

- 4) Both the Houses shall have equal powers.
- 5) The term of each house shall be five years under the parliamentary system the cabinet was to be responsible to the House of people.
- 6) An Ulema Board will be established which will have the power to scrutinize various acts of the parliament.

Criticism on Second Report

The most important feature of the second draft constitution was the parity between east and west wing. Hence it was named as a Parity Proposal which brought east wing at par with west wing in central legislature of Pakistan. However, the fate of the second report was not different to that of first one. This time the adverse reaction came from west wing. The press of west wing also criticized and agitated against the report, the west wing leaders found no logic in treating the one province equal to all other provinces. On the other hand, the reaction in east wing was no less hostile than the in west wing. The principle of parity was also not acceptable to politicians' of west wing especially the Punjabis. Even Bengalis were not happy, due to being ignored with respect to their numerical strength. Apart from that, most of the politicians were not happy on the proposal of Ulema board. Owing to these differences the second BPC report is popularly known as the Punjabi-Bengali crisis report. Despite the above mentioned reservations, Khawaja Nazim-ud-Din commended it as a document representing the maximum agreement. He described it as "the first golden ray of the sun which illuminates the sky". Contrary to the PM expectations the constituent assembly postponed the report for indefinite period in wake of severe criticism during the discussions. The process of the constitution making was mainly affected by the tussle of power among the politicians.

→ equality

Khawaja was dismissed by Governor Nazim-ud-Din.

Bogra Formula

Bogra was premier.

During that deadlock on constitution making, Governor General removed Khawaja Nazim-ud-Din from his office on 16th April 1953, ignoring all constitutional norms. Muhammad Ali Bogra who was then ambassador in US, was appointed new PM, and to great surprise of the people, the Muslim League elected him as the leader of the Parliament. Muhammad Ali Bogra gave due attention to the task of the constitution making and presented the third draft constitution in the assembly on 7th October 1953 within a short period of six months. This draft is known as Bogra formula. The proposals of Bogra formula were as follows;

old 2nd Premier

- 1) Pakistan would be a federation in which centre and the provinces shall have equal powers.
- 2) Central legislature shall consist of two Houses and the powers of the both Houses were to be equal.
- 3) The Upper House shall consist of fifty members distributed equally among the five units of Pakistan.
- 4) The Lower House shall comprise 300 seats to be divided among the five units on the basis of population.
- 5) The distribution of seats was done in such a way, the both zones have equal seats while putting together the seats of upper and lower House such as;

East Zone	$10+165=175$ seats	
West Zone	$40+135=175$ seats	$\begin{array}{r} 300 \\ -165 \\ \hline 135 \end{array}$
- 6) The Cabinet was to be answerable to the both Houses.
- 7) The Head of the state would be elected in joint session of both Houses for the term of five years.
- 8) If the Head of the state will be from the west wing the PM shall be from the east wing and vice versa.
- 9) There would be a supreme court which would explain the constitution by the power of judicial review.
- 10) Urdu and Bengali both would be the national languages of Pakistan.

Comments on Bogra Formula

That formula was liked by all the politicians as well as the people of Pakistan. The suggestion of formula was thoroughly considered by the constituent assembly for 13 days. A drafting committee under the leadership of Ivor Jennings, the constitutional expert, was appointed to finally prepare the provisions of the constitutional draft as approved by the constitutional assembly. *bill was presented*

In the meantime, a few unpleasant events emerged on political scene of Pakistan. Muslim League met with defeat in its provincial elections of east wing held in 1954. It could win only ten seats out of 309. Consequently, its authority to draft the constitution was questionable. In addition to the political situation emerging after the elections, the constitution assembly took a few decisions on which Governor General was annoyed. In the first place, the assembly repealed the PARODA (Public Representative Officers Disqualification Act) on 20th September 1954. Then it replaced sections 9, 10, 10-A. and 10-B of the act of 1935. These sections gave power of dismissing the government to the Governor General. These measures were taken without the knowledge of Governor General and were in fact aimed at curtailing the power of Governor General. In response, the Governor General issued a proclamation

the measures was the approval of the West Pakistan Act on 30th September 1955. The act abolished old provinces of the west wing and amalgamated them into 'One Unit'. This act was enforced on 14 October 1955. The one unit was made to solve the issue of provincial representation in federal legislature. Meanwhile, Malik Ghulam Muhammad resigned from his office due to poor health conditions and Iskander Mirza took over the charge of Governor General on 6th October, 1955.

