COURSE PACK

IDEOLOGY AND CONSTITUTION OF PAKISTAN

University of Central Punjab
UCP
Lahore, Pakistan 2002

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University of Central Punjab

COURSE OUTLINE - IDEOLOGY AND CONSTITUTION OF PAKISTAN

1.	**Course Title**	Ideology And Constitution of Pakistan
2.	**Course Code**	
3.	**Credit Hours**	2
4.	**Semester**	
5.	**Resource Person/ Instructor**	
6.	**Contact Hours**	2 Hours per week
7.	**Office Hours**	
8.	**Course Introduction**	

This course is designed to provide students with the fundamental exploration of the Ideology and the constitution of Pakistan. This course focuses on the underlying principles, belief, and aspirations that have been instrumental in shaping the creation and development of Pakistan as a sovereign state. Moreover, the course will enable students to understand the core provisions of the Constitution of the Islamic Republic of Pakistan concerning the fundamental rights and responsibilities of Pakistani citizens to enable them function in a socially responsible manner. The purpose of this course is to introduce students to the origins and developments of Muslim separatism in the Indian Sub-continent. The course would help understand the students the two-nation theory, the relationship between Pakistan and Islam. It would also inculcate a sense of patriotism so that love and respect for the country can be strengthened.

9 Course Objectives

a. **This course is intended to highlight the students with the Ideology of Pakistan**
b. **To create awareness among students about Pakistan as an important country in the Region which is based on Islamic Ideology and Two Nation Theory**
c. **To make the students aware of their constitution and develop basic understand of Constitution of Pakistan 1973.**

10 Learning Outcomes

After studying this course the students should be able to:

1. Demonstrate enhanced knowledge of the basis of the Ideology of Pakistan with special reference to the contributions of the founding fathers of Pakistan.
2. Demonstrate fundamental knowledge about the constitution of Pakistan, 1973 and its evolution with special reference to state structure
3. Explain about the guiding principles on rights and responsibilities of Pakistan citizens as enshrined in the constitution of Pakistan 1973.

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11	Lecture	
Weeks	**Topic of Lecture**	
Week-1	**Introduction to the Ideology of Pakistan:** • Definition and- significance of ideology • Evolution of the Two-Nation Theory (Urdu-Hindi controversy, Partition of Bengal, Simla Deputation 1906, Allama Iqbal's Presidential Address 1930, Congress Ministries 1937 Lahore Resolution 1940).	
Week-2	Historical context of the creation of Pakistan and Role of Sir Syed (with emphasis on socio-political. religious, and cultural dynamics of British India between 1857 till 1947).	
Week-3	Contributions of founding fathers of Pakistan in the freedom movement including but not limited to Allama Muhammad Iqbal, Ch. Rehmat Ali, Ali Brothers.	https://nazariapak.info/Pakistan-Movement/index.php
Week-4	Contributions of founding fathers of Pakistan in the freedom movement – Muhammad Ali Jinnah, A. K Fazalul Haq and Shabbir Ahmad Usmani	https://nazariapak.info/Pakistan-Movement/index.php
Week-5	Contributions of women & students in the freedom movement for separate homeland for Muslims of British India	https://nazariapak.info/Pakistan-Movement/index.php
Week-6	Role of communalism and religious differences. (Factors for Muslims Separatism)	https://nazariapak.info/Pakistan-Movement/index.php
Week-7	Definition and importance of a constitution. Ideological factors that shaped the Constitution(s) of Pakistan (Objectives Resolution 1949)	
Week-8	Political and Constitutional crisis from 1958 to 1971 (EBDO, BD System, features of 1962 Constitution)	
Week-9	**MID TERM EXAMS**	
Week-10	Ayub Khan Era (1965 Presidential Election, first General Election 1970 and Fall of East Pakistan)	https://www.academia.edu/38566122/THE_CONSTITUTIONAL_DEVELOPMENT_OF_PAKISTAN
Week-11	Bhutto Era (The Democratic government: 1973-1977)	https://irjssh.com/index.php/irjssh/article/download/19/12
Week-12	Salient features of 1973 Constitution Overview of fundamental rights guaranteed to citizens by the Constitution of Pakistan 1973 (Articles 8-28). Overview of Principles of Policy (Articles 29-40). Responsibilities of the Pakistani citizens (Article 5).	https://www.pakistani.org/ https://na.gov.pk/uploads/documents/1549886415_632.pdf
Week-13	Structure of Government (executive, legislature, and judiciary). Analysing the role of these branches in the good/bad governance in Pakistan	https://constitutionnet.org/country/pakistan
Week-14	Distribution of powers between federal and provincial governments 18th Amendment and its impact on federalism.	
Week-15	Procedures for amending the Constitution Notable constitutional amendments and their implications.	

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Week -16	Determinants and Challenges of Pakistan's Foreign Policy	
Week -17	**For Presentations and Revision**	
Week -18	**FINAL EXAM**	

12 Course Assessment

Description	Numbers	Marks
Project-Presentation	1	10
Assignment	2	10
Quiz	3	15
Class Participation		05
Mid Term exam		20
Final Exam		40

Assessment Schedule (2 Credit Hr. Course = 3 Quizzes, 2 Assignments)

Week # 3	Quiz # 1
Week # 4	Assignment # 1
Week # 6	Quiz # 2
Week # 7	Assignment # 2
Week # 9	Mid Term
Week # 12	Quiz # 3
Week # 16 + 17	.Final Project/Presentation
Week #.18	Final Term

13 Format of Assignment

This course indoctrinates the following format for all its assignments:

1. Paper Size: A4
2. Left Margin: 2 Inches
3. Right Margin: 1 Inch
4. Top Margin: 0.5 Inch
5. Bottom Margin: 0.5 Inch
6. Font: Times New Roman
7. Font Size:
   a. Main Heading 14
   b. Sub Heading 12
   c. Text 12
   d. Titles 16
8. Font Color: Black
9. Line Spacing: 1.5
10. Diagrams & Charts: Need not be colored
11. The title page must be designed as guided by the resource person in the class
12. Number of Pages: No Limit
13. Reference Style: APA (If applicable)

14	**Text Book**	Kazimi, M. R (2007). *Pakistan Studies*. Karachi: Oxford University Press. Khan, H. (2001). *Constitutional and Political History of Pakistan.* Karachi: Oxford University Press. Sayeed, K. B. (1978). *Pakistan: The Formative Phase: 1857-1948* (Karachi: Oxford University Press). Qureshi, I. H. (1965). *The Struggle for Pakistan*. University of Karachi. Pakistan in the Twentieth Century: A Political History by Lawrence Ziring. "The Constitution of Pakistan 1973" - Original
15	**Reference Books**	"Ideology of Pakistan" by Javed Iqbal "Pakistan: Political Roots and Development" by Safdar Mahmood.

16	**Articles,** Polome, *Studies,* Şahbaz, Pakistan
17	**Web Re** https://s https://p https://r https://t http://w http://w Pakistan https://v https://v Humani https://v

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		Ideology of Pakistan by Sharif ul Mujahid The Struggle for Pakistan: A Muslim Homeland and Global Politics by Ayesha Jalal "Jinnah, Pakistan and Islamic Identity: The search for Saladin" by Akbar S. Ahmed "The Making of Pakistan: A Study in Nationalism" by K.K. Aziz "The Parliament of Pakistan" by Mahboob Hussain "Constitution making in Pakistan: The Dynamics of Political order" by G. W. Choudhary Abid, S.Q. (2007). *A Muslim Struggle for Independence: Sir Syed to Muhammad Ali Jinnah*. Lahore: Sang-i-Meel. Anwar Syed (2007). *Issues and Realities of Pakistani Politics.* Lahore: Research Society of Pakistan, The University of Punjab. Ahmed, A. (2005). *Jinnah, Pakistan and Islamic identity: the search for Saladin*. Routledge. Choudhary, G. W. (1969). *Constitutional Development in Pakistan*. London: Longman Group Ltd. Cohen, S. P. (2005). *The Idea of Pakistan.* Karachi: Oxford University Press. Dar, Farooq Ahmad. *Jinnah's Pakistan: Formation and Challenges of a State.* Karachi: Oxford University Press, 2014. Hayat, Sikandar. *The Charismatic Leader: Quaid-i-Azam Mohammad Ali Jinnah and the Creation of Pakistan.* Karachi: Oxford University Press, 2008. Karim, S. (2010). *SECULAR JINNAH & PAKISTAN*. Karachi: Paramount Publishing. Kazimi. M.R. (2009). *A Concise History of Pakistan*. Oxford University Press. Wolpert, S. A., & Wolpert, S. (1984). *Jinnah of Pakistan*. Oxford University Press, USA. Niaz, Ilhan. *The Culture of Power and Governance of Pakistan 1947-2008.* Karachi: Oxford University Press, 2010. Talbot, I. (2009). *Pakistan: A modern history*. Hurst. Bolitho, H. (1954). *Jinnah, Creator of Pakistan*. J. Murray.
16	**Articles, News Items from Media regarding latest Issues and Policies about the subject.** Polome, E. C. (1998). The Great Divide: Britain-India-Pakistan. *Journal of Indo-European Studies*, *26*(3/4), 490. Şahbaz, D. (2020). The Two Nations Theory and It's Role In The Establishment of Pakistan. *Akademik Tarih ve Düşünce Dergisi*, *7*(1), 207-232.	
17	**Web Resource :** **https://storyofpakistan.com/** **https://pakistan.gov.pk/** (information about the government of Pakistan and its ministries) **https://na.gov.pk/en/index.php** (information about the parliament of Pakistan) **https://historypak.com/** http://www.pakistan.gov.pk/Quaid/index.html Information about Quaid i Azam M. Ali Jinnah http://www.senate.gov.pk/en/index.php?id=-1&cattitle=Home Information about Senate of Pakistan https://www.iqbal.com.pk/ Information about Dr. Allama Muhammad Iqbal https://www.jstor.org/ Information about research & academic articles in Social Sciences & Humanities. https://www.pakistani.org/ Online source - constitution of Pakistan and Pakistan Penal Code	

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18 Plagiarism

Plagiarism involves the unacknowledged use of someone else's work, usually in coursework, and passing it off as if it were one's own. Many students who submit plagiarized work probably do so inadvertently without realizing it because of poorly developed study skills, including note-taking, referencing, and citations; this is a poor academic practice rather than malpractice. Some students, particularly those from different cultures and educational systems, find UK academic referencing/acknowledgment systems and conventions awkward, and proof-reading is not always easy for dyslexic students and some visually impaired students. Study skills education within programs of study should minimize the number of students submitting poorly referenced work. However, some students plagiarise deliberately, with the intent to deceive. This intentional malpractice is a conscious, pre-mediated form of cheating and is regarded as a particularly serious breach of the core values of academic integrity.

Plagiarism can include the following:

- collusion, where a piece of work prepared by a group is represented as if it were the student's own;
- commission or use of work by the student which is not his/her own and representing it as if it were, e.g.:
  a. purchase of a paper from a commercial service, including internet sites, whether pre-written or specially prepared for the student concerned
  b. submission of a paper written by another person, either by a fellow student or a person who is not a member of the university;
- duplication (of one's work) of the same or almost identical work for more than one module;
- the act of copying or paraphrasing a paper from a source text, whether in manuscript, printed, or electronic form, without appropriate acknowledgment (this includes quoting directly from another source with a reference but without quotation marks);
- submission of another student's work, whether with or without that student's knowledge or consent;
- Directly quoting from model solutions/answers made available in previous years;
- cheating in-class tests, e.g.
  a. when a candidate communicates, or attempts to communicate, with a fellow candidate or individual who is neither an invigilator nor member of staff
  b. copies, or attempts to copy from a fellow candidate
  c. attempts to introduce or consult during the examination any unauthorized printed or written material, or electronic calculating, information storage device, mobile phones, or other communication devices
  d. Personates or allows him or her to be impersonated.
- Fabrication of results occurs when a student claims to have carried out tests, experiments, or observations that have not taken place or present results not supported by the evidence with the object of obtaining an unfair advantage.

These definitions apply to work in whatever format it is presented, including written work, online submissions, group work, and oral presentations.

19 Attendance Policy

Every student must attend 75% of the lectures delivered in this course The students falling short of the required percentage of attendance of lectures shall not be allowed to appear in the Final examination of this course and shall be treated as having failed this course.

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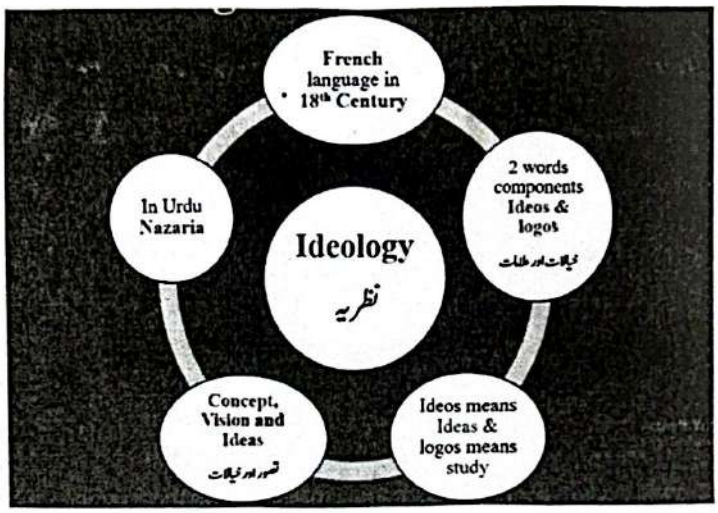
Chapter # 1

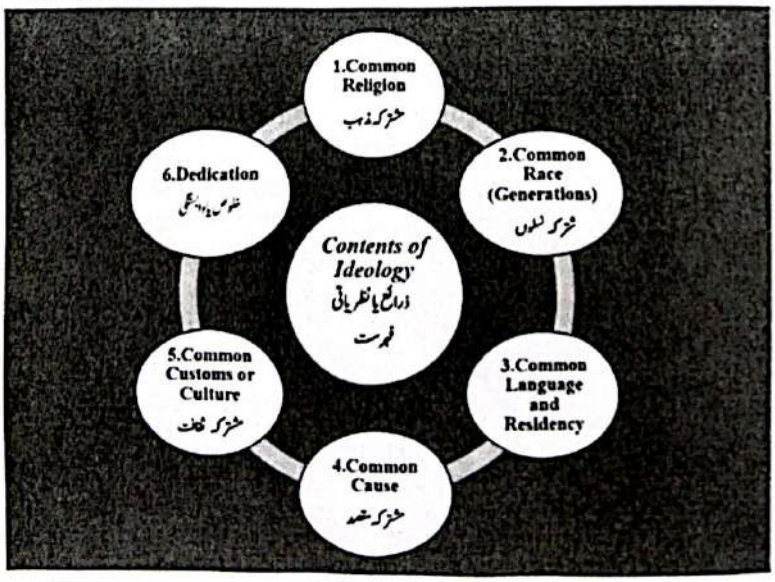
Definition and Significance of Ideology

Definition

- The word "ideology" is composed of two Greek words "ideos-idea" and "logos-study". It literally means "the science or study of ideas.
- An *ideology* is a set of opinions, principles or beliefs of a group or an individual. Very often *ideology* refers to a set of political beliefs or a set of ideas that characterize a particular culture (Nazaria).
- Ideology of Pakistan is based on Islam. This means that the state of Pakistan was created on the basis of Islamic Ideology.



Sources (Elements/Content) of Ideology



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The term ideology consists of two Greek words "ideo" and "logos", which means ''the science or study of ideas." The term ideology is a complex discourse in a realm of social sciences due to controversial approaches among scholars and theorists on its definition and meaning. Historically, the word "idealogie" was first time used by French thinker 'Antoine Destutt' de Tracy during the French revolution. He defined this word as the Science of Ideas concerning with social and political life. According to the Karl Marx, the ideology is about ideas of ruling class, who want to maintain their privileged position and order through the capitalism. Martin Seliger defined the term ideology a set of ideas by which men posit, explain and justify the ends and means of organized social action, irrespective of whether such action aims to preserve, amend, uproot or rebuild a given social order." George Brass describes the term ideology:

"any plan or program of common life based upon thinking and philosophy is called ideology."

Despite the controversial approaches to the concept of ideology, the basic features of concept remain the same. However, the term Ideology can be defined as a set of socially shared beliefs, norms, values, ideals, convictions, institutions, goals and a body of knowledge which people believe significant and practicable. All these features bind the nation together and depict a true reflection and product of ideology. These certain common traits in almost every ideology throughout the world are same. It proposes a step forward, for example, a manifesto or line of action to be followed in order to achieve the desired goal in the future. The socially shared ideas, speculation and beliefs are associated with ideologies to justify the existing or desired social or political order.

"A political ideology is a set of shared beliefs, values, norms and principles that explain and justifies a preferred political order or proposed a new order and program to nation or civilization."

As mentioned before, the notion of ideology was originated during the French Revolution which mean, science of ideas. But the concept of political ideology emerged in early 19th century.

Importance of Ideology:

Ideology is a motivational and very significant force behind the development of a nation. Ideology gives a right direction and a sense of purpose to a nation. It provides a platform to scattered social groups in society and brings them together. It also plays vital role in nation building. Furthermore, ideology gives the direction to its followers toward evolution and revolution. New norms, values and cultures are shaped by ideologies and these traits work like a binding force in a society. The function of ideology is like a backbone in the structure of a nation, and without it, there is no concept of a nation.

Ideology of Pakistan:

The creation of Pakistan is unique in a sense that it is based on the philosophy of Islam and not on the western concept of nation state. The concept of nation states emerged in Europe in the early nineteenth century. According to it, the secularism is a central belief of nation state, in which sovereignty belongs to people. Conversely, the foundation of Pakistan is based upon the religion of Islam, where all sovereignty of state and people belongs to Almighty Allah. The ideology of Pakistan passed through different phases and

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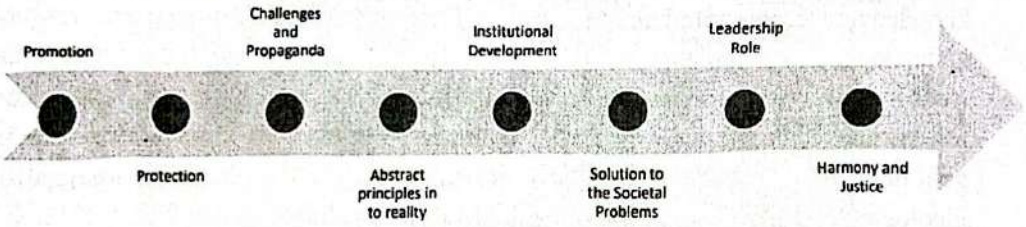
evolutionary process. The popular slogan, "Pakistan Ka Matlab Kia, La Illa ha illa Allah" was the central theme of freedom movement which provided basis to Pakistan. Historical experiences raised the consciousness in Muslims of subcontinent that they are quite different from the Hindus in every aspect of life. However, Nineteenth Century was a period of great trial and crises for Muslims in British India. At that time, few people realized the problems of Muslims like Allama Iqbal provided the philosophical explanation by presenting the idea of separate homeland for Muslims of subcontinent. Subsequently, M.A Jinnah translated the abstract ideas of Iqbal into a reality in the form of sovereign Islamic state.

Implications of Ideology



Significance of Ideology

- States and country are based on ideology
- It Reflects the thinking of a nation
- For the Survival of nations
- Ideology gives rational meaning to your plan or action
- Unity comes from strong ideology
- Sense of ownership
- Source of Courage
- Motivation for struggle
- It clarifies your goals and destination as a nation
- Foundation of change and revolution
- Actions are pushed by strong ideology

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Chapter # 2

Historical context of the creation of Pakistan (1857 – 1947)

The War of Independence – (1857 A.D.)

The episode of the renaissance of the Indian Muslims, which culminated in their political awakening and resulting in the birth of Pakistan, was initiated by the failure of their national struggle for independence in 1857, A.D. Sir Syed Ahmad Khan did a yeoman's service to discuss, in a very logical and candid fashion, the underlying causes and events of this movement in his famous dissertation "Causes of the Indian Mutiny." He recorded the various factors responsible for distancing the rulers and the ruled, which had adversely affected the Muslims. He pointed out some of the causes like the overall wrong policy of the English, official patronage of the Christian missionaries, unbridled exploitation of the masses by the Hindu Money Lenders, rampant unemployment, and devastation of the indigenous industry. Hindus had participated in the 1857 struggle, alongside the Muslims but they subsequently joined hands with the English, thus bringing down the wrath entirely on the Muslims. The rulers took stern action against the Muslims. The properties of the innumerable Muslims were confiscated and harsh treatment was meted out to them. The doors of army and many other important institutions were slammed in their face. They were expelled from all the important Government posts and Hindus were favoured on their expense.

