

Question #1:-

Discuss Kashmir problem in its
entirety, throwing light on its
background and prospects of possible
solutions to this core issue between
India and Pakistan?

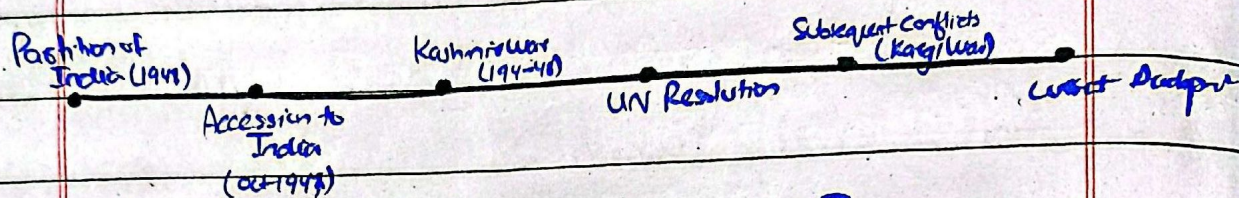
Introduction:

Kashmir, a princely state in 1947,
turned into a territorial dispute due to the decision of
Maharaja to opt with India. It is a
complex territorial dispute primarily between
India and Pakistan, but also involving China.
The core issue revolves around the status of
Kashmir, a predominantly muslim majority
area that was a princely state during the
British India. The conflict escalated when
India abrogated Article 35(A) and 370 of
Indian constitution violating the special status of
Kashmir.

Understanding the Background of

Kashmir Conflict:

The background of Kashmir conflict starts from partition of India -



Timeline of Kashmir Issue

I. Partition of India:

In 1947, the British India was divided into Pakistan and India. However, the fate of Princely States like Kashmir was left undecided.

II. Accession To India:

The then Maharaja of Kashmir i.e. Ranjeet Singh initially decided to be an independent state but later opted to access with due to tribal attack from Pakistan.

III. Kashmir War (1947-1948):

Due to accession, first Kashmir war was fought between India and Pakistan, and a de facto Line of Control (LoC)

was formed as a border. In the words of Hamza Qureshi in his book "Kashmir: The Untold Story"

"The LOC in Kashmir is not just a ceasefire line, but a de facto border that deminish the state and its people."

V. UN Resolution on Kashmir Conflict:

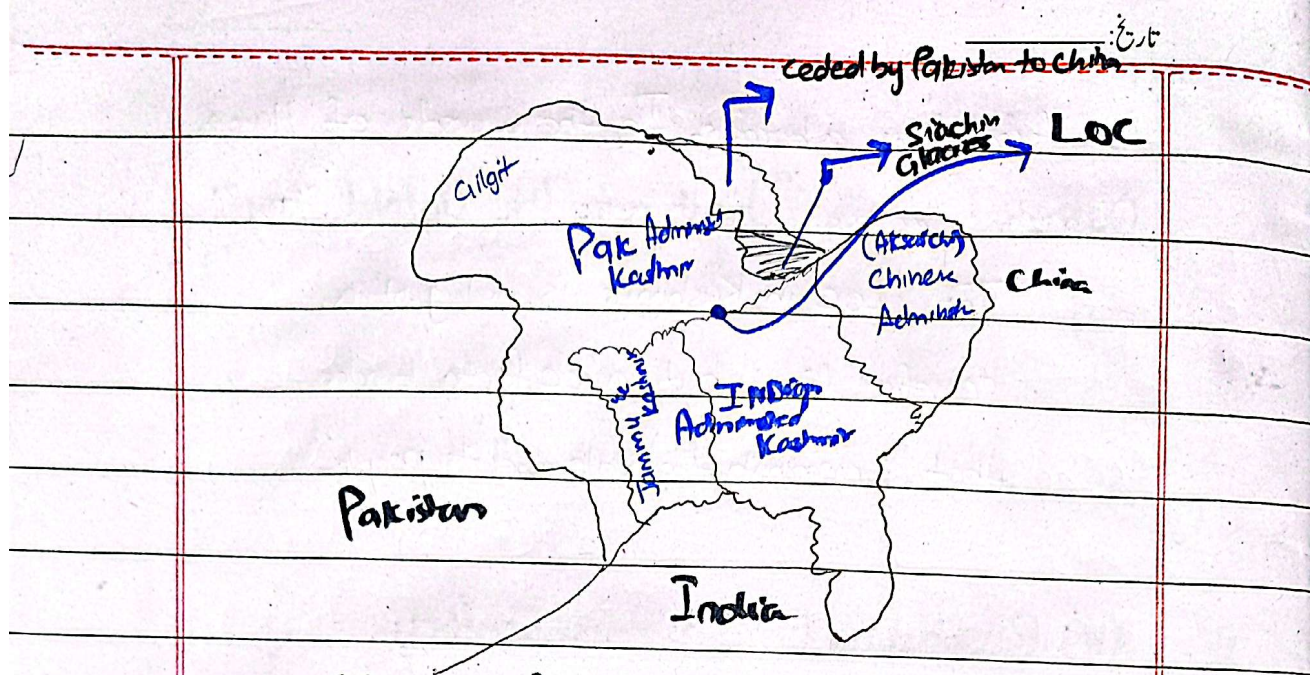
The United Nations passed resolution calling for referendum in Kashmir to determine the ultimate fate of Kashmir but it was never implemented.