The Constitution of 1956

➤ Describe main features of the constitution of 1956, and causes for the failure of parliamentary democracy.

After taking the charge of the office of Prime Minister, Chaudhary Muhammad Ali gave top priority to the constitution making. The draft constitution was produced and presented before the assembly on 9th January 1956. After discussion it was approved on 29th February 1956 by the constituent assembly. On 23rd March 1956, it was enforced by the government. Its main features were as under;

1) Written Constitution

It was a written constitution which contained 234 Articles and 6 schedules. So, this was a detailed constitution including the solution of all issues.

2) Nomenclature of the State

According to the constitution, Pakistan was declared as a republic and it was named as Islamic Republic of Pakistan.

3) Federal System

Under the constitution of 1956 the federation was based on two provinces. There were three lists i.e., the federal list, the provincial list and concurrent list for the division of powers in the constitution.

- a. Federal List: It contained 30 affairs upon which only the national assembly could legislate.
- b. Provincial List: there were 94 affairs in this list in which only concerned provincial assembly could legislate.
- c. Concurrent List: This list contained 19 affairs. Both the federal and provincial assemblies had the authority to legislate on the concurrent list. However, the federal legislation would be superior to the provincial legislation if there would be any contradiction in both the laws.
- d. Under this constitution the residuary powers was entrusted to the provinces.

4) Parliamentary Government

Parliamentary system of government was adopted in this constitution in which the chief executive would be Prime Minister and the President would be tutorial head of the state. However, the president had a few discretionary powers under the constitution of 1956.

5) The President

The President was tutorial head. He was to be elected by the members of national and provincial assemblies. His term of office was five years. He should be a Muslim by faith and should have minimum forty years of age.

Chief executive is replaced by president.

6) Prime Minister

The Prime Minister was the real executive of the administration. He was the head of the cabinet and leader of the house. He could be removed by the president on approval of the resolution of no-confidence against him. The cabinet was collectively responsible to the national assembly.

7) Uni-Cameral Legislature *تک حزبی قانونگذاری*

Under the constitution of 1956, federal legislature was uni-cameral which was composed of the president and national assembly. It consisted of 300 members equally divided among the two provinces. Moreover, ten seats were reserved for women. The national assembly had complete control of legislation over the federal list and financial affairs of the country. *10 seats for woman*

8) Method of Amendment

National assembly was authorized to amend the constitution by 2/3 majority of its members.

9) Partly-Flexible Constitution:

The constitution of 1956 was neither too rigid as the American constitution nor too flexible as the British constitution but it could be amended in accordance with changing environment of the country.

10) Independence of Judiciary

The constitution ensured necessary safeguards to secure independence of judiciary while the judicial system consisted of lower courts, district courts, High courts and then the Supreme Court at the apex. The judges of the superior court were to be appointed by the president. However, they could be removed only impeachment

undertaken by the 2/3 majority of national assembly.

11) Directive Principles

Directive principles of state policy were also incorporated in the constitution. These were laid down in part three. These principles dealt with Islamic principles, international peace and security, observance of the UN charter etc.

12) Fundamental Rights

The fundamental rights such as right to life, liberty, personal security, freedom of thought, speech, and expression etc were made the part of constitution and were to be guaranteed by the higher courts with respect to their protection. Moreover all the citizens were given equal rights. All such administrative measures which would violate fundamental rights could be challenged in the higher courts.

13) Direct Elections

Under the constitution of 1956 the method of direct elections on the basis of adult franchise was adopted. The minimum age for the voters was fixed 21 years and for the candidates 25 years. The national assembly was vested with the powers to decide for implementing separate or joint electorate.

