constitution of Pakistan Through Twenty-Sixth Amendment. What effects it shall have on the political system of Pakistan. Elaborate.

The 26th Constitutional Amendment, passed in Oct 2024, introduced sweeping judicial reforms to alter the balance of power between the judiciary and the parliament in Pakistan. The amendment covers aspects such as judicial appointments, limits on judicial powers, and the structure of constitutional courts.

### HISTORICAL CONTEXT

#### • Need for Reform:

Calls for judicial reforms had been growing due to perceived judicial overreach and concerns over balance of power between the judiciary and other branches of the government.

The government argued that the reforms were necessary to enhance parliamentary oversight and ensure democratic accountability.

- Judicial Overreach:
- Criticism of the judiciary's use of suo motu powers and its influence in key potential matters triggered debated on how to limit these powers.

## MAIN CHANGES MADE IN THE CONSTITUTION THROUGH 26<sup>th</sup> AMENDMENT

### → Changes to Judicial Appointments:

- Parliamentary Role in Appointments:  
Under Amendments to clause 3 of Article 175A, A special parliamentary committee now plays a role in the appointment of the Chief Justice of Pakistan (CJP), selecting from the three most senior judges.

This marks a departure from the previous system where the senior most judge automatically assumed the position of CJP.

- Chief Justice Term Limit:

As per changes introduced in Article 179, the CJP's term is now limited to three years, with a mandatory retirement age of 65 years.

## Federal Constitutional Court (FCC):

The amendment establishes the FCC as the highest authority for handling constitutional cases, reducing the Supreme Court's power over constitutional interpretation.

## → Suo Moto Powers: Restrictions and Reforms:-

### Limiting Suo Motae Authority:

The Supreme Court's ability to take suo motu notice has been curtailed.

Equal representation of judges from all

A three-judge committee within the Supreme Court will decide whether or not to exercise these powers.

## → Establishment of constitutional Benches:

### Creation of Specialized Benches:

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

Constitutional benches will now exclusively handle constitutional matters, separating them from other judicial functions.

Equal representation of judges

from all provinces is required, ensuring a more inclusive and balanced judiciary.

### • Role of the Judicial Commission:

The Judicial Commission will oversee the formation and regulation of the benches, determining the number of judges and duration of service on these specialized courts.

### → High Court Case Transfers:

#### • Supreme Court Oversight of High Courts

The amendment empowers the Supreme Court to transfer cases from one high court to another if it feels justice is not being served.

This change adds an additional layer of oversight within the judiciary.

### → Election Commission and Continuity:

#### • Election Commission Continuity Clause

The amendment ensures that members of the election commission remain in office until their successors are appointed. This clause is designed to avoid disruptions during electoral transitions.

## → Appointment of the High Court Judges:

The proposed amendments to Article 175A also introduce some notable changes to the procedure for the appointment of High Court judges. Under tweaks to clause 5(ii) of the Article, for the appointment of High Court judges, instead of the "most senior judge of that court" as one of the members, the "head of the Constitutional Bench of that High Court" shall be substituted.

## → Performance evaluations of high court judges:

clause 18 of Article 175A empowers the Commission to conduct an annual performance evaluation of high court judges.

## IMPLICATIONS OF THE 26<sup>th</sup> AMENDMENT ON THE POLITICAL SYSTEM OF PAKISTAN:

### → Controversies and Criticism

- Concerns over Judicial Independence:
- Polarization of Judicial Appointment: Critics argue that the

involvement of parliament in the selection of the CJP could lead to political influence in judicial appointment. The amendment ought to be seen what it really is: an attempt to emasculate the judiciary and marginalise an incoming chief justice. (Unconstitutional Package, Mirza Moiz Baig, Sept 2024)

→ legal experts, including those from the International Commission of Jurists (ICJ), expressed concerns about how these changes could compromise the independence of judiciary.

### → Constitutionality of the Amendment:

• Challenge to judicial power:

Some legal scholars believe the amendment could face constitutional challenges, especially given that it limits the scope of judicial review.

Previous Supreme Court rulings have affirmed that constitutional amendments can be struck down if they violate the "basic structure" of the constitution, such as judicial independence.

### → Strengthening Parliamentary



Sovereignty:

- Parliament's sole in Judicial appointments:

The government defends the amendment as a means of strengthening parliamentary sovereignty and ensuring that elected representatives have a say in key judicial matters.

Enhancing Judicial Accountability:

Proponents argue that the reforms make the judiciary more accountable by ensuring that no single bench of government dominates.

### → Impact on Judicial Executive Relations:

- Redefining the Balance of Power:

The amendment significantly alters the balance of power between the judiciary and the executive, increasing parliamentary control over judicial appointments and processes.

- Reduction of Judicial Autonomy:

By limiting *suo motu* powers and involving parliament in key judicial decisions, the judiciary's autonomy in matters of public interest is diminished. The 26<sup>th</sup> amendment contains such provisions

which undermine judicial independence (Constitutional Amendments, Khwaja Ahmed Hosain, Oct 2024).

### Provincial Representation:

#### Inclusive Judiciary:

The mandatory equal representation of judges from all provinces in constitutional benches aims to promote provincial harmony and ensure that the judiciary reflects the country's federal structure.

## CONCLUSION

The 26<sup>th</sup> Constitutional Amendment of Pakistan represents a major turning point in the country's governance, reshaping the relationship between the judiciary and the executive. While the government has presented it as a necessary reform to restore parliamentary oversight, its potential to undermine judicial independence has sparked widespread concern.

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