VI. Several Wars and Armed Conflicts:

Several wars and armed conflicts have erupted between Pakistan and India over Kashmir like the Kargil war 1999.

VII. Recent Tensions in the Conflict:

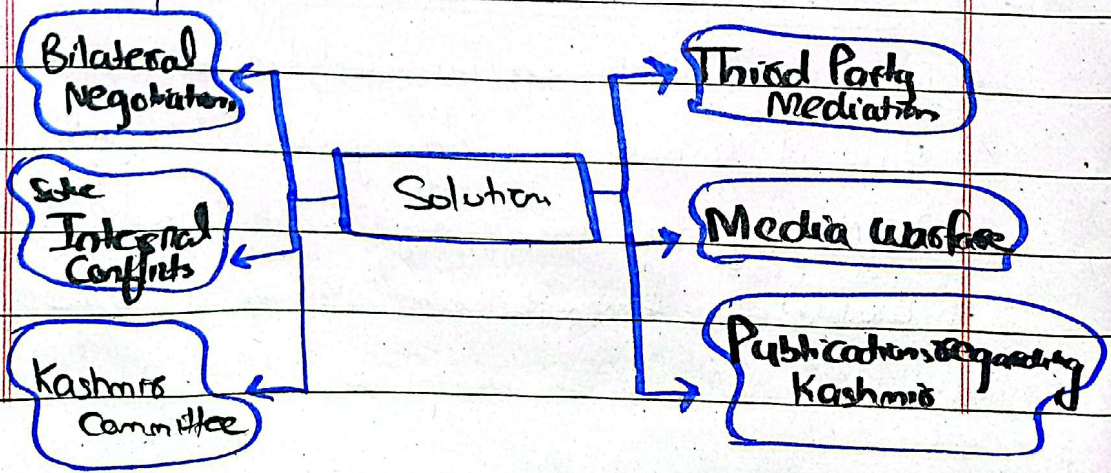
In 2019, India revoked the special status of ^{Jammu} Kashmir by abrogating Article 370 and 35(A) regarding the property etc. It further escalated the tensions between Pakistan and India.



= Map of Azad and Jammu Kashmir.

Possible Solutions to the Core Issue
Between Pakistan and India -
Kashmir Issue:-

As the recent developments in the Kashmir conflict arose because of revocation of Kashmir's ^{special} status and making it a part of India. Following are the possible solutions:



I. Prospects of Possible Solutions:

(A) Bilateral Negotiations and Demilitarization:

Both Pakistan and India had held negotiations in the past regarding the solution of Kashmir Issue - in Simla Agreement 1973, composite dialogue in 1998, and dialogue in 2004 but the dialogue missed after 2019. The only possible and long term solution would be through demilitarization and solving through negotiations.

