

Week 9

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Z.A Bhutto

Background:

As a result of the mass-movement against Ayub Khan, he resigned from presidency on March 25, 1969, General Muhammad Yahya Khan abrogated the Constitution of 1962 and proclaimed Martial Law in the country. He held general elections in December 1970. In these elections Sheikh Mujeeb-ur-Rehman and Zulfikar Ali Bhutto emerged as majority leaders in East and West Pakistan respectively. Unfortunately, none of them agreed on transfer of power, which provided opportunity to India to interfere, resulting in the separation of East Pakistan that became Bangladesh on December 16, 1971.

Zulfikar Ali Bhutto took over the office of President of Pakistan as well as Civil Martial Law Administrator on 20th December 1971. He was the first civilian Martial Law Administrator of the country.

Main aspects of the economic reforms during 1971-77:

Nationalization of Industries:

By 1971, 60% of the country's industrial assets and 80% of the insurance business were owned by 22 families. On December 22nd, 1971 passports of the 22 capitalist families were confiscated. Industrial licenses of more than Rs. 100 million worth issued to 19 companies were declared illegal. Z.A. Bhutto considered industrial development and stability essential for the development of the people of Pakistan. His main goal was the betterment of the people. He disagreed with the policies of capitalists, the wealthy and the industrialists. To save the people from their injustice, Mr. Bhutto issued an ordinance on 2nd January, 1972 under which ten heavy industries were nationalized by the government. The industries taken over by the government are as under: i. Automobile industry ii. Chemical industry iii. Consumer goods industry iv. Steel industry v. Heavy equipment industry vi. Petrochemical industry 5 vii. Cement industry viii. Social welfare services industry ix. Tractor industry x. Heavy electrical equipment industry

Labour reforms:

Bhutto's government announced the new labour policy on 10th February, 1972. The important points are as under:

1. The representatives of the labourers were included in the administrative committee which was responsible for running the affairs of the factory. Their representation was 20% of the total strength and they had the right to check the accounts and stores.
2. Annual bonus equal to one month's salary was announced for labourers. Special bonuses were also announced

in case the production increased.

3. The working time of the labourers was rescheduled. 48 working hours within a week were regulated instead of 54 hours. They would be given extra remuneration if they willingly worked overtime.

4. Every labourer would have the rights of old age pension, insurance and gratuity. Medical facilities under the social security scheme would be given to the labourers and it would be paid for by the owners.

5. Every labourer would be provided with residential and educational facility. Medical check-up would be mandatory. Free education up to matriculation of at least one child was the responsibility of the factory.

6. Mill owners were bound to give solid reasons before termination of a labourer for job security purpose so that unfair terminations could be avoided.

Agricultural reforms:

Agriculture is the profession of a majority of population in Pakistan. To save the farmers from exploitation, Bhutto's government announced the following agricultural reforms:

1. The limit of land ownership irrigated by canals, was fixed up to 150 acres and land irrigated by natural rains was up to 300 acres.

The land beyond these limits was confiscated and distributed among farmers and peasants.

2. The land purchased by Govt. servants during their services of two years after their retirement, was limited up to 100 acres. The surplus land, would be taken over by the Govt.

3. No one except for educational institutions was allowed to cross this limit of land.

4. Only landlords would pay the land and water tax. The peasants would be exempted from it.

5. All hunting grounds except for those with the historical background were taken over by the government.

6. For the purchase of agricultural machinery like tractors, loans were granted to the farmers on easy instalments.

Education:

1. Students were given special concessions in transport fares which encouraged the poor parents for sending their children to the government schools. The student scholarships were also increased four times.

2. Many medical, engineering and professional universities were established for the better development of the country. Schools and colleges were upgraded which opened the door for higher education.

3. Training institutions for the school teachers were established in the entire country, and thousands of untrained teachers were given proper training.

4. Approval was given to set up Allama Iqbal Open University.

Key Aspects of the Constitution of 1973:

The Military Regime transferred the power to Zulfikar Ali Bhutto on December 20, 1971, who imposed interim Constitution in the country On April 12, 1972. Then a draft of permanent Constitution was presented before the Assembly and it was approved in April 1973. The same was enforced on August 14, 1973. All the Islamic provisions of the previous constitutions were included in the Constitution of 1973. Some more Islamic provisions were also added, which are as under:

1. Preamble

Like the constitutions of 1956 and 1962, the Objectives Resolution has been included in the preamble of the constitution of 1973 according to which sovereignty belongs to Allah Almighty. The people's representatives would use their powers as a sacred trust, within the limits of the Quran and the Sunnah. It was made a regular part of the 1973 constitution through an amendment in 1985.

2. Written Constitution

Like the previous constitutions it is also a written document which comprises 280 articles, 12 sections and 6 judicial records.

3. Federal Constitution

Like the previous constitutions, Pakistan has been declared a federal state in the 1973 constitution. The federation of Pakistan consists of four provinces, Federal capital and adjoining tribal areas which are called FATA (Federally Administered Tribal Areas) and PATA (Provincially Administered Tribal Areas).

4. Semi-Rigid Constitution

It is a semi-rigid constitution. The method of amendment is neither too difficult nor too easy. A two-thirds majority of the Parliament (National Assembly and Senate) is required to make an amendment in the constitution.

5. National Language

Urdu has been declared the national language. In a period of 15 years arrangements will be made to implement the status of Urdu as the official language. During this period English will be used as the official language. This has not been possible so far.

6. Islamic Constitution

Islam has been declared as the state religion in the constitution of Pakistan. It has been declared essential for the President and the Prime Minister to be Muslims. The official name of the state is the 'Islamic Republic of Pakistan'. It encourages the practice of the Islamic mode of life among the citizens. Steps will be taken to abolish interest. Zakat, Aqaf and Ushr will be enforced.

7. Independent Judiciary

A guarantee has been provided for an independent judiciary. The judges are paid handsome salaries and have job security. The judiciary has been separated from the Executive. The judges will perform their duties without any fear or pressure.

8. Parliamentary Constitution

According to the Constitution of 1973, the National Assembly will have a tenure of five years. The parliamentary form of government was implemented in the country. The head of the country is the President, and the Prime Minister is the head of the government. The President is elected by the Parliament and the Provincial Assemblies, whereas the Prime Minister is elected by a majority in the National Assembly.

9. Supremacy of Constitution

If any person abrogates the constitution or tries to abrogate it, he will be charged with high treason and prosecuted accordingly.

10. Constitutional Institutions

The constitution of 1973 has set up several institutions like the Council for Common Interest, National Economic Council, National Finance Commission, Election Commission of Pakistan and Federal Ombudsman, etc. These institutions work within their limits and prefer national interest.

11. Bicameral Legislature

The parliament will consist of two houses according to 1973 constitution. The Upper House is called the Senate and the Lower House is the National Assembly. The provinces have been given equal representation in Senate and it is a permanent House. Its tenure is of six years. It consists of 104 members. The National Assembly comprises of 342 members. The total number of the members of the Parliament (Majlis-e-Shoora) is 446.

12. Fundamental Rights

The citizens have all the fundamental rights. The Parliament and Provincial Assemblies cannot make any law that negates any fundamental right.