14) Islamic Provisions

Pakistan came into being for the purpose of implementing Islamic way of life. Hence, enough arrangements were made in shape of Islamic provisions under this constitution. It was laid down in the constitution that;

- a) The nomenclature of the country would be Islamic Republic of Pakistan.
- b) The sovereignty of Allah Almighty was declared in preamble based on objectives resolution.
- c) The Head of the state shall be Muslim.
- d) Islamic Advisory Council shall be set up.
- e) No law, detrimental to Islam, shall be enacted.
- f) All the existing laws should be in line with Islamic teachings.
- g) The Muslims would be encouraged to order their lives according to injunction of Islam.
- h) It was also ensured that necessary facilities would be provided to adapt their individual and collective lives according to the principles of Islam

15) Provincial Governor

The governor was to be appointed by the president and could serve to its pleasure. His status in the province would be alike to that of president in the centre. The provincial

assembly consisted of the provincial legislature and the governor of each province. It had eighty members and 10 seats were reserved for the women.

16) Official Language

According to the constitution, Urdu and Bengali were declared national languages. However, English was accepted as a language for official business for a maximum period of 25 years.

In order to observe democratic norms, acquire political stability, and establish Islamic welfare society, a few constitutional institutions were formed such as, Inter Provincial Council, National Economic Council, Council of Islamic Ideology, National Finance Commission, Public Service Commission, Islamic Research Institute, and Election Commission of Pakistan etc. *Iskandar mirza* *Locks of leadership*

Causes for the Failure of Parliamentary Democracy

first President

At the time of independence, the government of India act 1935, along with some amendments was adopted as the interim constitution of Pakistan. The act provided parliamentary form of government with important discretionary powers of the Governor General. From the beginning of the political history of Pakistan, position of the Head of the state raised stronger than the prime minister. The first demonstration of this fact was the sacking of Prime Minister Khawaja Nazim-ud-Din in 1953. In parliamentary democracy the dismissal of PM was the beginning of series of events that culminated in the overthrow of the democracy in Pakistan. The constitution remained enforced for a period of two and a half year which was too short to test the utility of a system. The constitution signifies the beginning of the new era of democracy, but the incapable and power hunger politicians were bent upon sabotaging the system.

As a matter of fact there was lack of sincerity and commitment to the success of the system on the part of those who were at the helms of affairs. Most of the politicians tried to acquire political authority through backdoor channels. Elections were postponed again and again; nepotism, favoritism and selfishness were in vogue; and established democratic norms were frequently being violated. All these factors shook the foundation of parliamentary democracy. At last, martial law was imposed by the Governor General on 7th October in 1958, announcing the failure of parliamentary democracy. As a result, constitution was abrogated, all the assemblies were dissolved and political parties were banned. The C-in-C General Ayub Khan became martial law administrator. On 27th October Iskander Mirza had to quit Presidency and Ayub Khan took also the charge of the office. The Conditions and factors responsible for the failure of the system and the constitution were as follows:-

1) Leadership Crisis

The country had to face leadership vacuum after the demise of Quaid and Liaquat Ali. No such leader emerged on the political scene that could command the confidence of people and guide them towards the national interests. Consequently, autocratic trends developed in the elites of the ruling party, Muslim League as a party got divided into factions.

2) Lack of Political Training

Democracy is a system which requires too much from the people. It is an evolutionary process which needs political awareness and training of democratic norms in order to strengthen political institutions, but such necessary training and attitude were lacking in Pakistan.

3) Role of Political Parties

Success of a democratic system depends on an efficient working of political parties as they educate the masses and represent public opinion. Unluckily, the formation and working of parties in Pakistan were not based on normal democratic norms. Some were the product of the dictatorship others were created by self centered politicians. The main objective of most of the parties was to continue their political hold by all means instead of realizing national goals. So, that type of party politics paved the way for destabilization of political system.

4) Economic Instability

A major factor which caused a setback to democracy was the rapidly declining situation of economy. Unfair distribution of wealth in society had created miseries to lower classes and the depressed people attributed their economic difficulties to the current democratic system. The situation was ultimately ripened to replace the system with another order that could ensure economic wellbeing of the people.

5) Lack of Democratic Norms

The other major factor responsible for the failure of democratic system was lack of democratic values and principles in the society. Democracy requires tolerance, fairplay, uprightness, vigilance, moderation and literacy on the part of citizens but in Pakistan the social environment was lagging behind that of other democratic countries. As a result the representative system soon turned into autocratic system which finally led to removal of the system.