(B) Third Party Mediation:

Pakistan always advocated for third party mediation and that's why Pakistan took the issue of Kashmir in United Nations, which passed resolution calling for plebiscite in Kashmir. However, India always considered it an interference in its ~~own~~ internal affairs. However, in general the global powerful countries like US, Russia and China can play a role in solving the issue.

(c) Solving the Issue through Regional Platform

Since both India and Pakistan are a part of regional platforms like Shanghai Cooperation Organization (SCO) and South Asian Association for Regional Cooperation (SAARC), both the countries can address the issue through ^{the} regional organizations to bring peace in the region.

(d) Solving Internal Conflicts:

Pakistan needs to address its concerns of its own separatist movements in the region and needs to balance military's influence in civilian oversight - Similarly, on the other side, India needs to address its internal politics and rise of Hindutva policy - only by addressing these conflicts, the countries can offer sustained dialogue and diplomacy.

II. Efforts or Policy Reforms Regarding Kashmir Issue From Pakistan's End:

Pakistan needs to adopt following measures in its policy towards Kashmir for long term solution.

(B) Media Warfare and Propaganda

Pakistan needs to actively engage its media in the conflict. It should make an International Channel like (Al-Jazeera) in different languages like Arabic, English, French etc. to seek support from countries. Moreover, it also needs to its people or authors to write articles regarding Kashmir history and current issue.

(C) Solve Internal Political Issues

Pakistan should solve its internal conflicts like political instability and polarization to build a united consensus on Kashmir and to improve its economy.

(D) Kashmir Committee:

Pakistan should form a separate Kashmir committee and a cell to discuss a separate foreign policy regarding only Kashmir.

As **Alastair Lamb** well said in ~~the~~ book

"Kashmir: A Disputed Legacy"

"Kashmir was sealed by the instrument of accession, but its fabric remains uncertain."

Conclusion:

The Kashmir conflict remains one of the most dangerous and persistent conflicts of the world. While a peaceful resolution seems distant, however, a continued negotiations, demilitarization and addressing the underlying issues are crucial for reducing tensions and creating a peaceful environment in the region.

Question # 2:-

Discuss the role of judiciary in Pak's political history. How has the judiciary contributed to political stability, and what role has it played in military interventions and constitutional changes?

Introduction:

The judiciary in Pakistan has seen complex and multifaceted roles throughout the history. It emerged as a guardian of human rights and basic fundamental laws, however its trajectory has been marked by both subservience and judicial activism. The role of Judiciary in military interventions remained limited. However, the judiciary held a significant power in upholding law and engaging with political realities.

Key Periods and Events - The Role of Judiciary:-

The role of Judiciary in Pakistan's history has been a transformative one, evolving from a relatively weak institution to a more assertive and independent and now again dependent.

I. Post Independence Period (1947-1950):

After Independence in 1947, Pakistan

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opted British constitution i.e. Government of India Act 1935 in which there was Supreme Court, High Court in Provinces and other courts. The sole was judiciary was weak and assertive. A notable event was when Governor General Ghulam Muhammad dissolved the constitutional assembly and it was challenged in **Molvi Tameez-ud-Din vs. Federation of Pakistan** case. The Sindh High Court favored Molvi Tameez-ud-din while the Supreme Court ^{Chief} Justice M. Munir declared the dissolution valid under Justice M. Munir.

II. Judiciary's Subsequent Role ^{Ayub Era} (1956-1958)

The first constitution of Pakistan was formed in 1956 with parliamentary form of government showing Judiciary's power. However, after two years, Gen. Ayub Khan imposed Martial law and abrogated constitution, as noted case of **State vs. Dasso Case (1958)** in which Chief Justice M. Munir again declared the Martial law as legal.