The Achievement of Sir Syed Ahmad Khan

Sir Syed Ahmad Khan, a renowned political leader of the 19th Century, adopted various measures to keep the Muslim morale high and their hopes kindled. His endeavors were to ensure the political rehabilitation of the Muslims, along with their renaissance and social, economic and educational progress and advancement. First of all he tried to establish (through many pamphlets) that the Muslims could live peacefully under the English rule if their religious, social and economic matters were not interfered with. After that he focused all his attention on the education for Muslims. After launching various educational institutions he started an educational movement in Aligarh. His aim was to equip Muslims with modern education to enable them to occupy a reasonable share of government jobs in comparison to the Hindus. His greatest achievement was to establish a school and then to convert it into Aligarh College (MAO College) in 1877 A.D. Highly qualified teachers as well as an English principal and English teachers were appointed to eliminate the mutual hatred among the Muslims and the English.

Sir Syed Ahmad Khan's Trinity of Ideas –

1. Reconciliation/Loyalty with the British
2. Learning/Teaching of English, Science and modern courses apart from Religious studies.
3. Aloofness(separateness) from Politics

Anti-Muslim Movements

The English were not only pleased with the Hindus but thought it expedient to get their co-operation on a better footing, as they were in a majority. The Hindus started demanding the establishment of English type political institutions, in view of their pre-

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ponderant majority and on the other hand started movements for the revival of ancient Hindu civilization with the aim of establishing "Ram Raj" in India. The most important movement among these was the "Arya-Samaj". It started working on the theme of expelling the Muslims from India as they were the intruders. Apart from this, the Hindus launched an anti-Urdu campaign just because this language had developed during the period of Muslim rule. An atmosphere of confrontation between the two communities developed due to the demand of replacing Urdu by the Hindi language, in Devnagiri Script, in the Government Offices and the Courts. All this resulted in anxiety among the Muslims to safeguard their culture and way-of-life whereas the educated Hindus started organizing themselves politically. Under the circumstances a political party by the name of "Indian National Congress" (founder - A.O. Hume) was launched in 1885 on the instigation of Lord Dufferin, the Governor General, aimed at establishing British type of institutions (like Legislative Assemblies) in India. The members should be elected, while only the educated or the owners of property shall have the right to vote. The Muslims were lagging behind the Hindus in English Education and had been rendered quite destitute as a result of the 1857 uprising. Hence these suggestions about the voting rights were utterly against their interest. Sir Syed Ahmad Khan advised the Muslims to keep aloof from the Congress to counteract this situation, because he was of the view that Congress stood for political domination of India by the Hindus. Sir Syed was of the view that Hindus and Muslims should have the right to separate electoral lists to elect their representatives. Hindus were against this proposal. The Muslims remained aloof from Congress as per advice of Sir Syed.

Demand for Separate Electorate

Under the 1892 "Legislative Councils of India Act", a limited number of elected Indians were allowed to be inducted through local governments, Universities; Chambers of Commerce and Cultural Associations electorate. It resulted in most of the elected members to those Legislative Councils being Hindus. Even if a Muslim did get elected, he had to cut a sorry figure! (to create an unfavorable impression). The Muslims opted to start a movement to achieve "Separate Electorates" to cope up with this situation. A situation arose during that period, which clearly focused the attention of the Muslims on "Separate-Electorate" as a safeguard to their Rights and Interests. The British Government partitioned province in 1905, A.D (Partition of Bengal). Assam was amalgamated with East-Bengal with a separate Legislative Assembly and Board of Revenue. The division of Bengal improved the percentage of the Muslims vis-à-vis Hindu population in East Bengal. The Hindus launched a violent agitation against this division in the whole of Bengal, creating a law and order situation. It was in this backdrop of anti-Muslim Movements, especially the agitation against the Partition of Bengal, that a deputation of Muslims met the Viceroy, Lord Minto, in Simla, in October 1906, to plead for the right of the Muslims to elect their own representatives through "Separate Electorates" in all the Legislative Councils. The deputation asserted that the Muslims were entitled to have their own elected representatives to safeguard their interests in all the Legislative Councils on the grounds of having a distinct and separate identity from a cultural and ideological perspective. Simla Deputation was a sign of Muslim political awakening and this had a special bearing in the history of Muslims of India. They were taking part in political activities for the first time, as a separate Muslim entity, after the War of Independence (1857 A.D.)

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Khilafat Movement

Ottomans sided with Germany in the World War-I. It too suffered defeat with Germany. The Indian Muslims got quite a set-back. The Muslim army of India participated fully in World War I on the side of the English. During this the English had assured the Muslims that Ottoman Caliphate would come to no harm after the end of war. But Ottoman suzerainty was abolished entirely in the Middle East area previously under their control reducing them to a very weak position. The Muslims launched a movement to restore the Caliphate, as the Ottoman Sultan was the Caliph of all the Muslims. The Government enacted a Bill in 1919, called Rawlett Act to suppress every kind of anti-Government agitation ruthlessly. Quaid-i-Azam resigned from the membership of the Imperial Legislative Council in protest at the passage of that Bill. The Hindus were also against this Bill. Hence the Congress and Leaders of the 'Khilafat Movement' jointly decided to launch a "Non-cooperation Movement" against the Government, stressing the fact that the Movement will be totally non- Violent. This movement continued for about two years successfully but the attitude of the Hindus was based on insincerity. For example the Muslims were encouraged to close down the Aligarh Muslim University in protest and migrate out of India but the Hindus refused to join such an effort. Mr. M.K. Gandhi expressed his helplessness in closing down the Benaras Hindu University as the Hindu nationalist leader, Mr. Maddan Mohan Malviya did not agree. The plea of the Muslims was ignored. A protest rally burst into violence and torched a police station, incinerating twenty one policemen inside, on February 05, 1922 in 'Chaura Chori", a place in U.P. The Hindu Leader, M.K. Gandhi called-off this agitation. It may be pertinent to point out that the Non-cooperation Movement and Khilafat Movement had joined hands and the prospects of the Muslim demands being accepted were quite bright. Gandhi, therefore, called off the Movement on the pretext of "Chaura Chori" incident. This decision made it impossible to continue the 'Khilafat-Movement'. Maulana Mohammad Ali Johar, who was behind bars, called Gandhi's decision wrong. This situation resulted in a split between the Hindus and the Muslims. The Hindus launched "Shudhi and "Sangthun" movements. The "Shudhi" movement was aimed at converting back to Hinduism all those Muslims whose ancestors were Hindus, and the "Sangthun" movement was aimed at training the Hindus in Warfare Arts. These movements resulted in Hindu-Muslim riots on a large scale.

The Conclusive Elections of 1945-46

Central and Provincial Elections were held in 1945-46. The Muslims participated in these Elections on the plank of getting a favorable decision on Pakistan. There were Thirty (30) reserved Muslim seats in the Central Assembly; all were bagged by the Muslim League. There were Four Hundred and Ninety five (495) Muslim Seats in the Provincial Legislative Assemblies and the Muslim League, by succeeding on (446) Four Hundred and Forty six of these, proved itself to be the only representative body of Muslims and their demand for Pakistan.

The British Government dispatched a Cabinet- Mission in 1946, under the chairmanship of Lord Pethik Lawrence, to resolve the Hindu-Muslim problem, as a direct consequence of the results of these Elections. Quaid-i-Azam expressed his opinion on this occasion and said; "I would try to convince the Cabinet Mission that division of India is the only solution of this problem". The Cabinet Mission met the Leaders of Congress, as well as the Muslim League in May 1946. Both these parties submitted their proposals to resolve the Indian Constitutional Impasse in the Second Simla Conference separately. The total divergence

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of views stymied this Conference and the Cabinet Mission proposed a plan of their own. It envisaged an Indian Union where the Center would have control of Defence, Foreign Affairs & Communications.

The plan divided India in three groups.

Punjab, N.W.F.P, Sind and Baluchistan were placed in one group, whereas Assam and Bengal were in another, and the Third group consisted of the rest of the Hindu-Majority Provinces.

A union-Government was to be put in the Center. As this plan allowed the proposed Provinces/Groups to opt- out of the Indian Union **after Ten-Years**, if they so desired, the Muslim League accepted this Cabinet-Mission Plan on the premise that the Groups being proposed would ultimately assume the shape of Pakistan. In other words, Muslim League could discern a clear outline for establishing Pakistan through this plan. Congress, to start with, accepted this plan, but later on rejected it, as it was afraid of the fact that the Muslim League must have accepted because it perceived a clear indication of Pakistan coming into this plan. This showed clearly that Congress was not going to accept any right or interests of the Muslims under any circumstances.

A part of the Cabinet Mission Plan dealt with establishing an interim Government in the Center. The Congress had said after the elections and at the time of setting-up an interim Government that it would never approve a proposal granting equal representation to the Muslim League and Congress. The Viceroy presented a new formula for the interim Government to cury favour with the Congress. It was to appoint Thirteen (13) Ministers. Congress was allotted Five, Muslim League three, while Two Ministers from other Minorities were to be appointed. The Congress rejected this proposal too, revealing the fact that it wished to control the Levers of Power in the whole of India by itself alone! Only the Hindus should have the monopoly of power and the Muslims be kept out of any political power. Although the Congress rejected the Plan but it agreed to participate in the constituent assembly being set up under this plan. Since the Congress had rejected the plan whereas the Muslim League had accepted it (later rejected), it was incumbent upon the Viceroy to ask Muslim League to form an interim Government in accordance with his own declaration to ask the consenting Party to form Interim Government but the Viceroy did not keep his words and kept on wooing the Congress to join.

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Chapter # 3

Contribution of Founding Fathers in Pakistan Movement

ALLAMA MUHAMMAD IQBAL – IDEA OF PAKISTAN

Allama Iqbal & Vision of a Separate Muslim State

Legends like Allama Iqbal are born once in centuries. He was great poet, Philosopher and politician who gained the country-wide fame. He received his education from Government College Lahore and then went to Europe for the higher studies. He obtained his PhD in Philosophy from Germany. However, he entered in Indian politics to protect the interests of Muslims. His entry in politics was warmly welcomed by All India Muslim League and he proved himself to be a good leader.

Iqbal's ideas were transformed and renewed about politics, nationalism and western culture during the stay in Europe. He was completely changed man with new perception and ideology after returning from Europe. He admits that certainly Europe changed my old beliefs and ideas regarding State and Indian nationalism. He said, "I was an enthusiastic Indian Nationalist during my college days. The change happened due to exposure to the western world, it gives me a new thought so I am not a Nationalist now". Allama Iqbal studied Islam deeply and believed that it is a complete code of life. After returning from Europe, Dr. Iqbal compared Islam with the western culture, ideology. He reached at the conclusion that Islam is the only way of life which can solve all the problems of mankind. He comprehended the philosophy of Islam and so became the proponent of principals of Quran.

Iqbal rejected the prevalent concept of Territorial Nationalism in his poem. He refuted the concept on the basis of its contradiction with Islam and it is modern form idolatry. Dr Iqbal explains that the concept of territorial nationalism divide the nations of world. The concept of territorial nationalism has changed the course of politics and economy. The objective and aims of Politics and economy to take-over the other nation's land and resources and destruction of houses of poor. Iqbal's main argument was against the western concept of linguistic and racial nationalism. Therefore, he supported the Muslim nationalism which is based on spiritual homogeneity.

He wrote on territorial nationalism in the year 1910:

Islam as complete code of life appeared in a world as antithesis of idolatry. In a modern world, what is patriotism, nothing else than a new form of idolatry. The purpose of Islam is to protest against idolatry in any form. This is our duty and mission to protest against all form of new idolatry.

While exploring the solidarity of Muslims, he asserted his views:

The solidarity of Muslims as a community in subcontinent stands on Islamic principle. Nevertheless, our educationists and intellectuals are searching in the dark. They are perhaps much confuse and unable to realize the difference between Islamism and westernism. The western culture and norms constructs nationality on the basis of racial

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and linguistics difference. But the Islamic laws do not recognize the racial, linguistics and historical differences of human. Because the concept of territorial nationality in Islam is not ultimate goal and highest limit but the spiritual homogeneity.

Dr. Iqbal openly negated the idea of western type of nation state in India and stressed on the separate image of Muslims. In the 18thcentury new concept of nation state introduced in Europe. This concept further provided the strong foundation to secularism, a Philosophy which declared the separation of religion and state system. Allama Iqbal did not believe the concept of separation of religion and State system rather he emphasized that religion and politics are not separated in Islam. Further he comes up with the idea of separate State which rests on principles of Islam.

Iqbal created the awareness amongst Muslims and showed them of their lost glory through his poetry. He used the poetry as a tool for revitalization of Muslims. His message does not contradict the Islamic ideology. Iqbal's approach was pragmatic. He motivated the Muslims to have courage like their ancestors that the institution of Caliphate could again be restored in Muslim Ummah. In his Persian poetry with the title of *Secrets of the Self* and *Mysteries of Selflessness* published in 1915.

Iqbal asserted: "Our Prophet (PBUH) migrated from his birth land and settled in Medina permanently. Our Prophet (PBUH) founded Muslim nationhood in Medina. The Indian Muslims must follow the precedence of life of Prophet (PBUH)."

On these grounds, separate identity of the Muslims as a Nation was supported by Allama Iqbal. He said that there would be no possibility of peace in the country until and unless the Muslims are recognized as a separate nation because of their distinctive cultural values, religion and history. Iqbal advocate the idea of Muslim nationalism and refuted the concept of territorial nationalism.

Allama Iqbal delivered his famous presidential address in the annual meeting of All India Muslim League at Allahabad in 1930. The Allahabad address of Iqbal was hallmark and had a great significance in freedom struggle of Indian Muslims. This presidential address defined the fate and destination of Muslims of British India and put their struggle in right direction. Allama Iqbal gave philosophical explanation of Two-Nation Theory and proposed the separate homeland for the Muslims. He declared in his address: ***"India is a continent of a vast population and different human groups belonging to different races, speaking different languages and professing different religions. To base a constitution on conception of United India is to prepare for civil war. I therefore, would like to see the Punjab, North West Frontier Province, Sindh and Balochistan amalgamated into a single state. Self-government within the British Empire or without the British Empire. The formation of a single consolidated North-West Indian Muslim state appears to me to be the final destiny of the Muslims at least of North West India."***

He wrote a letter to Jinnah and convinced him to organize the Muslim League and to leads the Muslim of subcontinent. Iqbal knew that, darkness and desperation is prevailing in the Muslim of India but he was much optimistic. When Muhammad Ali Jinnah came back to India from London, he started the reorganization of the All-India Muslim League. Iqbal

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extended his complete support to Jinnah and worked hard to organize the party in Punjab as a loyal soldier. This was the political cooperation between these two greatest leaders of Muslim India which turned the Muslim League into mass political party of India. All India Muslim league invoked the Iqbal's concept of Muslim homeland for mass mobilization. The Muslims of India effectively and forcefully started their struggle around the flag of Muslim League with an aim to establish an independent State. Eventually, both the Hindus and British realized that the partition of India into two independent States is inevitable.

Phases of Iqbal's Political Thought

Iqbal as Indian Nationalist Leader (1900-1908)

↓

Pan-Islamist/Pan-Islamism 1908-1923

↓

Muslim Nationalist Leader 1923-1938

1. Iqbal as Indian Nationalist Leader (1900-1908)

- Worked for Indian unity.

سارے جہاں سے اچھا ہندوستاں ہمارا
ہم بلبلیں ہیں اس کی، یہ گلستاں ہمارا
مذہب نہیں سکھاتا آپس میں بیر رکھنا
ہندی ہیں ہم، وطن ہے ہندوستاں ہمارا

The Paradigm Shift

2. Pan-Islamist/Pan-Islamism 1908-1920

ایک ہوں مسلم حرم کی پاسبانی کے لیے
نیل کے ساحل سے لے کر تابخاکِ کاشغر

Bang-e-Dra

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Pan-Islamist/Pan-Islamism 1908-1920

اپنی ملت پر قیاس اقوامِ مغرب سے نہ کر خاص ہے ترکیب میں قومِ رسولِ ہاشمی

اُن کی جمعیت کا ہے مُلک و نسب پر انحصار قوتِ مذہب سے مستحکم ہے جمعیت تری

Bang-e-Dra

Reason for Change

- Ideological Change due to the down fall of the Muslim Ottoman Empire/ Caliphate
- The dream of the revival of Muslim Caliphate was shattered after the abolition of Ottoman Caliphate in 1923.

Muslim Nationalist Leader

- Became a Muslim Nationalist Leader.
- Work for Muslims of India.
- Bringing Muhammad Ali Jinnah back to lead the Muslims of Indian Subcontinent 1934.
- Work for the unification and organization of Muslim League.
- Presenting Vision for a separate homeland.

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Quaid e Azam Muhammad Ali Jinnah

1876: Mohammad Ali Jinnah was born on 25 December 1876.

Primary Education: When Jinnah was six years old, he was sent to school in Karachi. When he was ten, he went on a ship to Bombay, where he attended the Gokul Das Tej Primary School, for one year. He was eleven when he was returned to Karachi, to the Sindh Madrasah High School; and he was fifteen when he went to the Christian Missionary Society High School, also in Karachi.

1892: He got married to EmiBai. He went to England to study Law, he stayed at 35 Russell Road, Kensington

1893: Joined Lincoln's Inn

1894: His wife EmiBai died. After some months His beloved mother also passed away

1895: he became the youngest Indian to be called to the bar in England at the age of 19. Mother died at Karachi

1896: Returned to Karachi from London migrated to Bombay

1897: He become the advocate of high court in Bombay and began his practice.

1900: Appointed Presidency magistrate, Bombay

1902: His beloved father, Jinnah Poonja, Passed away

1905: He was private secretary working for DADA BAHI NOORJI

1906: In yearly conference in Dacca All India Muslim League was established, he read about this in a newspaper. He joined Congress.

1910: Elected to the Legislative Assembly, Bombay

1911: Piloted Waqf Alal Aulad Bill the only private member's Bill to be passed (in 1913)

1913: Joined All India Muslim League Left for England with Gokhale, Founded London Indian Association

1916: Presided over the 16th Bombay provincial conference presided over the All India Muslim League Lucknow session; Lucknow Pact signed

1917: Became President, joined Home Rule League, Bombay organised "Memorandum of the Nineteen

1918: Married Rattenbai at Calcutta foiled the move to set up "Willingdon Memorial" in Bombay. Jinnah's Memorial Hall constructed as a tribute to his services.

1919: Daughter (Dina) born, resigned from the Imperial Legislative Council as a protest against Rowlatt Act

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1920: Resigned from Home Rule League, Resigned from the Congress on differences with Gandhi

1922: Participated in All parties conference in Bombay as one of the three Secretaries

1923: Elected to the Imperial Legislative Council from Bombay

1927: Simon commission was cancelled by the Quaid, because it was of no use to Muslim in minority. Presided over the meeting of all important Muslim leaders at Delhi

1928: Nehru Report

1929: Ruttie Jinnah Died - Rejection of Nehru Report which has no benefit for the Muslim living in Hindustan. Quaid presented his fourteen points.

1930: Round table conference was held in London and Quaid was representative for the Muslims in Hindustan

1931: Stayed on in England, gave up political activities temporarily

1934: Returned to India Got actively engaged in politics Again elected to the Central Legislative Assembly Elected permanent of All India ML

1935: Government of India Act, 1935 passed

1937: Provincial elections under 1935 Act Congress forms ministries in 6 provinces Congress Raj begins Jinnah presides over League session at Lucknow All India Muslim League turned into a mass organisation and compete independence adopted as goal Allama Iqbal wrote a letter to Quaid in which he gave a hint for the separate nation for the Muslims of Hindustan

1939: Demand Royal Commission to inquire into Muslim grievances under Congress rule. Day of Deliverances observed (no exit of Congress ministries)

1940: 23rd March 1940, early meeting of Muslim League was held in Lahore, Where Quaid addressed large number of Muslim

1941: In an address to Punjab Muslim Student Federation he asked student to get together to have separate nation, and separate nation require land to live

1944: Jinnah-Gandhi talks

1945: Participated in Shimla Conference

1946: All India Muslim Sweeps the polls in Muslim constituencies Victory Day April 4 Meeting with Cabinet Mission April 9, Members of the Central and Provincial Assemblies at Delhi, May16, Cabinet Mission Plan announced, June League accepts Cabinet Mission Plan. All India Muslim League withdraws earlier acceptance, Rejects Cabinet Mission Plan and announces boycott of Constituent Assembly August 16 Direct Action Day

1947: February 20, Prime Minister Attlee announces that the British would relinquish power in India by June 1948. June 3, Plan envisaging partition of India and establishment of Pakistan announced Jinnah's historic broadcast accepting June Plan, Indian Independence Act passed by British Parliament August 7, Left Delhi for Karachi by air August 11, Elected President of Pakistan Constituent Assembly Presidential address in the

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Constituent Assembly Title of Quaid e Azam conferred on him August 14, Pakistan came into being October, setup headquarters at Lahore to supervise settlement of refugees UN Punjab December 25, 1st official birthday

1948: July 1, Inaugurated State Bank of Pakistan July 14, Left again for rest at Ziarat August 14, 1st Independence Day, Last message to the Nation September 11, Returned to Karachi from Ziarat breathed his last.