After the imposition of Martial law, the military ruler, General Ayub Khan declared that the democracy was restored soon but the system of democracy was to be in line with the actual requirements and within reach of the common men. For this purpose he enforced a system of local government known as Basic Democratic System in the country. Then a constitution commission under the leadership of Justice Shahab-ud-Din was constituted to give recommendations for the new constitution. The commission presented its report in May 1961. The central cabinet ignoring the suggestions of the commission approved a draft. President Ayub Khan after giving its approval implemented the new constitution on 1st March 1962. The salient features of the constitution were as follows:-

1) Written Constitution

1962 Constitution of Pakistan was a written constitution consisting of 250 articles, 3 schedules and 31 martial law ordinances. So, it was comparatively detailed document for the regulation and conduct of political institutions.

2) Presidential System

Under the constitution, presidential form of government was introduced. The President was head of the state as well as chief executive of the government. He was not only the chief executive of administration but also effectively controlled the legislative process and enjoyed the power to veto the bills passed by the national assembly.

3) The President

According to the article 19, the President was chief executive of the administration as well as he was the part of the national assembly. His term of office was five years. He was indirectly elected by the BD members. Method of impeachment of the president was so complicated that he could not be easily removed from his office.

4) The Governor

The governor was the provincial chief executive who was appointed by the president. He served to the president's pleasure and could be removed any time by a presidential order. He had to run the province under the directions of the president.

5) Federal System

According to this constitution federal system was introduced in the country. The powers of the central government were enlisted in shape of 49 affairs while all residuary powers were given to the provinces. Centralism was clearly reflected by the

constitution with respect to administrative matters. So, the central government was made domineering at the cost of provincial autonomy.

6) Uni-Cameral Legislature

There was a uni-cameral legislature in the centre named as the national assembly. It was elected by the BD members as its electoral college, for the tenure of five years. It consist of 150 member equally distributed in the two provinces. Six seats were additionally reserved for the women.

7) The Rigid Constitution

The constitution of 1962 was comparatively rigid than that of 1956. The method adopted for the amendment was much difficult. The national assembly was authorized to amend the constitution by a two third majority with the approval of the president. If the president did not give assent to such bill the proposal needed to be passed by a three fourth majority of the national assembly. In case the president still differed, he can hold referendum on the proposed amendment or might dissolve the national assembly. The amendments relating to the alteration of territorial limits of a province also require the concurrence of concerned provincial assembly.

8) Indirect Elections

Under the constitution of 1962, the method of indirect elections was adopted. Accordingly, the voters would elect the members of the basic democratic system who had to elect later on, the president and legislative assemblies.

9) Principles of Policy

There was a list of principles of policy in the constitution like its previous counterpart. Most of the Islamic provisions and many others such as, Islamic way of life; national integration and solidarity; social welfare and progress; protection of minorities; and development of backward areas etc, were part of the list.

10) Fundamental Rights

The original document of the constitution did not include fundamental rights. Later on, through the first amendment of the constitution a list of fundamental rights was included in it. The list of fundamental rights contained all the rights of a citizen of a modern state and it was secured through the constitution and Superior Courts. It is worth mentioning that the fundamental rights were included in the constitution due to the agitation and pressure of the people.

* main reason of constitution working is dictatorship *

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11) Islamic Provisions

In the original document of the constitution the word "Islamic" was not included in the name of the Republic. This clearly indicated the motive and the real spirit behind the constitution making. Later on, the word Islamic was added in the name due to severe public reaction. According to the constitution the president was to be a Muslim but it was not essential for the speaker of the national assembly who was to act as acting president. It was also laid down in the constitution that no law would be enacted repugnant to Sharia. The Islamic provisions were mostly the part of principles of policy which was inoperative part of the constitution. An institution named as Islamic Advisory Council was to be framed which will suggest recommendations to adapt the prevalent laws according to the Holy Qur'an and Sunnah.

12) Official Language

According to the constitution, Urdu and Bengali were declared the official languages. However, the English would be adopted for official business for ten years.