III. Ayub Khan to Yahya Khan Era (1958-1971):

The Ayub Khan power transferred to Yahya Khan i.e. again under military dictatorship. The judiciary's role was curtailed during this period, with a famous case of **Asma Jilani vs. Government of Punjab (1972)**, where CJP Hamood-ur-Rehman declared Yahya's martial law as illegal, showing a temporary departure from judiciary's subservient.

IV. Zulfikar Ali Bhutto's Era (1971-1979):

The Judiciary's independence was undermined during this period. Bhutto mostly had clashes with the Judiciary. The result was a ^{landmark} case which was challenged by President Asif Ali Zardari on ¹⁴ Dec in ~~2014~~ a decade ago and ^{court} favoured the right of Bhutto in that case.

Zulfikar Ali Bhutto vs. The State (1979)

where Bhutto was accused of a murder and was hanged till death.

VI. Martial Law under Zia-ul-Haq (1977-1988):

After Zulfikar Ali Bhutto, Gen Zia-ul-Haq imposed Martial law in the country in 1977. The autonomy of Judiciary was removed. Zia-ul-Haq Islamized Police brought ^{was forced} Federal Shariat Court, and Islamic laws in legal courts. The famous case is of Nusrat Bhutto vs. Chief of Army Staff (1977) which validated Zia's Martial Law.

VII. Civilian Regime - Return to Democracy (1988-1999)

The era of 1988 to 1999 was an era of more active role of judiciary in political discourses. However, both Benazir Bhutto and Nawaz Sharif tried their best to curtail judiciary. The notable event was of Benazir Bhutto vs. Federation of Pakistan (1993) and Infamous Judges Case (1996) where courts asserted power to appoint Judicial members.

VII. Musharraf Era (1999-2007):

The third time martial law was imposed in the country. The period actually saw the rise of judicial activism when ^{General} Musharraf tried to disqualify Chief Justice Iftikhar Chaudary. ~~You~~ Resultantly, there were protest from lawyers, civilians and political parties which gave a significant gain to Judiciary's power.

VIII. Constitution of Judicial Activism (2009-Present) :-

The Judiciary had its active role causing Judicial activism from 2009 to the present year.

2012: Court disqualified Prime Minister Yusuf

Raza Gilliani under charge of "contempt of court".

2009: Apper courts demanded the ^{the} appearance of enticed disappressed in front of court.

2010 - NRO Case and 2017 Panama Case

Moreover, Judiciary played activism by visiting hospitals, interesting in development programs, and funds for dam construction.

The Overall Trend of Judiciary in History, Political Stability and Military Interventions:

The Judiciary's role has evolved overtime from a period of weakness to executive to a more assertive and independent role. - The periods of martial law have often seen the power curtailment of Judiciary while ⁱⁿ the democratic governments, there was a period of Judicial activism. However, Judiciary played a key role in political stability in Pakistan.

The 26th Amendment - Blow to Judiciary:-

In the current situation, the 26th amendment, is seen as a blow to Judicial independence by the **Institutional Court of Just (ICJ)**. - In the words

of **Montesquie's Theory**:

"There is no liberty if Judicial power is not separated from executive and legislative."

According to 20th Amendment:-

(1) CJP will be appointed by Special Parliamentary Committee from among the top 2-

(2) Judicial Commission of Pakistan (JCP) will appoint High Court Judges and decide their criteria of evaluation

(3) Formation of Constitutional Bench-

Since Judiciary again came under the power of executive legislative, now again it became sub-servient

Conclusion:

The role of Judiciary in maintaining political stability remained significantly positive. However, the recent amendment curtailed the powers of Judiciary and brought it under the political. Similarly, during the military era (Martial law) Judiciary's power decreased. Consequently, Judiciary from ^{being} weak to becoming activism and again ^{being} under the political.

Question #3:-

Population explosion is acting as a hurdle in the country's development. Discuss the implications of ... political development.