The Charismatic Leadership: Quaid e Azam Muhammad Ali Jinnah

The use of the word "charisma" often brings to mind totalitarian leaders like Hitler and Mao, modernizing military leaders like Mustafa Kemal, or the nonviolent liberator Mahatma Gandhi. In contrast, Jinnah was extremely disconnected from mainstream Indian culture and did not take the populist claims of Indian National Congress (INC) leaders seriously. In a society immersed in arbitrariness/uncertainty, Jinnah was the exemplary constitutionalist and consensus builder. Unlike the rising religious fervor fueled by Gandhi and others, Jinnah was not using religion as a political tool. While various forms of socialism were in vogue (Style/trend), Jinnah steadfastly resisted promising utopia (ideal). Yet Jinnah's achievement as founder of the largest Muslim-majority state in 1947 and restorer of Muslim political power where they were the majority deserves explanation.

The understanding of Weber's concept of charisma is that rationality and sobriety were core qualities of authentic charismatic leadership. Weber believed personal charisma must be institutionalized in the state or party, or leaders would just be demagogues (crowd pleaser). This concept of charismatic leadership can be amicably be applied on Jinnah as he emerged as the Muslim leader in the subcontinent. He identifies conditions enabling a charismatic leader to emerge.

The first condition is that of a crisis that has the potential to imperil (risk) the core interests of a group or a community. In the context of Muslim India this crisis had several dimensions. First, the Muslims were demographically in a minority and as India headed towards greater representation in local, provincial, and, eventually, central, governments, inferior numbers translated into reduction of the Muslims to the status of a permanent minority in most of the provinces and local government, as well as in the central government. Second, numbers aside, colonial representation was determined by educational, property, and income qualifications, and here, even in those territories where the Muslims were in a majority, they were underrepresented due to their backwardness. Third, as demands for self-government escalated during and after the First World War the question of British imperial succession became the central long-term issue of Indian politics. The Congress was quite clear on what it wanted – a British exit accompanied by handing over power to a strong central government that would operate on the basis of universal suffrage and pretend minorities were diabolical (satanic) contrivances (devices) of the Raj. The local and provincial Muslim leaders had little to say about what kind of India would emerge if the British left and many hitched their wagons to the Congress hoping for some magnanimous concessions that might materialize after a centralized, majoritarian, democracy, under the Congress had come into existence. In this case among the Muslim leaders Jinnah alone had a long-term perspective on the evolving situation. He understood that the real question

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was the distribution of sovereign power and that the Muslims needed to get organized so that they too could have a say in what an independent South Asia might look like.

In terms of vision, Jinnah advocated a formula in the form of the Lahore Resolution of March 23, 1940 (dubbed the "Pakistan" Resolution by its critics). Although the formula was not that clear, but it gave promise to the Muslims that sovereignty would be restored, wherever they were in a majority. Opposition to the "Pakistan" scheme by the Congress and its allies served to lend it substance and turned it into a key component of Indian political discourse. Actually organizing the Muslims to achieve this objective was a very difficult task and one in which Jinnah did not succeed as much.he would have liked to. Still, the growth of the Muslim League between 1940 and 1945 was considerable, while the Second World War made it evident that the actual succession to British rule was at hand. In detail the mobilization strategy of the Muslim League, its activation of students, women, traditional elites, businessmen, ulemas and the creation of a national coalition led to the creation of Pakistan. The growth of the League was such that by 1946 it claimed all the Muslim seats at the center and nearly all at the provincial level. With such a resounding victory, the time for finally working out what Pakistan meant had arrived and here Jinnah was prepared to accept a sovereign Muslim India within an Indian confederation, or, failing that, an independent Pakistan with no constitutional connection to India. Once the Congress reneged on the Cabinet Mission Plan, which promised the former, Jinnah had no compunctions (regrets) about doing what was necessary to carve an independent Muslim-majority state out of the British Empire in India and moving towards the latter option. The creation of Pakistan and its consolidation meant that Jinnah's mission had been accomplished and his charisma was routinized in the new state. So, at a structural level, the demand for Pakistan was the outcome of internal asymmetries of demography, economy, and socio-political consciousness, which had emerged during the British Raj. These asymmetries, barely managed by concessions, reforms, and repression, threatened to permanently erase the Muslims as a political community and became unmanageable as the British Empire went into decline after the First World War. The central question was of succession, and here Jinnah picked his idea – which was to advocate the restoration of sovereignty to the Muslim-majority areas of South Asia – and timing perfectly. The idea resonated and connected with the anxiety and distress of the Muslims triggering the Pakistan Movement. Jinnah's leadership in terms of organization of the League, deal-making, and negotiating with the British, the Congress, and other groups, led to extraordinary electoral success in 1946. This success meant that Pakistan would either come into existence as a vast Muslim-majority sovereign region that comprised the whole of present-day Pakistan and Bangladesh plus the Hindu-majority areas of Bengal and Punjab, or as a smaller but completely independent state. Acceding to either of these options was galling to the Congress, but Jinnah's success was that they now had to choose between a notionally sovereign united India or an actually sovereign divided India. The Congress's pain and confusion were evident in its dithering (indecisive) as it went from preferring a loose confederation and then changed its mind and went for the two-state solution.

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Qualities of Quaid as Charismatic Leader

- Successful Response to Crisis
- Rationality & Pragmatism
- Practical Possible Solutions
- Durable long-lasting Achievements
- Formation of States Institutions: CMAS
- Capacity to Know when and How to Compromise

Quaid's Vision About Pakistan

- Identifying the 'sovereign' in Pakistan: **Parliament**
- Civilian supremacy over Military
- Role of Religion: Islamic Welfare State
- Merit-based, apolitical and professional civil service
- Economy: Industrial revolution
- A Powerful Center: Federal form of Government

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A.K. Fazlul Huq (1873-1962)

A.K.Fazlul Huq full name Abul Kasem Fazlul Huq, also known as "Sher-e-Bangla" (Tiger of Bengal) was such kind of a leader who did a very useful and important political, social and educational contribution for the Muslims of the sub-continent. He dedicated almost fifty precious years of his life to attaining separate nation for the Muslims of India. A.K.Fazlul Huq son of Kazi Wazeed Ali was born on 26 October 1873 at Chakhar in Barisal.

Political career

He started his political career in the hand of Sir Khawaja Salimullah and Syed Nawab Ali Chauhdry and starts his politics by the formation of the Muslim League where he got the chance to work with Nawab Waqar-ul-Mulk. In 1913, he was selected as a legislative council member. He also served as a secretary of the Bengal Muslim League, where he was leading Bengali Muslims till 1916. In 1915, he also formed an organization for farmers and laborers and named it "Krishk Parjasmaty" and because of this organization large amount of farmers like him, very early he organized a meeting of this organization every year where they talk about their problems. In 1916, he became president of the All India Muslim league. He was very much in favor of farmers and laborers. He always worked to arrange a better educational system for them. In 1912, he also formed the "Central National Mohammadan Educational Association", he was president of it and due to the effort of this Muslim students were somehow getting few facilities both by money and education.

In 1916, he played a very vital role in creating a Lucknow pact between the Congress and the Muslim League. He became then joint secretary of the Indian National Congress in 1917. He also leads the All India Khilafat conference in 1920. In 1919, when Montague Chelmsford Reforms (Govt of India Act, 1919) were implemented as an act then Hindus were given majority in all over Indian offices, powers were divided and provincial governments were divided into two parts. He provides jobs to Muslim students and even reserved seats for them in different schools and colleges.

After leaving the congress, he interacted with Jinnah and organized the Muslim League in 1920, led by Jinnah in different political affairs. He also participated in round table conferences as a representative of Bengali Muslims. In the first conference, other leaders like Quaid-i-Azam, Sir Agha Khan, Maulana Muhammad Ali Johar, Begum Shahnawaz, etc were also with him. In 1935, he became a member of the Indian legislative assembly, and in the same year he was also selected as a mayor in Kolkata Corporation, he was the first Muslim mayor in Kolkata. In 1937, he was elected as a Chief Minister of undivided Bengal.

In March 1940, the All India Muslim league's 27th yearly conference was arranged in

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Lahore, this conference continued for three days 22, 23, and 24 March. Almost every Muslim leader came to this conference from all over the sub-continent. Like other leaders, Fazlul Huq also participated and took an active part in this conference. In this conference, he presented a resolution and spoke for the protection of the rights of the Muslims in India, and after passing this resolution he became very famous in the sub-continent. After the creation of Pakistan, he became the attorney general of the Government of East Pakistan, and in 1956, he was appointed as Governor of East Pakistan. He also served as an interior minister. He also participated in the Bengali language movement and was also injured due to the police's lathi charge. In Pakistan, he is remembered as one of the country's founding statesmen. One of the main roads in Islamabad, Pakistan A.K. Fazal-ul-Huq Road is named after him.

Choudhry Rahmat Ali (1895-1951)

Choudhry Rehmat Ali was passionately dedicated to the cause of separate Muslim homeland for South Asian Muslims and believed that the Muslims of India had to reform politically in order to become a viable, independent community. He was inspired by Islamic history, particularly the example of the Prophet Muhammad and his success in bringing various Arab tribes together during the founding period of Islam.

He believed that in order to survive the increasingly hostile India, Indian Muslims should unite on the same lines. He was deeply influenced by the writings and philosophy of Allama Muhammad Iqbal as well. Ali's writings, in addition to those of Muhammad Iqbal and others were major catalysts for the formation of Pakistan.

It was during the years 1930 through 1933, that he established the **Pakistan National Movement**, with its headquarter at Cambridge. Until 1947, he continued publishing various booklets about his vision for South Asia. On January 28, 1933, he issued his first memorable pamphlet ***"Now or Never; Are we to live or perish forever?"*** The pamphlet gave reasons for the establishment of Pakistan as a separate nation coining the word Pakistan for the first time.

The famous 1933 pamphlet, also known as the Pakistan Declaration, started with a famous statement:

"At this solemn hour in the history of India, when British and Indian statesmen are laying the foundations of a Federal Constitution for that land, we address this appeal to you, in the name of our common heritage, on behalf of our thirty million Muslim brethren who live in PAKISTAN – by which we mean the five Northern units of India, Viz: Punjab, North-West Frontier Province (Afghan Province), Kashmir, Sind and Baluchistan."

Choudhry Rahmat Ali propagated the Scheme of Pakistan with a missionary zeal since its inception in 1933. He coined the word "Pakistan", and published various booklets about his vision for South Asia. While making these endeavors he had expected people would have to fight to create Pakistan, but he never imagined the horrors of the communal rioting

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and mass murder which took place. He was shattered by the events associated with Partition in 1947 and 1948. Moreover he was also dissatisfied with the distribution of areas among the two countries which was far smaller than the one he suggested and dreamed of, and considered it a major reason for the disturbances.

He died in February 1951 and was buried on 20 February at Newmarket Road Cemetery Cambridge UK. Emmanuel College's Master, who had been Rahmat Ali's Tutor, himself arranged the burial in Cambridge on 20 February 1951.

Mualana Shaukat Ali (1873-1938)

Mualana Shaukat Ali was an Indian Muslim nationalist and leader of the Khilafat movement. He was the brother of Maulana Mohammad Ali Johar. He was born in 1873 in Rampur state in what today is Uttar Pradesh. Ali brothers were the prominent leader of Freedom Movement of Pakistan. Both were deeply interested in Islam. He was educated at the Aligarh Muslim University. He became the captain of cricket at Aligarh. From 1896-1913 Shaukat Ali served in the Provincial Civil service of United Provinces of Oudh and Agra. Shaukat Ali helped his brother Mohammad Ali publish the Urdu weekly Hamdard and the English weekly Comrade. In 1919, while jailed for publishing what the British charged as seditious materials and organizing protest, he was elected as the first president of Khilafat Conference. He was re-arrested and imprisoned from 1921 to 1923 for his support to Mahatma Gandhi and the Indian National Congress during the Non-Cooperation Movement (1919-1922). His fans accorded him and his brother the title of "Mualana".

Along with his brother, Shaukat Ali grew disillusioned with the Congress and Gandhi's leadership. He opposed the 1928 Nehru Report, and attended the First and Second Round Table Conference in London. His brother died in 1931, and Ali continued on and organized the world Muslim Conference in Jerusalem. In 1936, Ali joined the All Indian Muslim League and become a close political ally of and campaigner for Mohammad Ali Jinnah, the founding father of Pakistan. He served as member of the Central Assembly from 1934 to 1938. Shaukat Ali Died in 1938.

Maulana Mohammad Ali Johar (1878-1931)

Maulana Mohammad Ali Jauhar also known as Mohammad Ali was among the passionate fighters of independence who struggled against the British Colonial Powers. He was born in 1878 in Rampur, India. He belonged to the Yousaf Zai clan of the Rohilla tribe to a wealthy and enlightened family of Pathans. Mohammad Ali showed exceptional brilliance throughout his College career and stood first in the B.A. examination of the Allahabad University, later in 1898, Mohammad Ali proceeded to Lincoln College, Oxford, for further studies where he got honors degree in Modern History and devoted himself more to the study of history of Islam.

After his return to India, he took charge as education director for the Rampur state, and later for almost a decade served in the Baroda civil service. He possessed remarkable

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brilliance as a writer and orator, He wrote articles in various newspapers like "The Times", "The Observer" and "The Manchester Guardian" as well as other major English and Indian newspapers, in both English and Urdu. He was a great orator and still greater Journalist. He became firm opponents of British rule under the combined shock of the Balkan wars and Kanpur Mosque incident in 1913. He launched his famous weekly The Comrade, in English, from Calcutta, on January 14, 1911, written and edited by one man and produced on expensive paper, The Comrade quickly gained circulation and influence. After twenty months the paper moved to Delhi the then new capital of British Empire. Later in 1913 he started publishing an Urdu-language daily Hamdard as well. Mohammad Ali worked hard to expand the Aligarh Muslim University, then known as the Mohammedan Anglo-Oriental College, and was one of the co-founders of the Jamia Millia Islamia in 1920, which was later moved to Delhi.

Jauhar was among the founders of All India Muslim League and attended first meeting in Dhaka in 1906. He served as its president in 1918 and remained active in the League till 1928. Being a zealous Muslim and passionate believer of caliphate he played active role in Khilafat movement. He represented the Muslim delegation that travelled to England in 1919 to persuade the British government to influence the Turkish Mustafa Kamal not to depose the Ottoman Sultan, who was the Caliph of Islam. British rejection of their demands resulted in the formation of the Khilafat committee which directed Muslims all over India to protest and boycott the government. In 1921, Ali formed a broad coalition with Muslim nationalists like Shaukat Ali, Hakim Ajmal Khan, Mukhtar Ahmed Ansari and Indian nationalist leader Mahatama Gandhi, who enlisted the support of the Indian National Congress and many thousands of Hindus, who joined the Muslims in a demonstration of unity. He wholeheartedly supported Gandhi's call for a national civil resistance movement, and inspired many hundreds of protests and strikes all over India. He was arrested by British authorities and imprisoned for two years for what was termed as a seditious speech at the meeting of the Khilafat Conference. He was the sixth Muslim to become the President of Indian National Congress in 1923. Mohammed Ali's elevation to the Congress president ship helped to legitimize his position in nationalist circles but within months he began to drift away from congress. This had a great deal to do with deteriorating Hindu-Muslim relations and the Congress inclination towards the communal forces of Hindu Mahasabha. Mohammad Ali's anxieties were heightened by the growing fissures in the Hindu-Muslim alliance in Bengal and Punjab and the rapid progress of the Arya Samaj, the Hindu Mahasabha, and the shuddhi and sangathan. The publication of the Nehru report in August 1928 proved the last nail in the coffin of Hindu Muslim unity. Mohammad Ali Jauhar, in league with some others, disrupted a meeting which was tilted in favor of the Nehru report. Mohammad Ali Jauhar accused Motilal Nehru for 'killing non-cooperation and deplored Gandhi's endorsement of the Nehru Report. Mohammad Ali opposed the Nehru Report's rejection of separate electorates for Muslims, and supported the Fourteen Points of Muhammad Ali Jinnah and the League.

Mohammed Ali pleaded Muslims to send a separate delegation in 1930s London Round Table Conference to represent Muslims. His appeal symbolized the collapse of the old

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alliance on which Gandhi had built the non-cooperation movement and clearly showed that only Muslim League spoke for the Indian Muslims. Although seriously ill he joined the delegation, led by the Aga Khan, with the firm conviction that critical collaboration with the British at the Round Table Conference would bring greater political benefits. His speech at the Round Table Conference, which turned out to be his last sermon, appeared to be the last wish of dying man, 'I want to go back to my country, 'Mohammed Ali declared, 'with the substance of freedom in my hand. Otherwise I will not go back to a slave country. I would even prefer to die in a foreign country so long as it is a free country, and if you do not give me freedom in India you will have to give me a grave here.' Mohammed Ali, a chronic patient of diabetes, died soon after the conference in London, on January 4, 1931 in London and was buried in Jerusalem in the court-yard of Masjid-ul-Aqsa, the second holiest mosque of Islam.

Shabbir Ahmad Usmani

Shabbir Ahmad Usmani (October 6, 1886 - December 13, 1949) (Arabic: شبير أحمد عثماني) was an Islamic scholar who supported the creation of an Islamic system of governance in Pakistan after its creation in 1947. He was a theologian, writer, orator, politician, and expert in tafsir and hadith. He was also a student and *khalifa* of Shaikhul Hind Mahmud ul Hasan.

Early life

Usmani was born on October 6, 1886 in Bijnor, a city in Uttar Pradesh, India. His father, Moulana Fadhlur Rahman, was the deputy inspector of schools and had been sent to Bareilly when his son was born. Usmani was educated at Darul 'Ulum Deoband, where he became a disciple of Shaikhul Hind Mahmud ul Hasan, and graduated with distinction in 1908. After his graduation, he was appointed as a *mudarris* (teacher) at Darul 'Ulum Deoband. In 1915, when Shaikhul Hind journeyed to Hijaz, Usmani filled his position as the teacher of *Sahih Muslim*. In 1925, Sultan Ibn Saud of Saudi Arabia scheduled a conference for prominent 'Ulama from all over the world. A deputation of a number of 'Ulama from India participated in this conference, with Usmani among them. Sultan Abdul Aziz bin Sa'ud was impressed by Usmani's eloquent and scholarly lectures and initiated a number of reforms in his administration. In 1926, he moved to Dabhel and became a teacher at Jami'a Islamiyyah. In 1933, when Allama Anwar Shah Kashmiri died, Usmani became the teacher of Sahih ul Bukhari.

Literary works

Maulana Usmani's greatest literary work is *Tafsir-e-'Uthmani*. This is an Urdu translation of the tafsir of the Qur'an written by his Shaikh, Shaikhul Hind Mahmud ul Hasan. In this work, Maulana Usmani derived extracts from thirteen or fourteen other works. His next most renowned literary work is *Fathul Mulhim Sharh Sahih Muslim*, which is a commentary on *Sahih Muslim*. He completed three volumes, and his work was complemented by a six-volume work, *Takmila Fathul Mulhim*, published by Mufti

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Muhammad Taqi 'Uthmani. Another of Usmani's notable works is *Tark-e-Muvalaat Par Mufassal Tabsera*, a pamphlet written in 1921 requesting that the 'Ulama lead the Muslims of India against the British. This pamphlet was banned by the British government. Usmani's other literary works include *Hamara Pakistan* (a pamphlet written in 1942), *Hamara Islam*, and *Khutbat-e-'Uthmani*.