13) Judiciary

Under the constitution of 1962 adequate safeguards were introduced for independence of judiciary. The judges of superior courts were to be appointed by the president and were ensured security of service. They could be removed by president only on the recommendation of Supreme Judicial Council on the basis of an enquiry.

14) Referendum

The president was authorized to hold referendum in case of difference between the president and national assembly on any bill or on any matter of national interest.

Causes for the Failure of Constitution

The constitution of 1962 was framed at the will of a single ¹²¹ person and thus he put in place a calculated system to making his position supreme. The system was the mockery of constitutionalism because it had made president all powerful but responsible to none. So, the people got disillusioned with the 1962 constitution and the authoritative style of Ayub regime. Consequently, large scale demonstration started against the presidential system by the masses, students, Ulema and political parties. The people demanded Ayub Khan's resignation and the abrogation of the constitution. At last the Ayub Khan decided to step down under the mounting public pressure. He abrogated the constitution and the powers were transferred to then C-in-

C General Yahya Khan. The following were the main causes for the failure of the constitution:

1) Single Person Constitution

The constitution was framed at the will of a single person, General Ayub Khan, ignoring the suggestions of the constitutional commission. The document was not a representative of people's longing but it was a reflection of the will of military ruler. So, it was hollow from within as the political system based on the constitution was not a participatory democracy.

2) Presidential Dictatorship

Under the constitution of 1962 apparently presidential system was adopted but it was more than that. The system was in fact an authoritative one, in which the source of all powers was the president. The legislature was like a rubber stamp. So the president was not responsible to any institution in the system.

3) Lack of Check and Balance

There were no checks and balance among the organs of the government. The president, who was the head of the executive, had massive veto powers and could easily reject the bill passed by the legislature. He was the appointing authority of the judges of superior courts, governors and other important office holders. In absence of such checks and balance the system could not survive for a long time.

4) Lack of Provincial Autonomy

Under the constitution of 1962 the federal system was introduced. Within this federal structure the central government was made dominant at the cost of provincial autonomy. The administrative centralism was created when the provincial governors and ministries were to be appointed by the president and those were also accountable to him. Similarly, the national assembly had exclusive powers of legislation not only on the federal list but its legislation was supreme over many provincial subjects in the name of national homogeneity.

5) Indirect Elections

The method of election was indirect. The local tier of BD system was an electoral college of president and legislatures instead of masses. Having a limited strength of BD members they can easily be influenced through perks, privileges or pressure during the elections and the desired results could be attained easily.

6) Dark Aspect of BD System

The BD members were the electoral college of the president. President Ayub Khan got their support in his elections and gave them free hand on the local level as a return to their loyalties. So, the corruption, dishonesty, misuse of power got prevalence on the local level.

7) The Role of Official Party

After the enforcement of the constitution a loyal party named, Convention Muslim League was established according to the wish of the president. All the politicians except a few joined the party. In those days, the politics of permits, licenses and personal interests was on rise by which the common people were fed up.

8) Violation of Fundamental Rights

The fundamental rights were not incorporated into the constitution at first stage. When those were include due to the pressure of the people, were not observed in letter and spirit. The violation of rights continued throughout the period.

9) Wrong Policies of Military Ruler

The people were un-satisfied and fed up with autocratic policies of military leadership. They felt deprivation in policy making process which led to alienation of people, especially the Bengalis to the regime. The six-point formula of Mujib was a reflection of such un-satisfaction and unrest of the masses. When Ayub Khan unconstitutionally handed over the rule to General Yahya instead of the Speaker, the belief of deprivation turned into conviction which at last, proved harmful and damaging for the system as well as the state.

The Salient Features of Constitution of 1973

- Describe the salient features of 1973 constitution of Pakistan.
- Discuss main characteristics of the present constitution of Pakistan.
(IA, 2009-G II, IA, 2010-G II, IA, 2012-G II, IA, 2013-G I, IA, 2014-G II)

