

## Q. no. 02

## Introduction:

Twenty-sixth constitutional amendment has become a law. This amendment is a consequence of the Charter of Democracy signed in 2005. The main changes were adopted by doing total of 22 amendments. Among these after 9 A, 175A and 184 relate to the human rights, term of chief justice and appointment of chief justice respectively. According to scholars this amendment has destroyed the concept of independent judiciary. On the other hand, some are analyzing it as a balance of power between legislature and judiciary. Further, it will strengthen democracy.

## Main changes made in the Constitution through 26th amendment:

1. Indulging safe Environment as a human Right:

First time in the history of Pakistan, safe environment is considered a human right. Article 9 has been introduced in which environment is included in the list of human rights.

2. Fixing the term of Chief Justice for 3 years having age 65 years.

The retirement age has been fixed for 65 years. Previously the term was fixed on the tenure but now it has been fixed for 3 years. This has been amended by 185 article.

Add the article numbers amended as references

3. Forming a Parliamentary committee to appoint Chief Justice:

Previously, Chief Justice used to be appointed on the seniority basis. However, after amending 185 article of the constitution, a top three senior judges were selected by a

parliamentary committee. Then the president after the consultation with prime minister approves one of them.

#### 4. Setting up of Constitutional Court:

A separate bench in the supreme court would be constituted and having a name of constitutional court. All the cases pertaining to the constitution will come under the constitutional court.

#### 5. Term and Appointment of Chief Election Commissioner.

Previously, a term of five years were fixed for the chief election commissioner. But now he will retain his office until his successor are being nominated.

#### 6. Composition of judicial commission:

A judicial commission will be constituted and will appeal the judges of constitutional court for removing all the provinces of Pakistan. It is mainly composed of chief justice and 2 senior most judges.

### Effects of 26<sup>th</sup> Amendment on Political System of Pakistan:

#### 1. Parliamentary oversight on judiciary will enhance:

As the chief justice will be nominated by the parliamentary committee, the parliamentary oversight will increase over judiciary.

#### 2. Parliament will strengthen:

As the parliament represents the 240 million people of Pakistan, to maintain a check on the judiciary, it is pertinent to have more power for the parliament.

### 3. Judiciary will politicise:

As the chief justice will be selected by the elected government, so the will of choice will prevail rather than in this way judiciary will politicise.

### 4. A major blow to independence of judiciary:

As the formation of constitutional benches in the supreme court making a court with no or court is a major blow to the independence of judiciary.

Add more arguments in this part.

Conclusion: A 20 marks answer should have around 15 subheadings

Q1 To conclude, 26<sup>th</sup> constitutional amendment balances the power of judiciary and legislature by curtailing the power of making through making the constitutional court and appointment of chief justice. This step will enhance the parliamentary democracy and curtail independence of judiciary.

## Q.no.03

### Introduction:

Pakistan, since its independence is facing a leadership crisis. After the tenure of Quaid-e-Azam and Liaquat Ali Khan, Pakistan is grappling a leadership crisis. As a result of lack of visionary leadership, the usual democracy has not been established. So, in order to establish robust democracy, including rule of law, freedom of speech, transparency, accountability, a highly educated and morally sound leadership is required. This will guarantee the prerequisites of establishing of a functioning and a robust democracy.

**A visionary leadership is essential for establishing a robust Democracy:**

- 1. A visionary leadership upholds rule of law:

A visionary leadership having  
outstanding qualities with education  
must uphold rule of law.  
As quoted from one said,

Pakistan will be a demo-  
cratic country building  
peaceful relations with  
World according to UN  
chart.

2. A visionary leadership takes  
care of Minority Rights:

A morally grounded leadership  
is necessary for taking care of  
the minority rights. Despite  
some shortcomings they upheld  
their liberty except religious  
practices. This is manifested  
in the census of 2013.

Hindus and Christian  
population has been  
increased to 17. as  
compared to previous  
census.

3 A visionary leadership upholds  
essence of federalism:

Pakistan is federal republic comprising of four provinces with diversity in cultural values language etc, to ensure the balance of federalism to take care of all the provinces an educated leadership is essential.

Instead of that

Pakistan will be divided into four parts as in the 1947 divided due to ineffective leadership.

#### 4. A Participatory Leadership Respects the opposition!

A participatory leader who respects the voices of opposition and every major f<sup>or</sup>ation in the country's opinion is listened. In absence of participatory leadership, there is a rift between the government & opposition, a major blow to the country.

#### 5. An educated leadership ensures transparency and accountability.

An educated leadership undergoes transparency and accountability. Every initiative is made public so that people are free of it and in case of any misconduct or misappropriation, there is a due to ensure democracy.   
But according to Transparency International,

Lack of Transparency  
is a major factor of  
unaccountability in  
Pakistan.