Political career

During the Balkan War, Usmani held a prominent position collecting donations for the Hilal-e-Ahmar Fund. In 1944, he became a member of the Muslim League. Usmani also founded the Jamiatul 'Ulama-e-Islam in 1946, to counteract the perceived propaganda of the Anti-Pakistan Movement and activities held by the Jamiatul 'Ulama-e-Hind. He served as its president until his death. It was due to Usmani's efforts that the Muslim League became a powerful organization and succeeded in the achievement of its goal.

After the Partition of India, Usmani became a member of the Constituent Assembly of Pakistan, and remained a member till his death. Usmani is remembered for having written the *Qarardad Maqasid* (Objective Resolutions) in March 1949, which was passed by the Constituent Assembly and became the basis of the Constitution of Pakistan. He participated in the preparation of the first draft of the Constitution, and conducted the inauguration of the flag of Pakistan and of the Constituent Assembly itself.

Death

Shabbir Ahmad Usmani died at Baghdad ul Jadid in Bahawalpur State on December 13, 1949, and was buried at Islamia College, Karachi.

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Chapter # 4

Contribution of Women and Students in Freedom movement

1. Women's Contributions in Pakistan Movement

I know that in the long struggle for the achievement of Pakistan, Muslim women have stood solidly behind their men. In the bigger struggle for the building up of Pakistan that now lies ahead, let it not be said that the women of Pakistan had lagged behind or failed in their duty.

(Quaid-i-Azam Mohammad Ali Jinnah, Broadcast speech from Radio Pakistan, Dacca, March 28, 1948)

Pakistan came into existence in 1947 in the areas where centuries-old Indus Civilization always existed. Having witnessed the world's oldest culture, religious beliefs, heritage and history, Pakistan owns an incredible historical sense and geography in the world. Modern-day Sindh and Balochistan soon attracted early Arab Muslim rulers and travelers, and with their arrival spread the great message of Islam. With the passage of time, Delhi, Lahore and Multan became the centers of Muslim power in India. Historians call this period from Ghauris to Mughals as 'Muslim rule in India'.

However, Indian Muslim rulers could not keep pace with the changing times and that resulted in decay and downfall. The failure of 1857 War of Independence ended the golden era of Muslim rule in India. In these times of turbulence and disappointment, Sir Syed Ahmed Khan emerged as a great reformist leader of the Muslims of the subcontinent. He emphasized on the need of western education for the Muslims in India. This in a way paved way for women's education in coming decades as the fathers and brothers educated from Aligarh University later led the social and political life of the Muslims. During this period, the emphasis remained on male education but gradually women could not stay aloof from the political developments. The first woman who shines in history of Pakistan Movement is Abadi Begum, famously known as Bi Amman. She was the mother of famous Muslim leaders Moulana Shoukat Ali and Moulana Mohammad Ali Johar. Both the brothers played leading role during *Khilafat Movement* (1919-1922). *Bi Amman* stood like a rock

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behind her sons and encouraged them to stand firm in their struggle and never bow to the powers of the foreign rulers. *Bi Amman* and her daughter-in-law, wife of Moulana Mohammad Ali Johar, also addressed the public gatherings. The leadership that was groomed during *Khilafat Movement* played a vital role during later phases of Pakistan Movement.

Quaid-i-Azam Mohammad Ali Jinnah's rise to the top leadership of Muslims of India also led to a wider and more assertive role of women in Indian politics. He firmly believed in the power of women and encouraged them to come forward and play their role. His encouragement and support to his sister Miss Fatima Jinnah served as a shining example for other women. He always took along his sister wherever he travelled and also encouraged her to participate in political meetings. In 1938, Quaid-i-Azam created All India Muslim Women's Sub-committee of All India Muslim League. This provided a strong platform for the women to take part in active politics at a much wider scale.

Mohtarma Fatima Jinnah, Begum Ra'ana Liaquat Ali Khan, Begum Salma Tassaduq Hussain, Begum Jahanara Shahnawaz, Lady Abdullah Haroon and Shaista Ikramullah are the few names that appear on the top but during last few years of struggle for Pakistan, thousands of women left the comfort of their homes, took part in public life and contributed significantly. During 1945-46 elections, these women leaders accepted the challenges and worked tirelessly for months, side by side with their men folk under Quaid's leadership. They proved their mettle by mobilizing masses in the entire India. They launched campaign after campaign to get political support for the slogan, *"Lay ke rahen gay Pakistan'*. Women's mobilization in Punjab to put pressure on Unionist Government, and in NWFP against Congress-led government is of great importance in the creation of Pakistan.

The young female students were able to generate funds for which they travelled across the country. They also launched awareness campaigns to highlight 'Pakistan' and its significance for the Muslim women. The Muslim League women committees used to hold meetings in various *mohallas* of different localities where they described the 'Idea of Pakistan' through their meaningful speeches and also answered the questions raised by the participants. Then came the most crucial phase of Pakistan Movement when millions of families migrated to Pakistan. Women suffered all sorts of brutalities at the hands of Hindu and Sikh militants but their resolve for an independent homeland never wavered. Their tales of uncomplaining sufferings for the cause they believed in is a glorious chapter of Pakistan Movement.

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After independence, Quaid-i-Azam stood unequivocally for the great role women were to play in the formation of Pakistani nation. He believed in their immense power in national life which is obvious through his words which he spoke on June 28, 1948:

"In the great task of building the nation and maintaining its solidarity, women have a most valuable part to play, as the prime architects of the character of the youth that constitutes its backbone, not morally in their own homes but by helping their less fortunate sister outside in that great task.... I wish to impress on you that the nation cannot rise to the heights of glory unless your women are side by side with you.... You should take your women along with you as comrades in every sphere of life avoiding the corrupt practices of western society. You cannot expect a woman who is herself ignorant to bring up your children properly. The women have the power to bring up children on right lines. Let us not throw away this asset".

Lady Abdullah Haroon

Begum Jahanara Shahnawaz

Begum Tasadduque Hussain

Begum Shaista Suhrawardy Ikramullah

Mohtarma Fatima Jinnah

Ra'ana Liaquat Ali Khan

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Role of Students in Pakistan Movement

The creation of Pakistan too had many contributors who played a vital role in the Freedom Movement but the role of students, unquestionably, had been remarkable throughout.

There is no denying the fact that the credit for introducing the educational reforms, and awakening the Muslims of the Subcontinent, mostly goes to the great Sir Syed Ahmad Khan. For instance, Allama Iqbal said:

"The real greatness of the man (Sir Syed) consists in the fact that he was the first Indian Muslim who felt the need of a fresh orientation of Islam and worked for it."

The War of Independence of 1857 proved to be a seminal event in the history of India, and a watershed moment for the reformers like Sir Syed. At this critical juncture in the history of Indian Muslims, Sir Syed Ahmad Khan realized that the miseries of the Muslims could only be curtailed by achieving modern education. Sir Syed clearly foresaw the imperative need for the Muslims to acquire proficiency in the English language and modern sciences if the community were to maintain its social and political identity, particularly in Northern India. With this vision in mind, he founded the Aligarh Madarasa, in 1875, which was later given the status of Mohammeden Anglo Oriental (MAO) College, in 1877. The students of this institution were strikingly different from the rest; and this change marked the emergence of a new trend in the lives of the Muslims of the Subcontinent, who were destined to play a significant role in the Freedom Movement. Maulvi Abdul Haq rightly said:

'People say Sir Syed Ahmed Khan set up a college; nay. He made a nation'.

The rift between the Hindus and the Muslims was continuously widening and all the initiatives taken for the unity between the two communities remained futile. It was only the stubbornness of the Congress that led to the formation of a separate political platform for the Indian Muslims. Similarly, the biasness of the All-India Student Federation (AISF), which was also known as 'Baby of the Congress', resulted in the creation of All-India Muslim Students Federation (AIMSF) that was formed on January 17, 1936, with Mohammad Wasiq as its General Secretary and Mohammad Noman as Organising Secretary. The constitution of this organisation was presented on December 29, 1937, in a conference held in Calcutta which focused on uniting and organising the Muslim students nationwide, to arouse political consciousness amongst them, to work for the betterment

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and advancement of the social and economic condition of Muslims, to popularise Islamic culture and faith, to have friendly relations amongst different communities of India and to promote cooperation between the Muslim students of India and rest of the world.

The biasness of the All-India Student Federation (AISF), which was also known as 'Baby of the Congress', resulted in the creation of All-India Muslim Students Federation (AIMSF) that was formed on January 17, 1936, with Mohammad Wasiq as its General Secretary and Mohammad Noman as Organising Secretary.

Despite facing various issues in initial years, such as lack of skilled individuals, shortage of funds and absence of strong leadership, the students stood up for the rights of Muslims of the Subcontinent. Muslim students of Punjab, Sindh, Balochistan, North West Frontier Province (NWFP), Bengal, Assam, Bombay, Bihar, Central Provinces (CP), Delhi, Madras, Orissa, United Province (UP) and Banglore had their own Muslim Student Federations (MSF) who worked day in and day out for the struggle of Pakistan Movement. It was noteworthy to witness both Muslim men and women participating in this great effort.

Muslim Girls' Student Federation was set up with Begum Ikramullah, appointed as its convener. Regardless of the cultural barrier, many female students worked enthusiastically and helped in arousing political consciousness among Muslim women.

The Freedom Movement gained momentum in the early 40's and so did the students' activities. Muslim students worked socially, intellectually, journalistically and politically to serve the national goal. Their enthusiasm reflects in the titles they used before their names such as Khadim-e-Pakistan and Mujahid-e-Pakistan. They also interacted with the common people of different villages and towns, giving them political awareness. A Pakistan rural propaganda committee was set up by the Punjab MSF to carry the League's message to the villagers. Summer schools were held in various colleges and universities to enlighten the students regarding the political situation. Fund—raising was also an important activity carried out by the students to financially help Muslim League in the upcoming elections of 1945. The students not only worked in their respective areas but also helped their brothers in other provinces, forming an inter-province cooperation. One such incident was when the students from different provinces went to join the civil disobedience movement in Punjab. The students of Bihar were engaged in the relief operation and organised rehabilitation of the riot-affected people suffering from disastrous

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communal riots in the province, during October 1946. A Red Crescent hospital was set up as well, by the Madras MSF, in 1946, which besides providing the treatment to the injured also gave first-aid training. The students used intellectual front as a significant source for propagating Quaid's vision, for which various conferences, camps, symposia, literacy campaign, elocution contests, cultural and educational activities and study circles were organised by MSF, which turned out to be very helpful.

The journals and pamphlets, published by different MSFs, also played a key role in this regard. The AIMSF decided to publish a quarterly journal, shortly after their first session in 1937. The journal was titled 'Awakening,' and its Urdu version, 'Bedari,' was edited by Hasan Ahmad Razi. Another official journal was published by Surat MSF in 1942 named 'The Crescent,' which was available in three languages: English, Urdu and Gujrati. 'Souvenir' and 'Muslim Times' were published by the CP and Berar MSF from Nagpur. The UP MSF brought about the 'Spirit of Youth' in 1942. All these journals promoted the objectives of Muslim League and its leaders and this effort of the students was no doubt an important contribution to the national cause.

The political role of Muslim students was a valuable contribution towards the independence of Pakistan. As the time drew closer for the elections of 1945-46, the activities of the students grew faster. Hundreds of trained volunteers were appointed for different duties in the election campaign, as well as for the Election Day. This time, too, they had to face enormous difficulties in the form of police and official interference. Furthermore, they had a tough time in Hindu-majority areas too where they were abused and stoned. But, nothing could distract them from achieving their goal and ultimately their struggles, effort, sincerity and hard work resulted in the creation of Pakistan.

Quaid-i-Azam utilised this great asset of youth particularly for the national interest. He once said: 'I insist you to strive. Work, work and only work for satisfaction with patience, humbleness and serve thy nation'. We have in this quotation a solution to transform our youth from a liability to an asset, as AllamaIqbal said:

Nahi hai na-umeed Iqbal apni kisht-e-veera'n se
Zara num ho to yeh mitti buhat zarkhez hai saqi!

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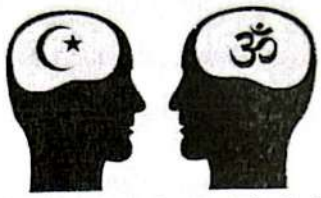
Chapter # 5

Evolution of Two Nation Theory

1- Hindi-Urdu Controversy



Hindu revivalist movements turned more against the Muslims. Hindu nationalism was rival to the Muslim nationalism. The Indian nationalism forced Muslims to organize themselves politically to defend their interests effectively. After 1857, Hindi-Urdu Controversy was the major assault by the Hindus on Muslim heritage and legacy of the great Muslim Empire. Hindus were biased against Urdu as it was the Muslims' language. They demanded Hindi as the official language replacing Urdu. There were demonstrations against Urdu by the Hindus in Banaras in 1867. It was the start of the Hindi-Urdu controversy. On the very issue, Sir Syed foretold about the unstable future of Hindu-Muslim unity. Hindus struggled vigorously to replace Urdu by Hindi in the offices. This enhanced the importance of the sense of Muslim separatism. The Muslim nationalism is manifested with the sublime principles to implement like:

1. **Rule of Law, socio-economic justice, equity and fair play.**
2. **Equality of opportunity to all citizens irrespective of caste, sect, religion or region.**
3. **Religious and Cultural tolerance.**
4. **Respect for human dignity and rights.**
5. **Protection of the rights and interests of non-Muslims and freedom to practice their beliefs and religions.**

2- Partition of Bengal

The partition of Bengal was the most important event during the rule of Lord Curzon. It was carried out mainly for the convenience of administration. Bengal in those days was the biggest province of India extending over 1,89,000 square miles with a population of 80 million. It was comprising of Bengal, Behar and Orissa and was under the central of one lieutenant Governor. After Lord Curzon took charge as Governor General of India the discussion over the Partition began due to the following issues:

i. Vastness of Province
ii. Limited Sources of Communication
iii. Superiority of Hindus over Muslims (West Bengalis-The Hindus majority considered themselves superior to the East Bengali-Muslim majority)
iv. Need of the time.

Muslims' Response

It received a favourable response from the Muslims. It was thought that it would bring the emancipation of Muslims socially and economically. The Muslims welcomed the Partition of Bengal for the following reasons:

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i. In the majority province of East Bengal the Muslims would be free from Hindu dominance in economic field.
ii. The Partition could result in political uplift and securing represent action in the Government.
iii. The partition of Bengal relieved the Muslims from competing with Hindus, who were more advanced in every field of life.

Hindus Response

i. The Hindus did not accept it, as it dealt a telling blow to their monopolies and exclusive hold on economic, social, Political life of the whole of Bengal. They called it as a deliberate attempt by British Government
ii. The Partition of Bengal had brightened the possibility of betterment of Muslims; while the Hindu landlords, capitalists and traders wanted status quo and to continue the exploitation of the Muslims.
iii. Hindu lawyers also reacted to the partition of Bengal because they thought that the new province would have its separate courts and thus their practice would be affected.
iv. Hindu press was not different from that of Hindu advocates. Hindus had their monopoly over almost whole of the province press. They were afraid that new newspapers would be established which would decrease their income naturally.
v. The Hindus launched Swadeshi Movement whose sole purpose was to boycott of British goods.

Annulment of the Partition

When Lord Hardinage assumed charge as Governor General of India Hindus again became active and sent a representation to him for the annulment of partition of Bengal. He recommended the same to the British Prime Minister for Indian Affairs. On the occasion of the visiting His Majesty George V to Indo-Pakistan and holding of Darbar at Delhi on 12th December 1911 the partition of Bengal was cancelled.

3- The Shimla Deputation

A delegation consisting of 35 leaders of Muslim community meet to the viceroy, under the leadership of Sir Aga Khan, in Shimla on 1st October 1906. The deputation was included the members from Bengal, Punjab, U.P., Bombay, Madras, Sindh, C.P., Deccan, and Delhi.

Demands

i. Rights of separate electorates should be given to the Muslims
ii. Muslims should be given three more seats in central legislature
iii. Quota should be given to the Muslims in civil services
iv. Muslims should be given representation in universities senates and syndicates
v. Aid should be given to the Muslims for the establishment of a Muslin university.

The demand of separate electorates, which were presented through the deputation, was the foundation of all future constitutional amendments for India which was later accepted firstly by the British in Minto-Morley reforms and then by Hindus in Lucknow pact.

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4- **Formation of All-India Muslim League**

The Muslims of India were greatly disappointed by the anti-Muslim stance that the Congress seemed to have adopted for all social, economic and political aspects. Thus, formed All-India Muslim League on 30th Dec, 1906.

Reasons for establishment

i. Indifferent Attitude of the Congress towards Muslims
ii. Educational and Economic Backwardness
iii. Urdu-Hindi Controversy
iv. The Success of Shimla Deputation
v. To Save Muslims as separate entity

Objectives

i. To create a feeling of loyalty among the Muslims towards British Government and to remove misconception and suspicion.
ii. To safeguard the political rights of the Muslims and to bring them into the notice of the Government.
iii. To prevent the racial prejudice feelings among the Muslims against the other communities of India.

5- **Lucknow Pact**

It was decided that both Muslim League and Congress would submit a jointly agreed scheme of constitutional reforms to the government and impress upon the government to incorporate this scheme in any future constitution of India. It was at this occasion that Mrs. Sarojini Naidu, an eminent Indian Leader, gave Jinnah the title of the "Ambassador of Hindu Muslim Unity".

The constitutional proposals

i. One Third seats for Muslims in the Imperial Legislative Council.
ii. Separate Electorate
iii. Half members of the Executive Council to be elected by the Imperial Legislative Council.
iv. Commissioned ranks of the army for Indians.
v. Expansion of Provincial Legislative Councils.
vi. Half members of the Governor's Executive Council be elected by Provincial Legislative Council.
vii. Weightage to minorities in provinces.

It was a great success that Hindus had accepted the Muslim demand of separate electorate and more number of seats in Imperial Legislative Council but the spirit of Lucknow Pact did not last long. The friendly atmosphere created by the Pact soon waned out and an extremist Hindu element soon took over Congress.

6- **Nehru Report**

After the boycott of Simon commission, Lord Birkend head, Secretary of State for Indian Affairs, challenged the Indians, "If they have any political capability and

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competence then they should form a unanimous constitution and present it to us and we will implement it."

Indian political parties accepted the challenge and called an All Parties Conference at Delhi in January 1928. Despite many hurdles, the Nehru Committee completed its task and its report, commonly known as Nehru Report was presented in the fourth session of the All Parties Conference held in August 1928.

Demands

i. India should be given Dominion Status (Semi independent polities under British crown) with the Parliamentary form of Government.

ii. There should be a bi-cameral legislature consisting of senate and House of Representatives. The senate will comprise of two hundred members elected for seven years, while the House of Representatives should consist of five hundred members elected for five years.

iii. Governor-General will act on the advice of executive council.

iv. There should be Federal form of Government in India with Residuary powers to be vested in Centre.

v. There will be no separate electorate for minorities. It claimed "since separate electorate awakens communal sentiments.

vi. There will be no reserved seats for communities in Punjab and Bengal. However, reservation of Muslim seats could be possible in the provinces where Muslim population should be at least ten percent.

vii. Judiciary should be independent from the Executive.

viii. There should be 1/4th Muslim Representation at Centre.

ix. Sind should be separated from Bombay.

x. Reforms should be introduced in NWFP

The report was not acceptable to Muslims and both the Muslim members of the Committee did not sign it. So, Jinnah representing the Muslim League presented following four amendments in the report:

Amendments By Jinnah

i. There should be no less than one-third Muslim representation in the Central Legislature.

ii. In event of the adult suffrage not being established, Punjab and Bengal should have seats reserved for the Muslims on population basis.

iii. The form of the constitution should be Federal with residuary powers vested in the provinces.

iv. Sind should immediately be made a separate province and the reforms should also be introduced in NWFP and Balochistan at the earliest.

Jinnah's proposals were rejected when put to vote in All Parties Conference. The Congress managed to get the majority vote in favour of the Report. They asked the Government to make a constitution till December 31 according to the recommendations of Nehru Report and threatened that otherwise the party would start a mass movement for the attainment of Swaraj. It was also decided that January 26 would be celebrated as the Independence Day. Jinnah considered it as the "parting of the ways" and once the "Ambassador of Hindu-Muslim Unity" was now convinced

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that the Hindu mindset in India was bent upon pushing the Muslim minority to the wall.