After imposing martial law, and abrogating the constitution in March 1969, a legal framework order (LFO) was enforced by General Yahya Khan to run the country. Under the LFO, national assembly was to consist of 313 members elected on the proportion of population. The elections were held on the principle of one man one vote in December 1970. Sheikh Mujeeb's Awami League won 167 seats from East Pakistan while the People's Party emerged as the majority party in West Pakistan. As the result projected was pole apart in political scene, the military ruler and political

parties could not reach on agreed formula of a new constitution. That political crisis culminated into the separation of the East Pakistan in 16th December 1971. General Yahya Khan was held responsible for the tragedy so he had to resign. He transferred the authority of the state to ZA Bhutto, the chairman of PPP. ZA Bhutto gave priority to framing of workable constitution for the country. The national assembly appointed a committee for the preparation of draft constitution. The constitution committee under the leadership of Abdul Hafeez Pirzada presented the draft to the national assembly, which was passed unanimously on 10th April, 1973. After the approval of the president it was enforced on 14th August 1973. The constitution of 1973 is the projection of people's yearning. It was not only created unanimously by the representative of the people but was prepared with the help of all groups of intellectuals and citizens, as they all welcomed the document. The main features of the constitution are as following:-

1) Nature of the Constitution

The constitution of 1973 is a written constitution. It consists of 280 articles classified into twelve chapters and six schedules. Hence, it is more detailed document than its previous counterparts.

2) Territories of Republic

The territories of Pakistan have been specified in the constitution. Under the constitution, the country is consisted of the following territories.

- a) The provinces of Punjab, Baluchistan, KPK and Sindh.
- b) Capital area of Islamabad.
- c) Tribal areas and all the territories which could be included in future

3) The Preamble

The objective resolution was incorporated in the 1973 constitution which specifies the sovereignty of Allah over the entire universe, authority to be exercised by the people of Pakistan, principles of democracy, equality, liberty and social justice as enunciated by Islam. It also laid down that full protection would be provided to the religious minorities.

4) Method of Amendment

The constitution of 1973 is partly rigid. The proposal of amendment can be initiated at any House of the Parliament, if ratified by 2/3 majority of both the Houses one by one and approved by the president, the constitution stands amended. Any amendment

dealing with alterations in the boundary of a province requires the approval of the respective provincial assembly.

5) Federal System

Under the constitution of 1973, a federal structure was adopted through the division of power,

- a) Federal list: it contained (59+8=67) affairs on which the parliament have power to legislate
- b) Concurrent list: initially the list was present in the constitution but it has been omitted, transferring most of its affairs to the provinces through the 18th amendment of the constitution.
- c) Residuary subjects: All rest of the affairs or residuary powers shall continue to be exercised by the provincial governments and the provincial assemblies are authorized to legislate on these subjects.

6) Parliamentary System

In the constitution of 1973, a parliamentary structure was introduced in which the Prime Minister was on dominant position and the president was tutorial head of the state. This position was changed by enhancing the role of president by the eighth amendment. After 13th amendment the powers of the head of the state were curtailed. Then, by the 17th amendment again the powers of the president were enhanced. Lastly under the 18th amendment, sincere efforts have been made to restore the true spirit of the parliamentary democracy. Most of the presidential powers have been constrained and he is made to act upon the advice of prime minister. He is now a ceremonial head and sought to act upon the advice of prime minister.

7) The President

In this system president is elected by members of both Houses of parliament and all the provincial assemblies. He is elected for the term of five years. He would be a Muslim, having minimum age of 45 years. He would also be eligible for the candidature of the national assembly. The members of both Houses of the parliament can remove the president from his office by 2/3 majority.

8) The Prime Minister

Under the system, the prime minister is chief executive of the administration. He is elected by the national assembly and works in his office with the confidence of assembly's majority. He nominates members of his cabinet, formulates administrative

and foreign policies and also guides the parliamentarians in law making. The president is bound to act upon his advice.

9) Bi-cameral Legislature

Under this constitution a bi-cameral legislature has been introduced. Its lower House, the National Assembly, is to be constituted on popular basis by direct election for the term of five years. The upper House, the Senate, is representative of provinces each having equal seats and the system of elections to fill its seats is indirect one. The senators are elected for the term of six years. The total strength of national assembly is 342 and senate is 104. Both the Houses of the parliament have equal powers except in financial legislation which is exclusive authority of the national assembly.