Introduction:

Pakistan faces significant challenges due to its rapid population growth, which exerts considerable pressure on its social, economic and political development in the form of strain on resources, poverty, unemployment and resource competition. However, comprehensive policies are able to mitigate the issue.

Social Implications of Population Explosion in Pakistan:-

As of 2023, the country's population was estimated to approximately 240 million, with a growth rate of 2.4%, the highest in South Asia as according to World Bank.

This trend has profound social implications:

I. Immense Strain on Health Care System.

The rapidly growing population has exerted immense pressure on the healthcare system of the country leading to inadequate medical facilities, and personnel. According to World Health Organization, 2022 report:

"The country has only 1.2 doctors per 1000 people, compared to global average of 1.6 doctors per 1000 people."

II. Decline in the Education Infrastructure.

The growing population necessitates educational infrastructure. However Pakistan faces struggle to provide sufficient education to its children. There is insufficiency of schools, and qualified teachers resulting in a literacy rate of only 62% as per UNESCO Institute for Statistics report. Moreover, the country has a shortage of approx 100,000 teachers as World Bank said.

III. Rapid Urbanization and Migration:

Due to sufficient facilities, people more migrate towards urban areas which led to proliferation of informal settlements i.e.

Kachi Abadi especially in cities like Karachi (40%).

As according to **United Nations Department of Economic and Social Affairs 2020 Report:**

"Pakistan's urban population projected to increase from 75 million to 130 million in the few years"

and Social

Economic and Social Implications of Population Explosion in Pakistan:

The second most vulnerable affected of overpopulation is the economic sector of Pakistan-

I- A High Ratio of Dependency and Unemployment:

The overexplosion of population cause cause the labor market unable to absorb the increasing workforce, which leads to unemployment. i.e. high ratio of people depending on several-

This unemployment is a major cause of poverty-

As unemployment rate is projected to be between 6% and 8% in 2024.

II. Accelerated Depletion of Natural Resource:

A high level of increase in population causes the individuals to build houses on land. It results in depletion of natural resources and i.e. land and water.

As consumption is more, undermining the agriculture sector and food security of country - According to **World Resources Institute**

“Pakistan's water scarcity is alarming, with the country ranking among the top 10 most water stressed countries in the world.”

III. Deficit of Infrastructure:

The demand for infrastructure such as energy (Gas, electricity), Transport facilities, Sanitation etc rise which hinders the economic growth and reduce the quality of

life- The Electric Bus and Metro

Buses are the examples of transport sector in major cities like Karachi, Lahore, Islamabad, ^{and} Multan. Ar,

“The country's transportation network is inadequate with only 1.4km of paved roads per 1000 people”

Political Implications of Population Explosion in Pakistan:

Some political implications of rapid increase of population are:

I. Complicating Governance:

The rapid increase in population results in difficulty of governance in managing since the state needed to address large population with limited resources available leading to inefficiency and public dissatisfaction.

II. Comprehensive Policy Reforms:

A rapid increase in the population results in the disturbance among the government - It makes the government unable to implement comprehensive policy reforms to control population growth. As according to International Monetary Fund (IMF); "The countries economic policies often prioritize short-term gain over long-term sustainability, exacerbating development challenge."

Comprehensive Policies to Mitigate the overpopulation in Pakistan:

I. Empowering Women:

Providing girls and women with access to quality education, including secondary and higher education. Moreover, reproductive healthcare allows women to plan their families and make informed choices.

II. Promoting Family Planning:

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By making family services accessible, and launching public awareness campaigns to educate people about family planning and misconceptions surrounding contraception.

III - Addressing Socio-economic Issues:

Implementing policies to reduce poverty and inequality and improving healthcare system can reduce infant and child mortality rates.

Conclusion:

Population explosion is a phenomenal problem for Pakistan impacting its socio-economic and political sector. However, implementing the policies like government initiatives, educating families and providing basic healthcare can solve the problem.