7- Jinnah's 14 points

Jinnah decided to give an alternative Muslim agenda. So, he presented his Fourteen Points which are;

i. The form of the future constitution should be federal with the residuary powers rested in the provinces.
ii. Provincial Autonomy to all the provinces.
iii. Adequate and effective representation of minorities in every province.
iv. In the central legislative, Muslims representative shall be not less than one-third.
v. Provision of Separate Electorates for all communal groups but any community can at anytime abandon its own right in favour of joint electorate.
vi. Territorial re-distribution shall not in any way, affect the Muslim majority in Punjab, Bengal and N.W.F.P.
vii. Religious Liberty
viii. No bill or resolution shall be passed in any legislative or any other elected body if three-fourths of the members of any community in that particular body oppose such a bill.
ix. Sindh should be separated from Bombay Presidency.
x. Reforms should be introduced in the North-West Frontier Province and Baluchistan.
xi. Muslims should be given adequate share along with other Indians in the services of State.
xii. Protection of Muslim's culture and Language.
xiii. No cabinet, either central or provincial shall be formed. Without being a proportion of at least one-third Muslim Ministers.
xiv. No change shall be made in the constitution of state except with the concurrence (agreement) of State constituting the Indian Federation.

8- Allahabad Address, December 1930

Iqbal presented a review of the political and social situation of India and solution of the ills befalling India. He evaluated the importance of role of Islam in the lives of Muslims of British India. He said that the European view of duality of religion and state does not apply here in the Indian society. Rejecting the secularism he said, religion is not a totally personal affair.

He explained that Islam offers an ethical order, socio-political structure, legal framework, code of life, culture and civilization. It is a living, dynamic force that has a profound impact on the lives of Indian Muslims. With the force of Islam the scattered and disoriented people have been turned into an organized force.

The Muslims are not willing to submerge their religious individuality. They have lack of trust, fear of domination from Hindus. If the British want any sort of internal harmony it would be impossible unless the communal question is settled. It's historical reality that India is a continent inhabited by diverse people. No political arrangement may be acceptable without recognizing this reality.

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- If the Muslims have an opportunity to develop in accordance with their Islamic civilization and tradition, they would be willing to sacrifice their lives for India.
- Federalism cannot succeed without recognizing the national identity of the Muslims.
- Territorial redistribution of British India on the basis of religion has become a need of time.
- Punjab, NWFP, Sind and Balochistan be amalgamated into a state, self-government within the British Empire or without it. The formation of such a consolidated North Western Muslim state appears to be the final destiny of the Muslims, at least of North West India. To India, it will offer peace and security due to internal balance of power. Islam is a people building force in India that has given moral consciousness and political identity to the people.

Importance

Iqbal's address is a forceful and logical presentation of the Muslim case in India. Why should they be treated as a political entity rather than a minority?

- Territorial adjustments will enable the Muslims to develop themselves in accordance with their ideals and serve the cause of Ummah.
- Redistribution of territory developed later on concept of Muslim homeland.
- He further expressed these ideas in LETTERS TO JINNAH from May 1936 to November 1937. He talked of a separate federation of Muslim provinces. The North Western India and Bengal can be considered as entitled to self-determination like other nations in India and outside. Shariah's development is impossible without a free Muslim state or states. He advised the Muslims to be above self-interest and devote themselves to Islam.
- In difficult times, Islam has saved the Muslims.
- Faith, culture and historical traditions are more important than patriotism.

9- Congress Ministries (1937-39)

Even though Muslim League and Congress were against the Government of India Act 1935, yet it was implemented in the winter of 1937. Now, what lay before them was the task of persuading their concerned masses to support them in the upcoming elections. But Muslim League, which stood for separate electorates, was unfortunately divided in several factions owing to personal and ideological differences. Congress, on the other hand, was raising slogans of joint electorates. Congress also wanted Hindi to be declared as the official language in the Deva Nagri script, while Muslims were in favour of Urdu in Persian script to be officially declared as the national language of the Indian sub-continent.

The result of elections came as a huge shock to both the parties. Congress, who claimed to be representing 95% of the total Indian population, could not even secure 40% of the seats. It won almost 750 seats out of 1,771 in 8 out of 11 provinces. Its success was restricted to Hindu-majority provinces only. As for the results for the Muslim League, they were greatly disappointing. Out of 491 Muslim seats, it could only capture 106 and 26 of them were taken by Congress. Hence, the final success of the elections was

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named in the favour of Congress, which gained majority in Bihar, Orissa, Madras and U.P and other regions.

The Congress didn't set up ministries for about four months demanding British government to not interfere in its legislative affairs. Discussions between them took place, and at last, the British agreed without making any formal amendment to the Government of India Act 1935.

As a result of which, Congress ministries were formed in July 1937 but with bitter policy against Muslims: Hindi became the national language, Congress flag became the national flag, and Bande Matram became the national anthem. A strict prohibition was laid on cow slaughter and singing of Bande Matram was started in schools. Construction of new mosques was banned and Muslims were harassed while they offered prayers.

Twenty-seven months of Congress rule were characterized by rising political Hinduism, which seemed to be working only for the welfare of Hindu community and revenging the previous 700-year Muslim rule over them, as stated by some Congress leaders. Educational reforms were introduced that were purely anti-Muslim in spirit. The purpose of Warda Taleemi Scheme was to displace the idea of two nation theory from minds of Muslim children, while Vidya Mandar Scheme aimed at promoting Hindu culture by making Mandar education necessary at elementary level. Muslims were also kept back in economic circle.

Several reports such as "Pirpur Report", "Muslim Sufferings under Congress Rule", and "The Sharif Report" were issued by Muslims leaders to give word and voice to the injustice and cruelty they were receiving under Congress reign, and they found expression in newspapers. When World War II started in 1939, the British were fighting against the Axis Powers. The Viceroy of India announced India's involvement without consulting its representative political leaders. Congress asked for transfer of power in repayment of their cooperation in war, which the British government denied. As a result, Congress ministries resigned. Thus came to an end the nightmarish rule which had terrorized Muslim community beyond imagination. Quaid-i-Azam asked the Muslims to observe it as a "Day of Deliverance" with peace and without any harmful intent towards any other nation. Prayers of thanksgiving and gratitude were offered and Muslims took a sigh of relief from the atrocities committed against them in the two-year Congress rule.

10- The Lahore Resolution -

From March 22 to March 24, 1940, the All India Muslim League held its annual session at Minto Park, Lahore. Quaid-i-Azam Muhammad Ali Jinnah narrated that the problem of India was not of an inter-communal nature, but manifestly an international one and must be treated as such. To him the differences between Hindus and the Muslims were so great and so sharp that their union under one central government was full of serious risks. They belonged to two separate and distinct nations and therefore the only chance open was to allow them to have separate states.

He said, "Mussalmans are a nation according to any definition of nation. We wish our people to develop to the fullest spiritual, cultural, economic, social and political life in

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a way that we think best and in consonance with our own ideals and according to the genius of our people".

On the basis of the above mentioned ideas of the Quaid, A. K. Fazl-ul-Haq, the then Chief Minister of Bengal, moved the historical resolution which has since come to be known as Lahore Resolution or Pakistan Resolution.

The Resolution declared: "No constitutional plan would be workable or acceptable to the Muslims unless geographical contiguous units are demarcated into regions which should be so constituted with such territorial readjustments as may be necessary. That the areas in which the Muslims are numerically in majority as in the North-Western and Eastern zones of India should be grouped to constitute independent states in which the constituent units shall be autonomous and sovereign".

The Resolution repudiated the concept of United India and recommended the creation of an independent Muslim state consisting of Punjab, N. W. F. P., Sindh and Baluchistan in the northwest, and Bengal and Assam in the northeast. The Resolution was seconded by Maulana Zafar Ali Khan from Punjab, Sardar Aurangzeb from the N. W. F. P., Sir Abdullah Haroon from Sindh, and Qazi Esa from Baluchistan, along with many others.

Having passed the Pakistan Resolution, the Muslims of India changed their ultimate goal. Instead of seeking alliance with the Hindu community, they set out on a path whose destination was a separate homeland for the Muslims of India.

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Chapter # 6
Role of Communalism and Religious Differences

Factors Leading to Muslim Separatism in the Sub-continent

There are a few factors which spit the inhabitants of the sub-continent into two nations

1. Evolution of Two-Nation Theory:

Hindu and Muslim historical collusion started when Muhammad Bin Qasim, defeating Raja Dahir in 712, founded Islamic government in the Sub-continent. Many battles were fought between Hindus and Muslims under Muslim Rule. The historical collusion continued also during the British Regime. Hindus, cooperating with British, tried to diminish Muslim culture and their way of life but they remained futile. The future of Muslims was obvious in such condition; therefore, they decided to demand for the separate homeland.

2. Religious/ Ideological Factors:

- Muslims (Islam)
- Hindus (Hinduism)

The Muslims and Hindus have different religions. Islam preaches Tauheed and believes in equality of man before law. Muslims believe in oneness of ALLAH and finality of Holy Prophet Muhammad (P.B.U.H). The Holy Book holds a cohesive approach towards life. While the Hindus follow the religion which is based on the concept of multiple Gods. They follow a caste system and the society is divided into four classes.

3. Cultural Factors:

Muslims follow an Islamic culture while Hindus follow self built culture. Muslims bury their dead ones while Hindus burn them. Both Hindus and Muslims have totally opposite culture. Hindu is a narrow-minded nation who does not believe the philosophy of equality. They consider themselves superior, thus the "Uttar Pradesh," and used to call Muslims 'Maleech' (impure). There was no concept of eating and drinking together. Furthermore, Muslims were not allowed to touch the food items of Hindus. There was only way out for the Muslims, to demand a separate homeland where they would have freedom.

4. Social Factors:

There exist a number of social differences between the Hindus and Muslims. The food, their clothing, words and salutations, the gestures are totally different.

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5. Economic Factors:

Hindus by force whereas the Sangathan Programme sought to organize the Hindus into a Militant force to flight with the Muslims.

- Islam believes in circulation of wealth (Zakat)
- Hinduism believes in capitalist economy

After 1857, Muslims economy was crushed and all the trade policies were formed in such a way so as to destroy the Muslims ambition. They were thrown out of Government services and their estate and properties were confiscated. However, the Hindus were provided ample opportunities to make program.

6. Educational Differences:

The Hindus had advanced in educational field because they readily acquired English education. The Muslims were not able to acquire modern knowledge so they lacked behind in education.

7. Historical Factors: Hindus and Muslims had lived peacefully together in India for centuries, but after the British invasion in South Asia and their undue support to Hindus, life became very difficult for Indian Muslims. In fact, the Muslims were a separate nation who always adhered to their religious identity. The British and the Hindus in spite of their great efforts could not put a wedge into the Muslim unity and their love for the national character. The creation of Pakistan owes much to this feeling of adherence to their national image and religious identity. Islam is a complete code of life for the Muslims and they are eager to implement it in their personal and collective life. Islamic code of Life or Islamic Ideology cannot be implemented until a pure Islamic Society free from all other non-Islamic influences is established. The desire to establish an Islamic State was also one of the factors to demand a separate homeland. Separatism is the advocacy of a state of cultural, ethnic, tribal, religious, racial, governmental or gender separation from the larger group. While it often refers to full political secession, separatist groups may seek nothing more than greater autonomy. Since the British snatched power from Muslims, they were doubtful about the faithfulness of Muslims. So, Hindus and British joined hands to destroy the Muslims morally, socially, economically and politically. They reserved all higher civil, judicial and military appointments for British only while Muslims were debarred from all official positions. The Islamic educational system was replaced by British one. Then Muslims were forced to change their religion to Christianity and were compelled to send their children to co-educational institutes and abandon purdha. This was the reason that Muslims became fed up with both British and Hindus and decided to have a separate homeland

8. Urdu-Hindi Controversy (1867):

Muslims were disappointed when in April 1900 UP Governor Sir Antony Mac Donnell gave Hindi the status of National language with Urdu. That's why Muslims felt the need to set a political party. Then after a detailed discussion at last All India

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Muslim League was established in 1906. Maulvi Abdul Haque (1870-1961) has rightly said, Urdu Language placed the first brick in the foundation of Pakistan. It is a reality that it was one of the major reasons for demanding a separate country. Hindus, with the consent of British during the Congress Ministries, burnt and looted the properties and houses of Muslims, Moreover, the signs of Muslims, past glory were damaged. Educational Syllabus was changed. Urdu was replaced by Hindi and the Muslim students were forced to worship statues of Gandhi in their schools. The Muslims of India, therefore, decided that the Muslim culture could be protected in a free and separate Muslim State.

9. Narrow Mindedness of Hindus:

During the period of British Government, Hindus practically threw out Muslims from the fields of trade and industry. All the business, industrial, and services opportunities were occupied by Hindus and some degraded jobs were left for the Muslims. Muslims of India became the political slave of British and economic slave of Hindus. To come out from this brutal circle, at last, Muslims decided to demand for a separate homeland.

10. Role of Hindu Militant Organizations:

1) Shuddi and Sangathan Movement

Maha Sabha was established in 1900. It was a non-political party until the Shuddhi and Sangathan Movement started. These movements motivated Maha Sabha to be involved in politics. It proved to be the worst enemy of Muslims. The party declared Muslims as outsiders and said that Muslims have no relation with India. If they want to leave it then they could leave it happily but if they want to live in India, they will have to accept Hindu Mut. So, it was impossible for Hindus and Muslims to live in a country together.

2) Activities of Maha Sabha

Urdu was considered to be the language of Muslims in the subcontinent. In 1867, the Hindu-Urdu controversy began with some outstanding Hindus of Banaras demanding replacements of Urdu by Hindi as the court language. The supporters of Hindi claimed for it a national status whereas the Muslims hotly denied it. As the controversy spread, the two languages became more and more exclusive.

12. Hindu Nationalism:

A number of Hindus nationalism movement which spring up from time to time added fuel to the fire by playing up the tension which already existed between the two communities. The nationalist leaders totally ignored the great contribution made by Muslims by way of promoting education and other social activities. They failed up the criminal discord to further polite the political conditions.

Hindu Muslim Unity evaporated in the year after the Khilafat Movement and Hindu Muslim Riots began. The poison of differences between the two nations aggravated with

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the passage of time. The differences reached to the peak when Shuddhi and Sangathan movements began. The Shuddhi Movement aimed at the mass conversion of certain backward groups of Muslims into Hindus by force whereas the Sangathan Programme sought to organize the Hindus into a Militant force to flight with the Muslims.

13. Congress Ministries (1937-1939) Congress Government:

While all this is understandable, it is important to remember that there was no right or wrong side to the partition. Muslims, Sikhs, Christians and Hindus were all under attack. It is true that majority of Muslims were killed however, though people may not change, the world changes every day.

- Three colored Flag "Tranga".
- Undue interference in Administration.
- Bande Matram.
- Introduction of Hindi in place of Urdu.
- Nehru campaign in order to crush the Muslim League.
- Wardha Scheme (Domination of Hindu Culture)
- Widdya Mander Scheme (Introduced by Dr. Zahid Hussain)
- Ban of Cow Slaughter and Ban to perform religious rites.
- Plotting against Muslim Governments.
- Hindu-Muslim Riots.
- Azan was prohibited and frequently interrupted

During the period of Congress Ministries (1937-1939), Hindus did worst possible injustice with Muslims. The Hindu-Muslim riots were usual during the Congress rule. Band-e-Mataram, three coloured flag and statue of Gandhi were introduced at national level. Urdu was replaced by Hindi and slaughtering cow was banned. Muslim leaders showed their resentment before Gandhi and Jawahar lal Nehru. Gandhi showed his helpless while Nehru plainly and openly said that there were only two nations in India, Congress and British and the rest should follow them. After this statement, nothing left for Muslims but to present Pakistan Resolution in 1940.

14. Desire to establish an Islamic State:

The Two Nation Theory played an important role for demanding a separate homeland according to which Hindus and Muslims are the two nations and therefore they cannot live together. Quaid-e-Azam once said, Hindus and Muslims though living in the same towns and villages had never been blended into one nation. They were always two separate entities. So the Muslims should have a separate State where they could lead their individual and collective life in accordance with the Islamic principles.

15. British Policies (Divide and Rule):

- British economic policies
- Revenue policies
- Political Policies

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Chapter # 7

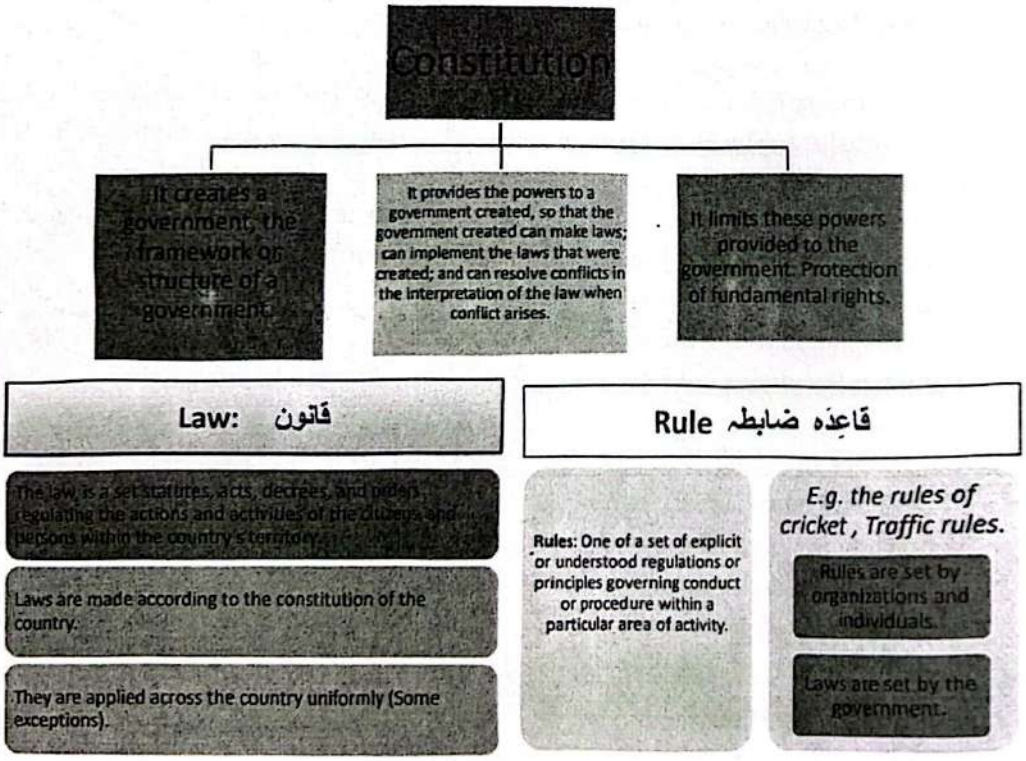
Definition and Importance of a Constitution

Definition:

Constitution آئین

Constitution is a set of basic principles and framework for governance and exercise of political power and legal authority. It clarifies the scope of power, relationship among various institutions within the government and society.

Constitution is the supreme law of the land and it does 3 functions



The importance of a constitution in any country cannot be overstated. A constitution serves as the fundamental framework for the organization and functioning of a government. It outlines the principles, rules, and procedures that govern the relationship

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between the government and its citizens, as well as the relationships between different branches of government. Here are some key reasons why a constitution is important:

1. **Social Contract:** A constitution reflects a social contract between citizens and the government. It sets out the rights and responsibilities of both parties, creating a sense of citizenship and shared identity.
2. **Rule of Law:** A constitution establishes the rule of law, ensuring that all individuals, including government officials, are subject to and accountable under the law. This helps prevent arbitrary exercise of power and promotes a just and stable society.
3. **Protection of Rights**: Constitutions typically include a bill of rights that guarantees certain fundamental rights and freedoms to citizens. These rights may include freedom of speech, religion, assembly, and due process. A constitution provides a legal basis for protecting individual rights against government intrusion.
4. **Government Structure:** Constitutions define the structure of government, including the separation of powers between branches (executive, legislative, and judicial). This separation helps prevent the concentration of power and ensures a system of checks and balances.
5. **Limiting Government Power:** Constitutions often place limits on the powers of government. They define the scope of government authority and specify the procedures for making and enforcing laws. This prevents abuse of power and tyranny.
6. **Political Stability:** A constitution provides a stable foundation for governance by establishing a framework for peaceful transitions of power. It outlines the process for elections and the transfer of authority, reducing the likelihood of political instability and conflict.
7. **Legal Framework:** Constitutions serve as the highest law in a country. They provide a legal framework that guides the creation and interpretation of laws, ensuring that all laws are consistent with the constitution.
8. **International Recognition:** Constitutions often play a role in a country's international recognition and relationships. They can affect how other nations perceive and engage with a country.
9. **Crisis Management:** In times of crisis or uncertainty, a constitution can provide a clear roadmap for resolving disputes and addressing challenges. It offers a stable foundation during times of change.
10. **Cultural and National Identity:** Constitutions may reflect the values, culture, and history of a nation. They can help preserve and promote a sense of national identity and unity.