#### 6. A healthy leadership respects the freedom of speech:

Article 19 ensures the freedom of speech. This right is being curtailed by the selected governments in Pakistan. Therefore, a healthy leadership ensure the freedom of speech in every field from,

#### 7. A free and independent media is a product of participatory leadership:

A participatory leadership promotes the free and independent media. People are making aware themselves from the roles of government and in this way, an honest and just leadership can be ensured.

8. Military Interventions are supposed under a visionary leadership:

Frequent military interventions in the history of Pakistan is a major threat to democracy. An educated, honest leadership can suppress these interventions thus establishing a robust democracy.

Conclusion:

08 In conclude, a visionary leadership is essential for the rule of law, freedom of speech, respecting the opposition and strengthening the federation, an educational system of a functioning and honest democracy.

## Q. NO. 04

## Introduction:

Sir Syed Ahmed Khan was a main proponent of making the Muslims of sub-continent, Varanasi of modern education, come close to Britishers and also free from the policies of the three main objectives were pursued by establishing schools with modern subjects and Aligarh movement after the war of Dr. dyudar. Muslims were subjected to torture and lost their rights because the Britishers considered them a major threat in the war. So, to reduce the image of Muslims Sir Syed decided to create that gap of modern education will create some rift between Britishers and Muslims.

## Sir Syed's steps to promote loyalty towards Britishers:

1. Started Aligarh movement:

Sir Syed started Ali-Cart movement. The main objective of this movement was to bridge the gap between the Muslims and the Britishers.

2. Writings, through which Sir Syed forced Muslims were loyal to Britishers:

Sir Syed through his writings spread awareness among the soldiers that only the Muslims were not involve in the war of independence but also Hindu as well. Rizqat an Asad-Baghawat - Hindu has importance in this regard.

3. Speeches of Sir Syed - representing Loyalty to Britishers:

On many occasions, Sir Syed had condemned the Britishers and Muslims along their intentions.

He said:

Muslims are following Britishers rather than

## Sir Syed's Initiatives to Promote Education:

### 1. Opening of Schools

Sir Syed had taken many initiatives like opening of greater schools to promote modern ed. career. In 1879 first Goran school was established. On 1965 Scientific Society was created at in 1985 Mohammedan Educational Conference was organized.

### 2. Teaching of Modern Languages

In the schools, instead of local languages English was made compulsory. So that the students will aware of the new science and technology.

### 3. Issuing of Magazines

Regularly, magazines were issued in the local languages to promote the human rights cause and to make muslims aware of science and technology.

## Sir Syed's Initiatives to make Muslims aloof from politics:

1. Focus on education rather than politics:

Sir Syed focused on the modern education rather than political opening of new schools and scientific societies upon English lines.

2. Educational Movements rather than political:

Sir Syed started educational movements rather than political. These were represented in the Aligarh movement.

Conclusion:

Also discuss the analysis part in detail

Q8

To conclude, Sir Syed by the opening of schools, delivery of magazines and movements focused on spread of ideas, a loyalty towards Britain, devoid of the religions and aloof from politics.

## Q. no. 08

### Introduction:

National integration is a process of uniting different cultural groups exists in a na. From here the major components of national integration are cul. & cultural exchange, social cohesion, equal access to resources, rapid development and democratic governance and participation. There exists a major hindrance in the name of language, caste, regional identities, ideological identities and sectarianism and regionalism. By removing these hindrances na. Unification will be ensured.

### List of components of national integration:

1. Cultural exchange and understanding
2. Social cohesion and solidarity
3. Economic development and poverty

4. Representative government and inclusive decision making
5. Rule of law and justice
6. Free and fair elections
7. Language and linguistic diversity
8. Education and curriculum
9. National security and Defense
10. Dialogue and communication

Issues that hamper national integration:

### 1. Language Riots:

Pakistan after independence suffered a civil war in its national language. This erupted protests among Bengalis and led to the creation of East Pakistan.

### 2. Regional Identities:

The rise of regional identities instead of unified Pakistan. There were movements like partition in North Sindh province, Sindhhi Desh in Sindh

Pro - islam and various sub - rafter  
qurti in Pakistan paving way  
for instability

### 3. Ideological Identity:

After 76 years of independence  
there are voices of assault the  
role of Islam in the politics.  
Islamic ideology faced major  
blows in history like 1979  
during 1980s.

### 4. Sectarianism and Extremism:

The main issue in Pakistan  
has been the control of masses  
from the dogma refined in  
religious schools. This sectarian  
ruling gave birth to extremism  
after Afghan jihad.

### 5. External Factor i.e. India:

India has continuously  
tried to encourage separatist  
movements and openly suppor-  
ted groups trying to break away  
from Pakistan.

## Conclusion:

To conclude, language, religion, socialisation and ethno-linguistic factors are major factors to the cultural ecology, social cohesion and solidarity.

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