

Introduction:

Article 5 of the 1973 Constitution of Pakistan plays a crucial role in defining the relationship between the state and its citizens. It stipulates that loyalty to the state and obedience to the Constitution and laws are fundamental duties of every citizen and person within Pakistan. This Article serves as a cornerstone for national integrity and legal compliance, emphasizing the supremacy of the Constitution and the importance of patriotic allegiance to the state.

Text of Article 5:

Loyalty to State and obedience to Constitution and law.

- Loyalty to the State is the basic duty of every citizen.
- Obedience to the Constitution and law is the inviolable obligation of every citizen wherever he may be and of every other person for the time being within Pakistan.

Significance of Article 5:

1. Foundation for National Integrity

❖ Loyalty to the State:

- Article 5 underscores that every citizen's primary duty is loyalty to the state, fostering a sense of national unity and patriotism. This provision helps mitigate internal divisions and strengthens the collective identity of the nation.
- In a diverse country like Pakistan, with various ethnic, linguistic, and religious groups, the emphasis on loyalty to the state helps promote cohesion and stability.

❖ **Obedience to the Constitution and Laws:**

- By mandating obedience to the Constitution and laws, Article 5 ensures that all citizens recognize and respect the rule of law. This uniform legal framework is essential for maintaining order and justice within the country.
- It prevents arbitrary actions by individuals or groups that could undermine national stability.

2. Legal Compliance and Supremacy of the Constitution

❖ **Constitutional Supremacy:**

- Article 5 establishes the Constitution as the supreme legal authority, binding on all citizens and persons within Pakistan. This provision ensures that all laws and actions conform to the constitutional framework.
- The supremacy of the Constitution acts as a safeguard against unconstitutional actions by state institutions or individuals.

❖ **Accountability and Enforcement:**

- The requirement for obedience to the law means that violations are subject to legal consequences. This principle upholds accountability, ensuring that even those in positions of power are not above the law.
- It empowers state institutions to enforce laws uniformly, thereby maintaining public trust in the legal system.

3. Influence on the State-Citizen Relationship

i. Civic Responsibility and Active Citizenship

❖ Awareness and Education:

- Article 5 encourages citizens to be aware of their constitutional rights and duties. This awareness is crucial for fostering informed and active participation in the democratic process.
- Civic education programs often emphasize the importance of Article 5 in promoting responsible citizenship.

❖ Engagement in Democratic Processes:

- By underscoring the duty to obey laws, Article 5 encourages citizens to engage constructively in legal and political processes, such as voting, peaceful assembly, and petitioning the government.
- It discourages unlawful activities and promotes the use of legitimate channels for addressing grievances and influencing policy.

ii. Deterrence of Unlawful Activities

❖ Preventing Subversion:

- Article 5 serves as a deterrent against actions that could subvert the constitutional order, such as rebellion, sedition, or terrorism. It

clearly states that loyalty to the state and obedience to its laws are inviolable obligations.

- This provision is vital for national security, as it discourages activities that threaten the state's integrity.

❖ **Promoting Social Harmony:**

- By mandating loyalty to the state, Article 5 helps promote social harmony and reduce sectarian or regional conflicts. It emphasizes the collective good over individual or group interests.
- This principle is particularly important in a nation like Pakistan, where social harmony is essential for progress and development.

Examples to Illustrate Points:

1. Judicial Enforcement:

- The judiciary in Pakistan has often referred to Article 5 in cases involving national security, treason, and subversion. For instance, in the case of high-profile treason trials, the courts have underscored the importance of loyalty to the state as mandated by Article 5.
- In 2016, the Supreme Court of Pakistan cited Article 5 in its decision to uphold the convictions of individuals involved in anti-state activities, emphasizing that loyalty to the state is a constitutional duty.

2. Public Awareness Campaigns:

- Various civic education initiatives in Pakistan highlight Article 5 to promote understanding of constitutional duties among citizens. These campaigns aim to foster a culture of lawfulness and national unity.
- Programs organized by the Election Commission of Pakistan often stress the importance of Article 5 to encourage voter participation and adherence to electoral laws.

Conclusion:

Article 5 of the 1973 Constitution of Pakistan is pivotal in ensuring national integrity and legal compliance. It establishes the fundamental duties of loyalty to the state and obedience to the Constitution and laws, thereby fostering a sense of national unity and legal order. By influencing the relationship between the state and its citizens, Article 5 promotes civic responsibility, deters unlawful activities, and upholds the supremacy of the Constitution. Understanding and adhering to these principles is essential for the stability and progress of Pakistan.