In summary, a constitution is essential for establishing the rule of law, protecting individual rights, ensuring a well-organized government, and promoting political stability. It provides the framework for a just and orderly society and is a foundational document in any democratic or governance system.

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Chapter # 8

Objective Resolution 1949

The Objectives Resolution was the first document in the direction of framing a constitution for Pakistan. It has been both praised as setting the course of the new state as well as denounced for deviating from the Quaid-i-Azam's 11 August 1947 speech. It is actually framed between two documents, the first being the Quaid-i-Azam's speech , and the second being the draft of the resolution presented by an alliance of religious parties most of which had opposed the Pakistan Movement. The main issue relates to the status of the minorities. The second document presented by Liaquat Ali Khan, the Interim Report of the Basic Principles Report had to be withdrawn.

The Objectives Resolution presented by the Prime Minister Liaquat Ali Khan to the Constituent Assembly of Pakistan on 7 March 1949 and passed by majority on 12 March proved to be a landmark in the constitutional development of Pakistan. It is also a most resilient document, enshrined in the present constitution not as a preamble, but as a substantive part.

It is also the most criticized document, for promoting the aim of establishing an Islamic State, deviating from the assurances given to the minorities by Mohammad Ali Jinnah in his 11 August 1947 speech. One of the latest criticisms has come from Yaqoob Khan Bangash:

After Jinnah's death, the state took a clearly religious turn and the Objectives Resolution of March 1949 further solidified the religious element. Significantly, not only did the resolution reflect a religious bent, it showed how the government was to regulate the lives of the people.

Yaqoob Khan Bangash objects specifically to the word "enable" which we shall encounter further ahead. Another criticism of the same nature has come from Syed Jaffar Ahmed: Unfortunately, a narrative other than the one that should have flowed from Jinnah's above mentioned speech which should be regarded as the Magna Carta of Pakistan was introduced through the Objectives Resolution of March 1949. Apparently devised as a compromise between the liberal and orthodox elements in the Constituent Assembly.

The latter criticism has the merit of mentioning that the Objectives Resolution should be seen within the framework of two documents. In fact all the criticism this document has encountered has been due to its being read in isolation. As for deviating from the ideals of Quaid-i-Azam, this should be seen within a constitutional frame work. Replying to conditions set by Khan Abdul Ghaffar Khan, he had said:

It is obvious that I cannot negotiate with any section or party over the head of the Constituent Assembly. Besides, I have no power to commit the Constituent Assembly in advance, or anticipate their final decisions.

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Here, the principle is elicited that the Constitution shall not be framed by any individual, be he the Founder of the Nation. Secondly the Resolution has been criticized for its neglect of the minorities and as G.C. Contreras has cited the Quaid-i-Azam's concern for the minorities is framed in the Pakistan Movement itself: "Pakistan which symbolizes the aspirations of a Nation that found itself in a minority in the Indian Subcontinent, cannot be unmindful of the minorities within its own borders." and it is in this context that Quaid-i-Azam's 11 August speech can be regarded. We can call it Document:

You are free; you are free to go to your temples, you are free to go to your mosques or any other place of worship in this State of Pakistan. You may belong to any religion or caste or creed—that has nothing to do with the business of the State....We are starting with this fundamental principle that we are all citizens and equal citizens of one State.

But by the time Liaquat Ali Khan moved his resolution a religious parties alliance, consisting for the most part of the elements having opposed the establishment of Pakistan, had their own draft of what the Objectives Resolution should be presented in Dacca before a gathering of 10,000 people. Let us name this Document:

The Sovereignty of Pakistan belongs to Allah alone, and the Government of Pakistan has no right other than to enforce the will of Allah. The basic law of Pakistan is the Shariah of Islam. All those laws repugnant to Islam are to be revoked, and, in future, no such laws can be passed. The Government of Pakistan shall exercise its authority within the limits prescribed by Islamic Shariah.

This resolution was the Opposition's demand. Now see what Liaquat Ali Khan presented. This is Document:

- *Whereas sovereignty over the entire universe belongs to God Almighty alone, and the authority which He has delegated to the State of Pakistan through its people for being exercised within the limits prescribed by Him is a sacred trust;*

- *This Constituent Assembly representing the people of Pakistan resolves to frame a constitution for the sovereign independent State of Pakistan.*

- *Wherein the State shall exercise its powers and authority through its chosen representatives of the people;*

- *Wherein the principles of democracy, freedom, equality, tolerance and social justice as enunciated by Islam shall be fully observed;*

- *Wherein the Muslims shall be enabled to order their lives in the individual and collective sphere sin accord with the teaching and requirements of Islam as set out in the Holy Quran and the Sunnah;*

- *Wherein adequate provision shall be made for the minorities freely to profess and practice their religions and develop their cultures;*

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- *Whereby the territories now included in or in accession with Pakistan and such territories as may hereafter be included in or accede to Pakistan shall form a Federation wherein the units will be autonomous with such boundaries and limitations on their powers and authority as may be perceived;*

- *Wherein shall be guaranteed fundamental rights including equality of state, of opportunity and before law, social, economic and political justice, and freedom of thought, expression, belief, faith, worship and association, subject to law and public morality;*

- *Wherein adequate provision shall be made to safeguard the legitimate interests of minorities and backward and depressed classes;*

- *Where in the independence of the judiciary shall be fully secured.*

"Enabled" may be a strong word compared to "help" and "facilitate" but it is very weak compared to the word "enforce" employed in the religious party draft. Then this word is meant only for Muslims, not for minorities. There are two separate provisions in the Objectives Resolution as can be seen above, showing that assurance to minorities was of prime importance. Assurances to the minorities does not detract from the Islamic orientation of a polity, as the draft of the religious parties would have us understand

We can now see the difference between the religious alliance's draft and Liaquat's draft. The difference is that the religious alliance draft negates democracy while Liaquat's draft upholds it. Even within the domain of a purely Islamic polity democracy was needed to ensure that a minority sect does not rule over a majority sect.

Despite all these assurances, members of the Pakistan National Congress, the main opposition continued to be critical. Liaquat was not sounding a discordant note from Jinnah. He said that power would be exercised by the people of Pakistan, not the Muslims of Pakistan This brings us to Document 4, the speeches of Liaquat Ali Khan:

a. Sir, my friend [Mr. Siris Chandra Chattopadhyaya, the Leader of the Opposition] said these people told him that in an Islamic State--- that means a state which is established in accordance with this resolution--- no non-Muslim can be the head of the administration. This is totally wrong
b. I assure the minorities that we are fully conscious of the fact that if the minorities are able to the sum total of human knowledge and thought, it will redound to the credit of Pakistan, and will enrich the life of the nation. Therefore the minorities may look forward not only to a period o the fullest freedom, but also to an understanding and appreciation on the part of the majority.
c. Sir, there are a large number of interests for which the minorities desire protection. This protection this Resolution seeks to provide. We are fully conscious of the fact that they do not find themselves in their present plight for any fault of their own. It is also true that we are not responsible by any means for their present position. But now that they are our citizens, it will be our special effort to bring them up to

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the level of other citizens so that they may bear the responsibilities imposed by their being citizens of a free and progressive State.

d. Sir, I said just now that the people are the real recipients of power. This naturally eliminates any danger of the establishment of theocracy.

Thus the constant accusation that Liaquat converted Jinnah's secular vision of Pakistan to a religious one is pure propaganda,

As Liaquat explained at the beginning of his words cited above a non-Muslim could become the head of government---that is Prime Minister, affirming that tolerance and equality would be the operative principle of Pakistan. Perhaps Liaquat Ali Khan was referring to the powers of a Vizier as depicted and categorized by Abul Hasan al-Mawardi. The provision that a non-Muslim could be the prime minister was withdrawn only in the 1973 Constitution by Zulfikar Ali Bhutto. Yet time and again the Pakistan National Congress raised the fear of an Islamic State.

The question, as has now become obvious, is not whether we should have an Islamic State, but whether an Islamic State should be militant or tolerant. Jogendra Nath Mandal called Pakistan an Islamic State for observing Kashmir Day! At the other extreme is the ISIL or Daesh which believes in imposing its rule by violence. In between is the Islamic Republic of Iran where unelected ulama can overrule an elected President. It can also mean a welfare state, where tolerance, as enjoined by the Holy Quran, is practiced. Coercion—the main instrument of the militants--- is firmly rejected by the Holy Quran in the Verse of the Throne [ayat al-kursi]

When Liaquat Ali Khan presented the last budget for united India, he clearly stated that he was following Islamic principles. In building a society, the economic imperatives are paramount. The Holy Quran warns again and again that usury is a sin, hoarding is a sin, gambling is a sin and cheating in weights and measures is a sin. Any society, to be Islamic, has to avoid such evils. Because of centuries of colonial rule these evils have pervaded our society. We must strive to remove them that is the spirit of the Objectives Resolution.

Assurances to the minority does not detract from the Islamic orientation of a polity.as the draft of the religious parties made it out to be. This is clearly spelt out by Mohammad Ali Jinnah in his address at the University Stadium, Lahore on 30 October 1947:

The tenets of Islam enjoin on every Musalman to give protection to his neighbors and minorities, regardless of caste and creed.

And while introducing the Objectives Resolution, Liaquat Ali Khan had said: We have not ignored the rights of the non-Muslims. Indeed, it would have been un-Islamic to do so.

To conclude, 11 August speech of the Quaid-i-Azam while inaugurating the Constituent Assembly of Pakistan did not deviate from the principles of Islam and neither did the Objectives resolution deviate from the 11 August 1947 speech.

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Chapter # 9

Overview of Constitutional Developments of Pakistan

Constitutional Issues

Constitution is a set of basic principles and framework for governance and exercise of political power and legal authority. It clarifies the scope of power, relationship among various institutions within the government and society. It has precedence over ordinary laws and cannot be changed like ordinary laws. The Government of India Act (1935) was modified and promulgated in the newly state of Pakistan. The elected members in the 1946 elections made the first Constituent Assembly that faced grievous circumstances.

Major Issues

The major issues, the first constituent assembly faced, were about:

1. **Federalism**
2. **Representation**
3. **Separate or Joint Electorate**
4. **The National Language Issue**
5. **Parliamentary or Presidential system**
6. **The Islamic or Secular State**

1: Federalism

There was consensus on federalism but yet there were many issues to be settled. The main was that Pakistan consisted of two territorial parts, East Pakistan (with more population, less territory but administratively one unit) and West Pakistan (administratively 4 units). Federalism is meant to accommodate such kind of diversity maintaining the unity of the state or country.

Division of power: It was the most difficult question that how the power would be divided between Centre and the Provinces. The heritage of British rule gave the tradition of a Strong Centre. But the provinces were demanding more Autonomy and Provincial Rights. In the Interim Constitution and the 1956 Constitution tradition of strong centre continued.

2: Representation

Representation at the federal level was another conflicting issue because East Pakistan and West Pakistan were different in population and size. On the other hand there was diversity in Western part of Pakistan. The provinces of West Pakistan were also different in population and size. All of them were sensitive to their representation and provincial autonomy. To have a Standard Formula for the representation of units and population the Constituent Assembly (CA) formed a Basic Principle Committee (BPC) on March 12, 1949. The primary task of this committee was to frame a set of basic principles for the future constitution of Pakistan.

3: Separate or Joint Electorate

Separate electorate was adopted on the demand of Muslims in 1909 by the British Government. But the minorities did not favour this after independence. Religious elements

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supported this as a part of heritage. East: decided for Joint Electorate. West: Separate electorate. 1957: Joint Electorate was adopted for all Pakistan by the National Assembly.

4: The National Language Issue Pre-independence:

Muslim elite all over India adopted Urdu. In 1948 Jinnah declared that Urdu would be the national language but provinces could use their languages. Opposition against Urdu was there in East Bengal. This became more pronounced after the death of Jinnah as controversies erupted on constitution making. Language Movement started in East Pakistan February, 1952. There was a complaint about anti Bengali language attitude of the federal government. Two-language formula was adopted in 1954. Since 1973 Urdu was adopted as national language.

5: Parliamentary or Presidential

There was a consensus for parliamentary system. But there was a limited demand for presidential system. Supporters of Presidential system became dominant after the 1958 military takeover. The 1962 Constitution was a Presidential constitution.

6: The Islamic or Secular State

From the very beginning of Pakistan Movement there was an agreement that the state will have close relationship with Islam. Muslims defined their national identity with reference to Islam and its heritage. Some opposition came from the Congress members of the Constituent Assembly, and a few secularists. There was a BROAD AGREEMENT that the state will identify itself with Islam. The Constituent Assembly took time to define the precise relationship between the state and Islam.

Objectives Resolution

The issues to be addressed were:

1. Scope of legislation for an elected Assembly?
2. Who will decide about the Islamic nature of laws? Should a Board of Ulema be given this power?
3. Position of women, vote and work?
4. Religious minorities?

Discussion in the Constituent Assembly and outside continued. There was an active demand by religious elements for Islamic political system. In this context the leading Ulema of various sects presented famous 22 points to provide a religious base to the future constitution.

The Key Issue:

What kinds of institutions and processes have to be created to translate the notion of supremacy of the Qur'an and the Sunnah

- The Constituent Assembly adopted a middle course and a modernist perspective.
- Spirit of Islamic principles and values, modern notions of governance, representation and administration were amalgamated. Islamic provisions would be taken up when we discuss the constitutions.

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Constitution Making (1947-56)

Constitution is a basic document in the handling of domestic affairs. It sets out the framework for governance and exercise of power. It gives guiding lines of relationships among the federating units. Law making is always within its limits.

The modified Government of India Act (1935) became the Interim Constitution of Pakistan in 1947. The Constituent Assembly (CA) was given the task of framing the Constitution. The first meeting of the CA was held on August 11, 1947 at Karachi. In previous chapter we have discussed the constitutional issues that the CA had to deal with, mainly 6 major issues. Now we will discuss the stages of constitution making.

The process began with the passing of the Objectives Resolution in which the Islamic and democratic values were adopted as grounds for the future constitution. The Basic Principles Committee (BPC) consisting of 24 members was made to work for the constitutional powers. The various sub-committees on Federal and provincial powers, Franchise, Judiciary, and Fundamental Rights started working. Board of Talimat-i-Islamia was also set up to seek advice on the religious matters.

First BPC Report, 1950

1: The Objectives Resolution to be included in the Constitution as the directive principles.

2: Legislature: Two houses of the parliament. Upper: (House of Units) Equal representation for the units Lower: (House of People) On the basis of Population. Both the Houses would enjoy the equal powers.

3: The Head of State elected by joint session would be for five years (Two terms only). President had discretionary and emergency, appointment and other powers. President was not answerable to anyone, might be a Muslim or non-Muslim, would be assisted by the Prime Minister (PM) and Cabinet that would be answerable to the CA. Parliament may impeach him by 2/3 majority. He was given the power to abrogate the constitution.

4: Cabinet responsible to both the Houses.

5: No mention of national language

Criticism:

This report was severely criticized throughout the country. It could not satisfy both the wings, East and West. The religious group objected that the report contained nothing about Islamisation. On the question of representation, the East Pakistan (EP) protested that their majority had been denied by the Report. They remarked that they were thrown into a permanent minority. The population of EP was slightly larger than that of the West Pakistan (WP) but it was treated as the small provinces because both the Houses were given equal powers. So the domination of WP was intolerable for the East wing. The language issue proved subversive to the national solidarity. The Eastern Pakistanis condemned the proposal that made Urdu as official language.

Second BPC Report, 1952

1. Head of State would be Muslim and no change in powers.
2. Equal representation to East and West wings: UH (Upper House) 60, 60 LH 200, 200
3. More powers were given to Lower House. Cabinet was made responsible to Lower

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House.

4. It was promised that law making would be in accordance with ISLAM. No law would be made in violation of Islamic principles.
5. Advisory Board of five Islamic scholars was founded.
6. Silent on national language.

Criticism:

The politicians particularly from the Punjab deplored the Report because formation of the UH on the basis of representation was not acceptable. It was declared against the principle of federation. The WP favoured equality only for Upper House. The political crisis removed Prime Minister Nazimuddin and attention diverted from the core issue.

Third Report: Muhammad Ali Formula October 1953

The proposals were revised in the light of the criticism and decided:

Upper House: Equal representation to all five units

Lower House: More representation to Eastern part

While in joint session, both wings had equal representation:

	East Pak	West Pak
Upper House -	10	40
Lower House -	165	135
Joint Session -	175	175

Decision by majority but it must include 30 percent members from each zone.

Criticism:

It suggested some difficult process but mostly it was widely acceptable. Two languages, Urdu and Bengali, were approved as official languages that injured the national unity as Quaid-i-Azam had wished Urdu as national language. This is important that after the Formula, the work began on constitution drafting because the deadlock was over.

CA Dissolution

In October 1954, GG (Governor General) dissolved the CA that was challenged in the Sindh court by Maulvi Tamizuddin. The court declared the dissolution illegal but the Federal Court upheld the GG action but asked for setting up an elected CA.

2nd Constituent Assembly, June-July 1955

Ghulam Muhammad called a Convention on May 10, 1955. All its members were to be elected indirectly (by the provincial assemblies). In this way, the 2nd CA came into existence.

One Unit Scheme, October 1955

The presence of different provinces in the WP had complicated the issue of the WP representation in the CA. It was handled by uniting all the WP units into ONE (One Unit,

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October 30, 1955). Now both the parts had become two units and could be addressed equally.

Constitution-making

One Unit scheme helped the task of constitution making to accomplish successfully. The previous committees report helped the new Assembly that completed its work and presented in the 2nd CA on January 9, 1956. It, with certain amendments, was approved on January 29, 1956 and enforced on March 23. With this Pakistan had become an Islamic Republic.

The 1956 Constitution

The Constitution of 1956 was passed after long deliberations. It replaced the Interim Constitution. It has 234 Articles and 6 Schedules. It declared that the name of the country would be the Islamic Republic of Pakistan. There was clear impact of the Government of India Act, 1935 and the Interim Constitution.

Features

1: Parliamentary System

Executive Authority vested in the President who exercised it on the advice of the Prime Minister except in the matters he had discretion.

President had ceremonial functions and exercised limited powers.

The President would be of 45 years of age, Muslim and qualified to be a member of National Assembly. He was to be elected by National Assembly (NA) and Provincial Assemblies.

Prime Minister

PM would be appointed by President. President could not remove him unless he was sure that PM did not enjoythe support of majority in the National Assembly. The President would be its sole judge. He could ask PM to show his support. Cabinet was collectively responsible to NA. PM was the head of government assisted by cabinet.

One House Parliament:

National Assembly was the only house of the parliament having a membership of 300 plus10 women seats. Principle of parity was observed for representation.

Method of direct elections was adopted for general seats.

All legislative powers were rested with NA.

President could return, reject or sign the bills.

Regarding monetary bills of ordinary expenditure NA had all powers but they could not vote on Consolidated Fund List. Salaries of President, judges, federal service commission, etc. were to be paid through Consolidated Fund. NA could control the Executive.

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2: Federal System

The constitution provided three lists: Federal, Provincial and Concurrent. There were two Provinces in the federation of Pakistan.

3: Provincial Structure:

At the provincial level there was elected Assembly. The Parliamentary System under the nominal headship of Governor. The real powers were given to Chief Ministers and his cabinet. Centre had some overriding powers and some Emergency powers too. They were Clause 191: Security or economic life was under threat for external or internal reasons. Clause 193: Constitutional crisis in provinces.

4: Independent Judiciary

At centre level the highest court was Supreme Court, then High Courts in provinces and subordinate courts were established.

Higher Courts have the power of Interpretation of the constitution. They could hear the disputes between governments. They were guardians of the Legal rights of the citizens.

5: Fundamental Rights

Civil and Political Rights were given to the people of Pakistan but they could be suspended in case of emergency.

6: Directive Principles of State Policy

These principles provided guidelines for policy making. Principles of Objectives Resolution were included as preamble. The other principles included surety about Islamic practices, Welfare of people, non-discrimination, and fulfillment of basic needs, etc.

