

35

Part - 02

Question : 2

" 26th Amendment "

The twenty sixth Amendment to Pakistan's Constitution (1973) passed in October 2024, which introduces significant reforms with implications for the judiciary, environmental rights and financial and electoral framework. The amendment was passed by the two-third majority of the parliament and approved.

by the President Asif Zardari as well by following the positivist school of thoughts as the basis of implementing the amendment to the Constitution.

A- Judicial Independence and structural change:

The 26th amendment discusses the modifications in the composition of Judicial Commission of Pakistan (JCP) by

introducing Special Parliamentary Committee (SPC). This Committee enjoys the authority to appoint the Chief Justice of Pakistan (CJP), mainly with consent of the executive and parliamentary approval. This raised the concerns about Judicial independence as it disrupts the tradition of appointing the Supreme Court Judge on the basis of seniority as Chief Justice of Pakistan. The amendment also introduced the establishment of Constitutional Benches which will be under the power of newly appointed Chief Justice of Pakistan. The Bench will deal with the Constitutional interpretation and fundamental rights; potentially increasing critical control over Judicial decisions.

F 2- Environmental Rights

Under the Article 19A, this amendment explained the rights to a Clean and Healthy environment, aligning with Pakistan's legal framework with modern environmental standards to ensure public health and sustainable development.

3- Elimination of Riba (Interest)

The amendment decided to end the interest (Riba) system from banking by January 2028, and shift towards the Islamic financial system.

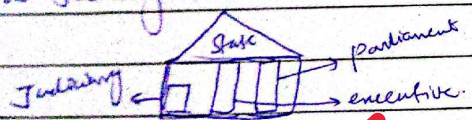
4- Changes to Judicial Tenure and accountability:

The tenure of Chief Justice of Pakistan was amended from five to ~~three~~ three years, regardless of age. The High Courts will be evaluated based on their performances by the Constitutional bench of (12 members).

The amendment has been added to the Constitution but

Mention the amended article numbers as references

also faced criticism of being
unclear - as the members of
Constitutional bench will be (2)
but who and on what premises yet
not clear. The entire system
of constitution benches which
primarily will be under executive
and parliament are allowed to
check and handle the performance
of judicial institutions - seems like
an encroachment to the Judiciary,
which develops an unbalanced
power distribution with limiting
the Judiciary.



(Pic drawn by D. N. S.)

This instantly raises the
quotation of King Martin Luther
"Injustice any where is the
threat to Justice everywhere."

5. Political Impact

The 26th Amendment brings
significant changes in the political
system of Pakistan, primarily the
Judicial independence elimination,
with the appointment of Chief Justice
on the demand of Parliament and
executive. The Horse trading and
Floor crossing was also seemed to
be validated during the voting process
for the amendment bill passing.

It is confusingly it shaping the
mind under the saying that

~~The rain is handed over~~

The Job of rain is handed to
the sellers of umbrellas

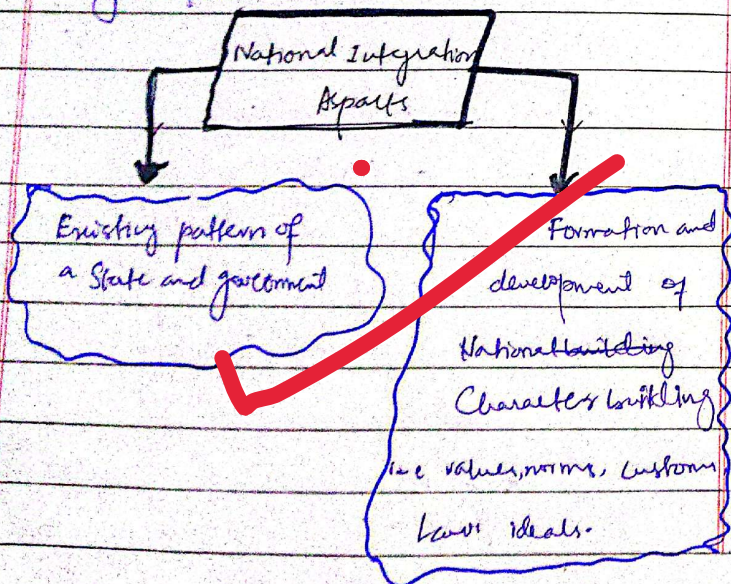
By curbing the Judicial
independence and parliamentary and
executive overpassing & created many
questions and criticism in the
minds of people.

End with conclusion

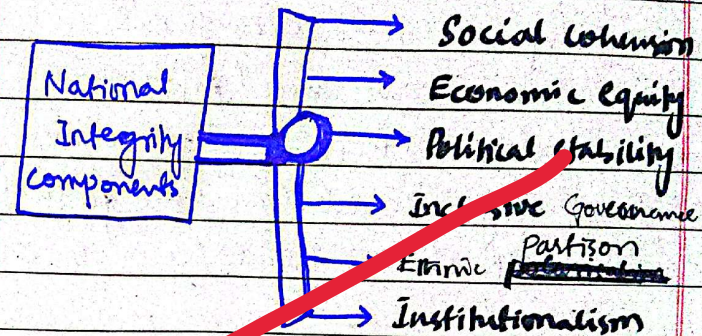
Attempt this in detail
by giving
subheadings

Question # 8 "National Integration"

The National integration is the mean by which people constitutes a nation brought to gether so that the whole people are unified by the leadership on the basis of their common system of symbols and institutions which these groups select, standardize, maintain and transmit from generation to generation.



The major components of National integrity:



Pakistan has been facing many national integration issues which includes:

1- Ethnic and sectarian Conflicts:

Pakistan being a state of many cultures and ethnicities such as Sindhi, Punjabi, Baloch, Pashtun etc, with periodic tensions over resources allocation and political representation.

For examples Baluchistan Insurgency, (Madrass movement)

Another issue which Sunni and Shia communities also threaten cohesion.

A 20 marks answer should have around 15 subheadings and be on 7-9 pages

2- Regional Economic Disparities:

Unequal development across regions, with provinces like Punjab often perceived as receiving more investment, can breed ~~resentment~~ ~~resentment~~ resentment. Economic grievances especially in Baluchistan and FATA, fuel separatist sentiments.

3- Political instability and Governance Issues:

The unsustained political system has always a key issue in stabilization of Pakistan in ~~any~~ sectors. Corruption, frequent transitions in political systems resulted in ~~disruptions~~ ~~disruptions~~ disruptions.

4- Educational Disparities:

Inconsistent ~~low~~ quality education across provinces created another issue to National Integration.

These issues must be addressed to make Pakistan's national integration system effective.