10) Judiciary

In Pakistan there is a single judicial hierarchy with Supreme Court at the top, High Courts next in the order, in all provinces. Under the 19th amendment the judges of the superior courts are appointed on the recommendations of a judicial commission and a parliamentary committee. They can be removed only on the basis of inquiry report submitted by Supreme Judicial Council. Under the constitution proper safeguards have been provided to ensure the independence of judiciary. The courts have been entrusted with power of judicial review as well as the power to protect fundamental rights.

11) Fundamental Rights

The constitution incorporates almost all the fundamental rights that are ensured in any democratic country of the world. These rights are to be enforced through Superior Courts. All the citizens are equal before the law and they are provided equal rights without any distinction. Certain more important rights such as impartial trial, excess to information, provision of free and compulsory primary education, provision of immediate justice have been made obligatory to the government.

12) Islamic Provisions

In order to highlight the nature of the constitution, many Islamic provisions are incorporated in it such as;

- a) The nomenclature of the state was declared as Islamic Republic of Pakistan.
- b) The definition of Islam has been incorporated in the constitution.
- c) According to the constitution, Islam is declared as a state religion.
- d) The Council of Islamic Ideology was established to advise the government on matters relating to Islamic teachings.

- e) It has been made obligatory on the government to bring existing laws in conformity with teachings of Islam and not to enact any law which stands repugnant against the teachings of Islam.
- f) Under the constitution, not only the president but also the prime minister is required to be Muslim.
- g) Under the 8th amendment, the Islamic qualifications were added for the eligibility of the Muslim candidate of the parliament.
- h) The objective resolution is made operative part of the constitution.
- i) Such opportunities would be provided by which Muslims can adapt their individual and collective lives according to the Islamic principles.
- j) Such measures and steps would be taken, so that Muslims could comprehend the Islamic tenants to order their life accordingly.
- k) Many policies were chalked out and reforms were introduced for the creation of Islamic society.
- l) It is also laid down that teachings of Quran and Sunnah shall be made compulsory.
- m) Proper arrangements would be made to administer Auqaf, Zakat and Mosques.
- n) The favorable conditions will be implemented for the promotion of moral and ethical values of Islam.

13) Rule of Law

According to the constitution, all citizens are ensured equal protection of the law. No person shall be convicted without due process of law, the courts have been entrusted the specific powers to issue orders for the protection of fundamental rights. In Pakistan there exists only one series of courts for all citizens and the same law applies to all citizens irrespective of any distinction.

14) Principles of Policy

A chapter comprising on principles of policy is included in the constitution. Most of the Islamic provisions of the constitution had been made part of principles of policy especially those dealing with the enforcement of socio-economic justice. These principles lay down the basic objectives and future plan of action of the political system, however, their enforcement depends on the availability of resources and contemporary environments.

15) Direct Elections

The constitution of 1973 prescribes direct method of election to elect the members of various legislative bodies. However, indirect method for elections is adopted for the election of senators and the president of Pakistan.

16) Economic Justice

It has been reaffirmed in the constitution to implement a balanced economic system, so as to eradicate concentration of wealth and all other economic evils. It is also necessary for the government to provide basic needs of life to all the citizens. The parliament is authorized to enact legislation for the provision of social justice, elimination of exploitation etc.

17) Official Language

According to article 251 of the constitution, Urdu has been declared as the national language. The government will be responsible for the propagation and introduction of Urdu as official language within fifteen years. However, the English would continue to be official language during the interim period.

18) Single Citizenship

Single citizenship is prescribed for all the citizens of Pakistan. Consequently, all the citizens enjoy same rights and obligations in every part of the country.

19) Referendum

The president is authorized to order for holding a referendum on any issue of national importance on his own initiative or on the advice of prime minister. However, this power is always used for vested interest instead of national interest. /

Latest Amendments of the Constitution

1) 18th Amendment 2010

According to the amendment,

- a) 17th amendment along with LFO 2002 was repealed with certain modifications such as increase in the strength of legislature.
- b) Abrogation of the constitution or its suspension shall be treated as treason.
- c) Powers of the president were curtailed and he was made bound to act upon the advice of the prime minister.
- d) Concurrent list has been omitted transferring most of the affairs to the provinces.
- e) Appointment of judges of the Superior Court would be made by the recommendations on the judicial commission and parliamentary committee.