7: Islamic Character

- The name of the country was the Islamic Republic, Objectives Resolution was the Preamble.
- Other Islamic clauses were part of Directive Principles.
- No law can be made to violate Islamic principles and teachings.
- Existing laws would be brought in conformity with Islamic teachings.
- A Commission was to be appointed to examine the laws for bringing them in conformity.
- Whether a Law is Islamic or not, NA had to decide. The matter could be taken up with the Judiciary.
- Islam was not declared state religion.
- Islamic heritage and roots are combined with modern notions of governance and a moderate political system was adopted.

Working of the Constitution

No elections were held after the enforcement of elections. It was finally abrogated on October 7, 1958. It worked from March 23, 1956 to October 7, 1958.

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The 1962 Constitution

1: Background

Military took over on 7 October 1958 and consequently Ayub Khan became Chief Martial Law Administrator. One major task was to frame a new Constitution. The administration was critical of Parliamentary system because it caused instability in the past. They sought stability of the nation in the gradual development of democracy.

2: Constitution Making

The government introduced Basic Democracies in October 1959. Under this system Forty Thousand basic democrats (local councilors) were to be elected in each province. They have to perform functions as local government and their role in developmental work. They also acted as an electoral college for the election of president and the national assembly.

Elections for the Basic Democracies (BD) were held in December 1959 and January 1960. Then Presidential referendum was held by the elected BD members on February 17, 1960. A Constitutional Commission was established in February 1960 under the chairmanship of Justice Shahabuddin, former Chief Justice. The tasks assigned to the Commission were:

- To examine the causes of failure of Parliamentary system.
- Recommend a new system keeping in view the

(a) genius of people

(b) standard of education

(c) internal conditions of the country

(d) need of development

Commission presented its report in May 1961 after then two committees reviewed it. Under the report of these committees the new Constitution was drafted. Ayub announced the Constitution on March 1, 1962. Elections to the National Assembly (NA) and Provincial Assemblies (PAs) were held in April and May 1962 respectively. The new Constitution was enforced on June 8, 1962. Martial Law was withdrawn. The new Constitution was consisted of 250 articles, 5 schedules.

3: Salient Features of the Constitution

3.1. Title of the State Republic and Islamic Republic

3.2. Presidential System: A Powerful President who was responsible for administration and affairs of the state. He should be a Muslim, at least 40 years of age, should be qualified to be a member of NA. He would be elected through indirect elections for a period of five years. If he has held office for more than 8 years, he could seek reelection with the approval of the NA and the PAs. National Assembly was given the power to impeach the president, however it was difficult to achieve. President could dissolve the NA but in that case he must seek re-election.

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3.3. Powers of the President: President was the Focal point of all the Executive, Legislative and Judicial powers. Cabinet was responsible to him. All key appointments were to be made by President. He could issue Ordinances. He could also declare State of Emergency in the country.

3.4. National Assembly (NA) NA was consisted of one house on the basis of principle of parity between two wings of the country. There were 150 seats plus 6 seats were reserved for women. All were elected indirectly. For the membership minimum age limit was 25 years.

3.5. Legislative Powers: NA had all the powers of law making but law was to be finally ratified by the president. President could sign, reject or return the bill.

3.6. Financial Powers: Financial Powers of NA were limited. Only new expenditure could be voted. NA could not reject Consolidate Fund List and Recurring Expenditure.

3.7. Federalism: There were two provinces of the federation: East Pakistan and West Pakistan. Only one list of subjects, i.e. the Central list was given in the constitution.

3.8. Provincial Governments: Governors were head of the provinces and govern the province with his cabinet. Provincial governments were directly under the control of President. There was a strong center with a Powerful President. He had enough powers to manage provincial affairs. In case of emergency powers Central government could take direct control of the province.

3.9. Principles of Policy

- National solidarity would be observed.
- Interests of backward people would be looked after.
- Opportunities for participation in national life.
- Education and well being of people.
- Islam would be implemented in day to day life.

3.10. Fundamental Rights : Fundamental Rights were provided in the constitution.

3.11. Political Parties Originally Political Parties were not allowed. Political Parties Act was introduced in 1962.

3.12. Islamic Provisions Objectives Resolution was the Preamble of the Constitution. Other Islamic provisions were a part of Principles of Policy and not the constitution.

3.13. Advisory Council for Islamic Ideology An Advisory Council for Islamic Ideology was made in the constitution having 5-12 members. It was a recommendatory body.

3.14. Islamic Research Institute It was designed for the Research and instructions in Islam for assisting the reconstruction of Muslim society on truly Islamic lines.

3.15. Working of the Constitution: Constitution remained enforced from June 8, 1962 to March 25, 1969

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Salient Features of 1973 Constitution

1: Background

Abrogation of the 1962 Constitution on March 25, 1969 led to second martial law in the country. Yahya Khan handed over power to Zulfikar Ali Bhutto on December 20, 1971 after the first general elections. But martial law continued and there was no constitution. National Assembly approved an Interim Constitution, which was enforced on April 21, 1972.

2: Constitution Making

Constitutional Committee comprising National Assembly (NA) members from all parties was set up in April 1972. Law Minister was the Chairman of this Committee. All parties agreed on the future political system in October 1972. The Committee reported on December 31, 1972. After long deliberations and compromises final draft was approved unanimously on April 10, 1973. The new Constitution was enforced on August 14, 1973. The Constitution functioned since then with two gaps. It remained operational during following periods:

1973-77: Operational
1977-1985: Suspended
1985-1999: Operational after changes
1999-2002: Suspended
2002 onwards Operational after changes

3: Features of the Constitution

3.1. Parliamentary System

It was a parliamentary constitution having powerful Prime Minister (PM) as head of government with a very weak President. President must act on the advice of PM. All his orders were to be countersigned by PM. Prime Minister to be elected by the NA. PM exercised all executive authority. PM was answerable to the NA. In 1985, powers of the President were increased. He enjoyed some discretion in appointments of PM. He had power to dissolve the NA. He had the powers of appointment of caretaker PM. He gives his assent to bills passed by the parliament or returns these.

3.2. President:

Must be at least 45 years of age, Muslim, qualified to become member of the NA. He is elected by the Parliament and the Provincial Assemblies for 5 years.

3.3. Parliament with two houses:

• Upper House called Senate. In this house equal representation is given to Provinces. Seats are reserved for the tribal areas, women and technocrats. Its original strength was 63, which was later raised to 87 and then 100. Senate is elected indirectly. It's a permanent House as half of its members are elected after three years.

• Lower House: National Assembly is elected on population basis. Its Original strength was 210 but now it is 336. NA is elected for five years.

• Senate: Indirect elections • National Assembly: Direct elections, Voting age for the franchise is lowered from 21 to 18.

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• Parliament under 1973 constitution is a powerful legislative body. It enjoys all legislative powers. It has control of the executive through questions, resolutions, parliamentary committees etc.

• National Assembly is more powerful than the Senate. Budget is presented before NA. Cabinet is answerable to National Assembly.

Senate of Pakistan (Composition/Structure)

Provinces / Territories	General	Technocrats / Ulema	Women	Non-Muslims	Total
Sindh	14	4	4	1	23
Punjab	14	4	4	1	23
Balochistan	14	4	4	1	23
Khyber Pakhtunkhwa	14	4	4	1	23
Federal Capital	2	1	1	-	4
FATA	4	-	-	-	4
TOTAL	62	17	17	4	100

8. The National Assembly consists of 266 General seats and 60 seats reserved for women. The detail is as under: -

Province/Area	General Seats	Women	Total Seats
(1)	(2)	(3)	(4)
Balochistan	16	4	20
Khyber Paktunkhwa	45	10	55
Punjab	141	32	173
Sindh	61	14	75
Federal Capital	3	-	3
Total	266	60	326

9. In addition to the number of seats referred to above, there shall be in the National Assembly, ten seats reserved for non-Muslims. Detail of Provincial Assembly seats is as follows:-

Province/Area	General Seats	Women	Non-Muslims	Total
(1)	(2)	(3)	(4)	(5)
Balochistan	51	11	3	65
Khyber Pakhtunkwa	115	26	4	145
Punjab	297	66	8	371
Sindh	130	29	9	168
Total	593	132	24	749

10. The constituencies for the general seats are single member territorial constituency. There is no need of delimitation for the seats reserved for women and non-Muslims.

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3.4. Federal System

Federation of Pakistan has four provinces and federally administered areas. Two lists are given in the constitution: Federal list and Concurrent list. Residuary powers belong to provinces.

3.5. Provincial Structure:

Provincial Governors are appointed by the President on the advice of the PM. Elected Chief Minister exercises executive powers. Parliamentary system is there in the provinces. Size of the provincial assemblies varies:

In 2002: Punjab 371 ---Sindh 168---- KPK 124 ---- Balochistan 65

Enough provincial autonomy is guaranteed. Tradition of strong centre continues. Centre has emergency powers. Governor's rule can be imposed if the government cannot function in the provinces. Provinces are dependent on centre for Finances.

3.6. Principles of Policy:

a. Islamic provisions are provided in Principles of Policy. Foreign policy principles are also given under this heading.

3.7. Fundamental Rights: b. Fundamental Rights are secured in the constitution and are implemented through the highest court.

3.8. Islamic Provisions:

c. Title of the state is Islamic Republic of Pakistan.
d. The objectives resolution was the Preamble in the initial constitution but through article 2-A of 8th amendment it was inserted in the constitution in 1985.
e. Islam was declared the State Religion of Pakistan.
f. Definition of Muslim was included by an amendment.
g. Principles of Policy also carry some Islamic clauses.
h. Council for Islamic Ideology is established under the constitution.
i. Federal Shariat Court was added in 1981.

3.9. National Language:

j. Urdu is declared National Language, however English may be used for official purposes until arrangements would be made for its replacement by Urdu.
k. Provincial Assembly may prescribe measures for teaching, promotion and use of a provincial language in addition to the national language.

3.10. National Security Council:

l. National Security Council was added in 2002 in advisory capacity.

3.11. Judiciary: m. An independent judiciary is given under the constitution. Supreme Court of Pakistan is the highest court. One High Court is established in each province and one in Azad Kashmir. A chain of lower courts is there under the high courts.

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Chapter # 10

The Ayub Era (1958-69)

Often known as the "Decade of Development", as Pakistan's Golden Years of a "Socially Liberal Military Dictatorship", Pakistan's first military dictator laid the foundations of a capitalist economy under military rule. This resulted in numerous economic and social contradictions, which played themselves out, not just in the 1960s, but beyond, where Ayub Khan's rule created the social and economic conditions leading to the separation of East Pakistan, and to the rise of Zulfiqar Ali Bhutto's "*awami inqilaab*".

Unlike most generals who have led Pakistan's armed forces since 1969, all who have claimed they have absolutely no political ambitions, Gen Ayub Khan very early in his career made it clear that he wanted to play a role in framing Pakistan's destiny, and not just as its commander-in-chief (C-in-C). He had ambitious aspirations right from the early 1950s when, in 1951, Ayub became the country's first Pakistani army chief under Prime Minister Liaquat Ali Khan.

Less than two months as C-in-C, Ayub was asked by the prime minister to help deal with an alleged conspiracy by a group of leftists along with a host of senior military officers, who wanted to overthrow the government in what is since called the Rawalpindi Conspiracy Case.

With the absence of any semblance of political leadership following the assassination of Liaquat in 1951, the Pakistan Army, along with a string of bureaucrats, began to emerge as the only organised and stable institution in the country. The army saw first blood when martial law was imposed in parts of the Punjab on March 8, 1953.

Reforms

There is a very long list of social and economic reforms undertaken by the Ayub regime, which are striking, resulting in extensive social engineering. All military governments since, ruling with an iron fist lasting a decade or a little less, have done the same. Ayub"s achievements are numerous, and some specific ones are worth citing.

Constitutional Reforms

1. The system of Basic Democracies — elected representatives in constituencies were given the task of local development but the electoral college was very limited i.e., 80,000 initially and 120,000 lately to elect a president.
2. The Muslim Family Laws Ordinance of 1961 is still considered one of the most progressive sets of family laws compared to many Muslim countries.
3. Pakistan's family planning laws under Ayub were the most advanced for their times and such interventions drew a great deal of criticism from religious groups who considered them un-Islamic.
4. The Arbitration councils were set up in rural and urban areas to deal with the issues regarding marriages.
5. Ayub was even able to drop the name "Islamic" from the Islamic Republic of Pakistan, albeit eventually having to give in to pressure from the Ulema and religious political leaders, particularly Maulana Maudoodi.
6. Constitutional committee was setup in 1961 by Supreme Court.

Agricultural Reforms

Agricultural reforms were called as "Green Revolution".

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1. Modernized agriculture by introduction of tractors, High yield variety seeds, chemical fertilizers, insecticides and pesticides.
2. Under the Indus water treaty, 3 dams were built i.e. Warsak, Mangla and Tarbela.
3. Several perennial canals were built to irrigate the lands.
4. Agriculture development bank was setup to facilitate farmers.
5. Easy loans were provided to the farmers.
6. Fair distribution of land holdings i.e. no land owner can hold more than 1000 acres of un-irrigated or 500 acres of irrigated land.
7. The excess land was given to the poor farmers by the Govt.
8. The success rate of the land reforms was poor because of the strong social position of landed aristocrats.

Industrial Reforms

1. The huge amount of aid was used for industrial development.
2. Oil refinery was setup at Karachi to reduce the import cost of oil.
3. Mineral Development Corporation was setup to extract minerals.
4. Several incentives like leverage in taxes and exports were given to private sector which was an attraction to manufacturing industry.
5. The major development in industries and the beneficiary of these reforms was West Pakistan, so the disparity between East and West Pakistan grew.
6. Only 22 families had controlled 66% of the Pakistan industries through his industrial reforms.

Educational Reforms

1. Tried to raise the literacy rate by encouraging primary education.
2. Technical education was given to raise the skill base workers.
3. Built new institutes.
4. University Degree courses were launched.
5. Scientific Education was improved.
6. Civil defence training was enhanced

Causes of Ayub Khan's fall

- Agricultural reforms created disparity between rich and poor farmers.
- Only 22 families had controlled 66% of the Pakistan industries through his industrial reforms.
- People were angry by his celebration of "decade of development".
- East Pakistan was also frustrated because most of the beneficiaries of his reforms was West Pakistan.
- Criticism on the rigging of 1st presidential elections of 1965.
- Concentration of powers with President was considered undemocratic.
- Most of the Basic Democrats had resigned by 1969.
- He became unpopular because of the humiliating cease fire of 1965, The cease fire of Ayub Khan was against the advice of foreign minister of Zulfiqar Ali Bhutto, who in returned resigned as a protest and formed his own political party named as Pakistan People's Party in 1967. He mobilized masses and launched an anti-Ayub campaign. Thus, in 1969, eight political parties formed Democratic Action

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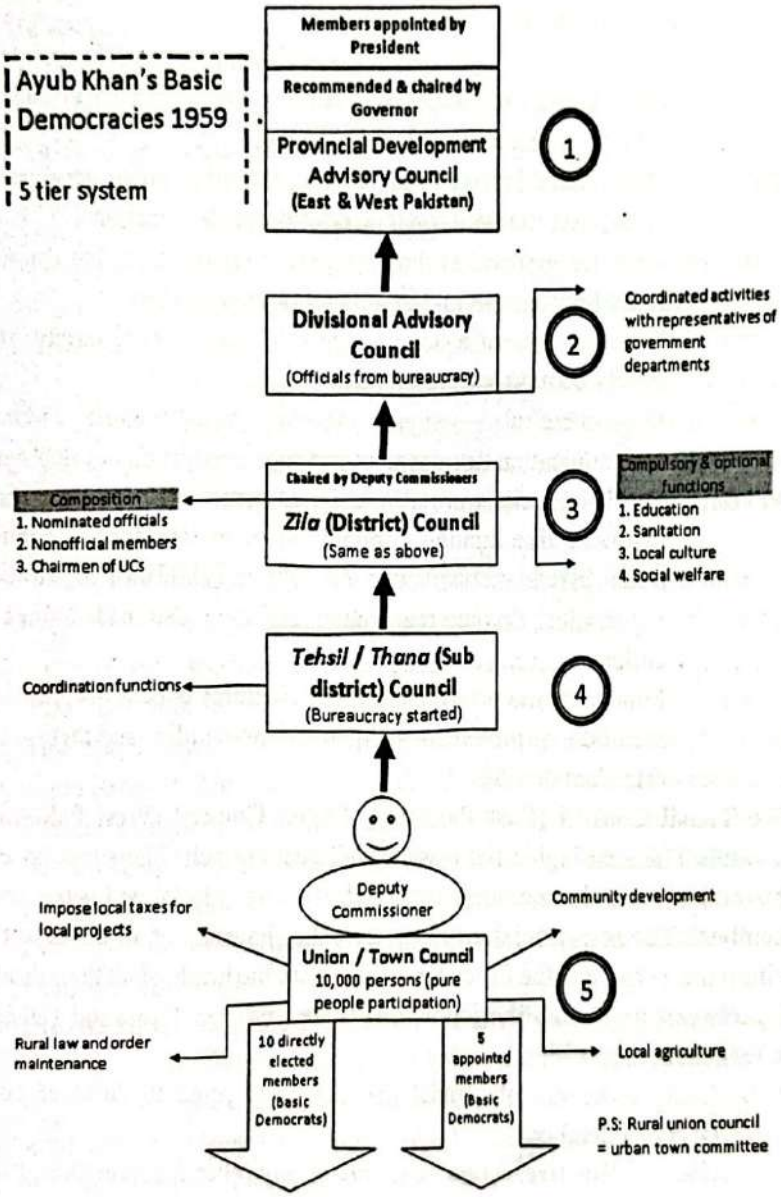
Committee and demanded general elections and Ayub Khan failed to negotiate with them and as a result he resigned in March, 1969.

Basic Democracies System of Ayub Khan

On 27 October 1958, after a decade long political turmoil in the country, the army took over and General Ayub Khan became the chief Marshal Law administrator and Field Marshal. He was welcomed by the people of the country. On the first anniversary of his government, on 27 October, 1959, General Ayub Khan addressed the nation and announced the introduction of a new system of government or basic democracies system to bring democracy to the door steps of the people and to have "direct participation of the people managing their affairs through representative bodies not far from their own villages and Mohallas".



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Under the Presidential ordinance a five tiered hierarchical system of local-self-government was introduced, namely

1. The Union Council
2. The Tehsil Council
3. The District Council
4. The Divisional Council
5. Provincial Development Advisory Council

1- **The Union Council (Rural)/Town Council (Urban) – 80,000 Basic democrats** This was the lowest but the basic tier of the system. The Union Council consisted of 5-8 villages of about 8,000- 15,000 population. There used to be 10-15 electoral wards and from each ward one councilor was to be elected. This means each ward was represented by one basic democrat elected by 1,000-1,500 voters on adult franchise basis (21 years of age)

i- The members of the Union Council had to elect a Chairman who used to be the executive head of the Council.

ii- These councils were given judicial, as well as public services functions in addition to their economic developmental functions.

iii- With the approval of the Divisional commissioner, the Union Council could levy any tax and impose rates, tolls and fees.

iv- The functions of a union councils consisted of a variety of subjects mostly economic development.

v- They were also assigned the duty of agriculture, industrial and communication development and food production development.

vi- The U/councils were also assigned some welfare and administrative functions like lighting of public ways, maintenance of public streets, public places, reconciliation marriage and child birth registration, death registration, divorce registration, and they also made a joint electoral college.

vii- Finally it was converted into an electoral college for election of the members of provincial and national assemblies and then, a life –long president or king.

2- **The Tehsil Council (East Pakistan)/ Thana Council (West Pakistan) – 655 councils** The next higher tier was called Tehsil council. There was no election to this council and the members consisted of some official and some non-official members. The non-official members were the chairmen of all the Union Councils within the Tehsil and the official members were the heads of all the nation building departments in the sub-division/ tehsil. There were 655 Thana and Tehsil councils in Pakistan.

i- The no. of official members was equal to those of non-official members.

ii- This tier had no executive or any other function except to pass on the recommendations of the Union Councils to the District council. In this sense this was just a coordinating body. This council was

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headed by the Assistant Commissioner of the area. In deed this was an elite club where all the officials and non-official elites had to meet once a blue moon.

The functions of The Tehsil councils were left vague. They were primarily coordinating bodies and a communication link through which public policy was channelled to the U/C.

3- The District Council – 78 District Councils

The most important tier was the district council. The head of the council was the Deputy Commissioner of the district and the Vice-Chairman used to be selected from amongst the chairmen of the tehsil council / Union Councils by the deputy commissioner. This council consisted of elected and non-elected members or official and non- official members. The non- official members were the Chairmen of the tehsil councils and chairmen of the Municipal committees within the district to represent both urban and rural areas.

i- One half of the appointed members were from amongst the chairmen of the Union Councils.

ii- The no. of official and non-official members was equal.

iii- This tier had vast financial and executive powers. In addition to the development functions, it could levy any tax. The deputy Commissioner had to coordinate the activities of the departments.

iv- The functions and powers of the DC were divided into "compulsory" and "optional". Compulsory functions included the provision and maintenance of schools, libraries, hospitals, public roads and play grounds, as well as protection of food stuff, regulation of traffic, and measure to increase agriculture production.

v- The optional functions included the council enjoyed wide jurisdiction over education, Culture, social welfare, economic welfare, public health and public works.

4- The Divisional Council – 16 Divisional Councils

The upper most tier was the divisional council, headed by the Divisional commissioner. The members of the divisional councils consisted of the Deputy Commissioners as ex-officio members, the Vice-chairmen of the districts within the division, the divisional level officers as official members, some other prominent persons to be selected by the commissioner and some were recommended by the deputy commissioners. The no. of official and non-official members was equal.

5- Provincial Development Advisory Council (East and West Pakistan)

Members of the council were appointed by the President which were recommended by Governor. The council was chaired by the Governor. One third of the members were appointed from the Union council. The council was an advisory and in actual had no powers. The council was dropped with introduction of Provincial Assemblies.

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Criticism

i. This system ruled out the political activity. The presentation of the people was not in the political arena rather they were involved in the economic development. This was not the case that they were given the political independence or training.

ii. This system offered avoidance in the decentralization of powers as far as the political power is concerned. Only the developmental authority was decentralized to some extent.

iii. This system in its core was based on the political system without any politicians.

iv. This system negated the so far achieved progress in the area of democratic culture or
Political participation in the country.

v. This system provided stability and security to the President but did not strengthen the
Political system itself.

vi. Institutionalization of the political system did not happen.

vii. Political culture was not developed.

viii. Restrictions and bans on freedom of expression and media etc made sure that the democracy could not prevail in the country.

ix. Controlled structure of local government offered no good to the people of Pakistan.

x. It was portrayed that bureaucracy and colonial practices were to be abolished but in
fact it was more strengthened.

xi. Basic Democracies showed more capability and capacity in economic field rather than
the political field.

xii. Due to the system a disparity between the East and West Pakistan emerged that East
Pakistan had more population than the West Pakistan but the equal representation in the Basic Democracies system increased the sense of disappointment among the people of the Eastern wing. According to Craig Baxter (1988) "East Pakistan was of course under represented as it had been under the parity arrangement".

xiii. This "guided" and controlled democracy allowed the bureaucracy to override council proceedings, overrule their resolutions and decisions and even suspend elected members of the councils.

xiv. Politicians criticized that the use of elected officials as an electoral college denied the population of their right to directly elect the President. In this way elections could be bribed, bought and paid for and their rules easily compromised.

xv. Under the system of Basic Democracies the President established autocratic rule in Pakistan with the help of bureaucracy.

xvi. Provincial autonomy was circumscribed further through the appointment of governors, answerable to the center.

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Yaḥyā Khān (1969-71) and Fall of Dhaka (Fall of East Pakistan)

General *Yaḥyā Khān* (Biography)

Yaḥyā Khān was a military officer, who had fought in British Army in Second World War. *Ayūb Khān* handed him the power after imposition of second martial law. He held the first general elections in united Pakistan (East and West Pakistan) in 1970. *Yaḥyā Khān* started military operation in East Pakistan, and it was his era that the situation had escalated to such an extent that a 3rd war with India started. Pakistan lost this war and consequently East Pakistan got separated from West Pakistan.

Operation Searchlight

Operation Searchlight was headed by General *Yaḥyā Khān* in March 1971 to crush Bengali nationalism flourished by Awami League which might threaten Pakistan's unity. This operation aimed to target Bengali intelligentsia, Scholars, and Hindus. Censorship on press was imposed which was an undemocratic act. Thousands of Bengalis were killed and in retaliation they secretly announced the name of new state 'Sovereign People's Republic of Bangladesh' on radio broadcast. *Yaḥyā* sent more troops to control the situation, but it worsened and ultimately led to the third war between Pakistan and India in December 1971.

Sheikh Mujīb ur-Reḥmān

Sheikh Mujīb ur-Rehmān was the founder of Awami League in 1949. He presented his popular 6 points in Feb 1966 which were rejected by the West Pakistan. His party won a huge majority in 1970 elections. *Sheikh Mujīb ur-Rehmān* became the Prime Minister of Bangladesh in 1971. He was an autocratic ruler. He and his wife were both killed in a military coup.

Six points of *Sheikh Mujīb ur-Rehmān*

Pakistan should be a federation with the parliamentary form of government formed by the elections held on the basis of universal adult franchise. Federal government (the centre) would deal with only two subjects i.e. Defence and Foreign affairs. He demanded two separate and freely convertible currencies for two wings. Power of taxation and revenue collection to be vested in the federating units (provinces). Two separate accounts for the foreign exchange earnings of the two wings to be formed. East Pakistan should have the paramilitary force of its own.

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Q: Why were these demands resisted?

The demands were rejected because of fear of breaking the nation. A loose federation would be formed with weak centre and powerful provinces. East Pakistan was more populated- 55% of total population and had every chance of being more powerful province, but they were given equal representation in National Assembly. It was assumed that *Mujīb* wanted to establish an independent, fascist, and racist regime. A divided Pakistan would be vulnerable to Indian attack.

Grievances of East Pakistan

Right from the inception of Pakistan, *Quaid-i-Āzam* declared Urdu as the only national language because of his belief of 'One nation one language'. He believed that more languages of one nation results in division of the nation. So, Urdu as an only official language was resisted by the Bengali nationalists. Secondly, instead of more population of East Pakistan- 55% of the total population, they had equal representation in the National assembly. Which meant that the power was vested in West Pakistan.

There was a visible economic disparity between East and west Pakistan where most of the economic policies benefited West Pakistan. East Pakistan had a weak industrial base. 22 families of West Pakistan had dominated the most of Pakistan's wealth. Floods and cyclones further aggravated the economic situation of East Pakistan. Bhola cyclones in 1970 killed as many as 500,000 people in East Pakistan and West Pakistan remained indifferent (allegedly) to this cyclone. Senior civilian and Army officials were all from West Pakistan so that the power crux remains in West Pakistan. The salaries of West Pakistan were also more than that off East Pakistan.They even boycotted *Ayūb*'s celebration of 'Decade of Development' in 1968/69.

Communication difficulties because of 1000 miles distance between the two units. Also, Sheikh Mujeeb's six points were not accepted by the West Pakistan. It was considered as one of their main deprivations. In 1970 elections, majority party was Awami League but they were not offered to form the government. Military crackdown against East Pakistan in 1971 was the last nail in the coffin.

Constitutional crisis after elections of 1970

Awami League had won a landslide victory in the elections of 1970 where they won 160 out of 162 seats in East Pakistan. Pakistan People's Party of *Zulfiqār 'Alī Bhutto* won 81 out of 138 seats in West Pakistan. So, democratically, and legally Awami League had to form the government in the center but, *Yaḥyā Khān* and *Zulfiqār 'Alī Bhutto* both were committed not to allow Awami League to take over the National Assembly.

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Mujīb ur-Rehmān of Awami League insisted on forming the government. Whereas ZAB and *Yaḥyā* did not allow him to do that. Thus, a constitutional crisis was created between East and West Pakistan. *Mujīb ur-Rehmān* of Awami League insisted on forming the government. Whereas ZAB and *Yaḥyā* did not allow him to do that. Thus, a constitutional crisis was created between East and West Pakistan. Talks between *Mujīb* and ZAB failed because of the mistrust between them. *Mujīb* wanted to talk about constitutional amendments and ultimately wanted to include his six points to be reconsidered. *Yaḥyā Khan* and other politicians of West Pakistan were not ready to consider six points of *Mujīb*.

President *Yaḥyā Khān* urged *Mujīb ur-Reḥmān* to come to a soft stance on his six points as strong center is the backbone of a sovereign and strong government which was denied in his six points, and which might ultimately break Pakistan. The first meeting of newly elected Assembly was delayed and Awami League started protesting it.

India's involvement in separation of East Pakistan

Right from the start, India supported members of Mukti Bahini with weapons and training. The conflict between East and West Pakistan emerged and was at climax when India started its direct involvement in the affairs of East Pakistan. India took a stance that because of millions of refugees were fleeing into India after the floods we had to intervene.

The war lasted for 13 days from 3rd to 16th December 1971. India attacked both East and West Pakistan and Pak agencies have already estimated their defeat, but they wanted to minimize the humiliation of loss. India had acquired 5619 sq. miles in Punjab, Sindh, and Kashmir while Pakistan acquired only 121 sq. miles of Indian territory.

Indian troops in the East reached Dhaka but the bloodshed was avoided because of the unconditional surrender of Pak forces in the hands of Indian forces. 93,000 Pakistani troops were captured by India. Pakistan lost half of its Navy, a 3rd of its Army, and quarter of its air force in this war. 16th December 1971 is still considered as a dark day in Pakistan's history.

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Zulfiqar Ali Bhutto Regime (1971-77)

Early Life

He was the only son of Sir Shah Nawaz Bhutto, born on January 5, 1928. Completed his early education form Bombay Cathedral High School. In 1947, he joined the University of Southern California and later the University of California at Berkeley in June 1949. After completing his degree with honors in Political Science in 1950, he got admission to Oxford.

Political Career

He was a Pakistani nationalist and a socialist. In 1957, he became the youngest member of Pakistan delegation to UN. He was the youngest to include in President Skindar Mirza's cabinet. In 1960, he became trusted ally of Ayub Khan. The former called the later as "dady" and only he had the permission to visit Ayub Khan even in his bed room. He aided the president in negotiating the "Indus Water Treaty" in 1960.he was the 4th president and 10th prime minister of Pakistan.

Reforms in Bhutto's regime

1. **Land Reforms**

The Land Reforms of 1972 have restricted the individual holdings to 150 acres of irrigated and 300 acres of un-irrigated land. The excessive land holdings were taken over by the without paying compensation. Due to these measures agricultural land resumed thus far is over 800,000 acres.

2. **Labor Reforms**

Comprehensive labor reforms were introduced by the Government in July 1972 and further elaborated and enlarged in August 1972 after threadbare discussions and analysis at a Tripartite Labour Conference at Islamabad. They guarantee to the workers their long over-due fundamental rights of freedom of association and collective bargaining, and assurance of greater security of service; representation in management, group-insurance, old age pension, free education for children and housing and medical facilities. These laws are now also operative in the centrally Administered Tribal Areas. These reforms have paved the way for a new workable relationship between the employers and employees for the future.

3. **Constitutional Reforms**

The interim constitution was enforced on 17th April, 1972 and provided the guide lines till the new constitution was framed and enforced i.e. on 14th August, 1973. There were also six amendments made to the constitution in Bhutto's regime. Important provisions of the constitution are;

i. Objective Resolution was made preamble of the constitution.
ii. Enforcement of system of Zakat and Usher.
iii. Muslim President and prime Minister.
iv. The formation of the Islamic Council to Islamize the existing laws.
v. A democratic and federal constitution.
vi. Written constitution with Parliamentary form of the Govt. having two houses i.e. Senate; the Upper house and National Assembly, the Lower House.
vii. Provincial Autonomy is provided to the provinces.
viii. Fundamental rights are guaranteed.

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ix. Direct elections will be observed in the country after every five years.
x. Judiciary will be independent.
xi. Minorities will be protected.
xii. Urdu is declared as a state language.

Amendments

There were only six amendments made to the constitution in Bhutto's regime.

i. Pakistan's recognition of Bangladesh.
ii. Declaration of Ahmadis as non-Muslims.
iii. The period of preventive detention was extended.
iv. Deprived the courts to grant bail to anyone under preventive detention.
v. Widened the scope of restrictions on the High courts.
vi. Chief Justices of the Supreme Court will retire at the age of 65 and high court judges at the age of 62.

4. Industrial and Corporate Reforms

Ten basic industries were immediately taken over by the Government. These include iron and steel, basic metal industries, heavy engineering, heavy electrical industries, petro-chemical industries, cement industries, public utilities and power generation, transmission and distribution, gas and oil refineries.

5. Economic Reforms Order

An Economic Reforms Order promulgated in January 1972 removed the Boards of Directors and managing Agencies of 20 big industries. A little later 11 industrial units were added to the list. Again, very recently, to avoid hardship and sufferings to the common man, the Government has taken over the vegetable oil industry. Managing Agency system has been done away with. To manage and control the taken over units, Board of Industrial Management was constituted, which implements the policy directives of the Government and has successfully put these industries on an even keel. At present only about 18 per cent of industries are under the public sector. There is thus still greater scope for the private sector to participate and expand the national economy.

6. Education Reforms

On 15 March 1972, the New Education Reforms were announced. They envisage universal and free education up to class (x) throughout the country in three phases. Under this scheme all educational institutions are to be nationalized. These institutions are now open to gifted students from all over the country without regard to their financial status and social background. So far about 400 colleges and several schools have been nationalized in the provinces of Sind and the Punjab. The college teachers have also been given a respectable position in society.

7. Health Reforms

This was the most neglected sector since independence. No health scheme could succeed because the common man did not have the means to meet the cost of drugs. To obviate this, it was necessary as a first step to make medicines available within the reach of the common man by bringing down the prices and rationalizing their means. To achieve this goal, an act called the Drug act, 1972, was enacted which prohibited the manufacture and import of any drugs under brand names after 23 December.

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8. Law Reforms

In a historic declaration bringing to an end the notorious and outdated British system conferring on District officers the power of both judiciary and executive, Mr. Zulfikar Ali Bhutto announced the separation of the judiciary from the executive. Under these reforms the legal procedures have been simplified, rights and duties have been clearly defined and criminal litigation made more liberal which meet the long felt needs and cherished desires of the people.

.9. Life Insurance Nationalized

By a Presidential Order of 19 March 1972, 32 life Insurance companies were nationalized. This sweeping move was aimed at removing the interlocking of life insurance with private ownership of major industrial groups. The life Insurance Corporation established in November 1972 has a paid up capital of Rs. 10 million. Since then, life insurance has gained momentum.

10. Integrated Rural Development Programme

This programme was launched in July 1972. It encompasses the entire spectrum of village life with the ultimate aim of improving socio-economic conditions of the people. Its major objectives are to stop polarization of rural society, establishment of effective rural institutions and maximization of agricultural production through the increased employment of the rural masses.

11. New Look For Policemen

On 12 April 1972 the Police Reforms were announced. These provided better training facilities, better conditions of service and more professional integrity as a result of better standards of appreciation of good work done.

Zulfiqar Ali Bhutto's government faced several significant failures on various fronts, as highlighted below:

1. **Feudalistic Arrogance / Bonapartist Leadership**: Bhutto's leadership style was often criticized as being authoritarian and feudalistic. His tendency to centralize power and disregard opposition created a political environment where dissent was stifled, leading to the perception that he was more interested in maintaining control than promoting democratic principles.

2. **Nationalization of the Economy**: Bhutto's nationalization policy, aimed at reducing economic inequality, had adverse effects on Pakistan's economy. It led to inefficiency, mismanagement, and a decline in industrial and agricultural productivity.,The nationalization of industries created distrust among the business community, and the overall economic growth slowed down significantly.

3. **Formation of the Federal Security Force (FSF)**: The creation of the FSF was intended to act as a parallel force to counterbalance the influence of the military. However, it became a tool for political repression, used to suppress opposition and

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intimidate political rivals. This further alienated Bhutto from various segments of society.

4. **Confrontation in Balochistan, Sindh, and NWFP**: Bhutto's government faced serious challenges in these provinces. In Balochistan, his dismissal of the provincial government led to a full-scale insurgency. In Sindh and NWFP (now Khyber Pakhtunkhwa), his policies exacerbated ethnic tensions, leading to instability and unrest.

5. **Appointment of Lt. Gen Zia ul Haq**: Bhutto's decision to appoint General Zia ul Haq as the Chief of Army Staff was one of his most significant miscalculations. Zia eventually led the coup that overthrew Bhutto, leading to his imprisonment and eventual execution. Bhutto underestimated Zia's ambition and the potential threat he posed to his government.

6. **Political Victimization**: Bhutto's government was known for its political victimization of opponents. The use of state machinery to harass and undermine political rivals created a climate of fear and mistrust. This approach alienated many who might have otherwise supported his government.

7. **Manipulation of Bureaucracy**: Bhutto's government manipulated the bureaucracy to serve its political ends. This undermined the professionalism and independence of the civil service, leading to inefficiency and corruption within the administrative machinery.

8. **Rigging in General Elections 1977**: The 1977 general elections, which Bhutto was widely expected to win, were marred by allegations of widespread rigging. The perceived manipulation of the electoral process led to mass protests, which ultimately culminated in the military coup that ended Bhutto's rule.

9. **Structural Damage to the Country / Corruption**: Bhutto's government is often accused of causing structural damage to the country through policies that weakened institutions and fostered corruption. The nationalization of industries, political victimization, and manipulation of the bureaucracy all contributed to an environment where corruption thrived, leading to long-term negative consequences for Pakistan's political and economic stability.

These failures collectively contributed to Bhutto's downfall and the eventual overthrow of his government by the military, marking a significant turning point in Pakistan's history.

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Chapter # 11

Structure of Government under 1973 Constitution

Branch	Hierarchy	Appointment	Powers	Removal
Executive	*President **Prime Minister and Federal Cabinet	*Elected by electoral college consisting of members of federal and provincial legislatures. **Elected by National Assembly Cabinet ministers appointed by President on advice of the Prime Minister.	*President is the head of the state, represents the unity of the republic, and is Supreme Commander of the armed forces; *the executive authority of the federal government is exercised in the name of President by the Prime Minister & Cabinet; acts on the advice of the Prime Minister or Cabinet; exercises discretionary constitutional powers on his own initiative without the advice of Prime Minister or the Cabinet; *can remove the Prime Minister if he/she fails to obtain a vote of confidence from the National Assembly; can summon, prorogue, address and send messages to the federal legislature, and assent to or veto a bill of the federal parliament; can promulgate ordinances when the parliament is not in session; *can dissolve the National Assembly on advice of Prime Minister or on his/her own initiative in case no-confidence motion is passed against existing Prime Minister and no other person has the required votes to become the new Prime Minister; *appoints high state functionaries like the Attorney-General, five advisors of Prime Minister, Governors of the provinces, non-ex officio members of the National Finance Commission, Auditor-General, Judges of the higher judiciary, Chief Election Commissioner, members of the Council of	* President could be removed from office for physical incapacity or impeached for violation of the constitution by joint sitting of the federal parliament. **Prime Minister could be removed by National Assembly if a vote of no confidence is passed against him/her; Cabinet collectively responsible to Senate and National Assembly;

Branch	Hierarchy	Appointment	Powers
			Islamic Ideology, Chairman of the Public Service Commission, heads of the armed forces; *can issue a proclamation of emergency. **Prime Minister is the executive head of government and keeps the President informed of all matters of internal and external policy, as well as all legislative proposals; **Prime Minister and Cabinet have to aid and advise the President in the exercise of her or his functions; Prime Minister nominates 3 members each of the Council of Common Interests and National Economic Council.
Legislative	[1]Senate [2]National Assembly	[1]Of 100 total Senators, each of the four provinces has 23 Senators, elected indirectly by the provincial assemblies through a system of proportional representation by means of the single transferable vote. 4 Senator from Federal Capital and 8 Senators from FATA to be elected in manner prescribed by the President. (now 4 reduced due to FATA merger) [2]It has a total of 336 members distributed amongst provinces on the basis of population. Members against general seats are elected by direct popular vote from single member territorial constituencies across the	[1]Except in case of money bills, the Senate shares equal powers with the National Assembly on: (a) making legislation on subjects mentioned in the federal legislative list; (b) constitutional amendments; (c) impeachment of the President; (d) holding the federal cabinet collectively responsible. [2]Money bills can only originate and be passed by the National Assembly. In other matters (as mentioned above), it has equal powers with the Senate.

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Chapter # 11

ernment under 1973 Constitution

ent	Powers	Removal
al college ers of al al ppointed ce of the	*President is the head of the state, represents the unity of the republic, and is Supreme Commander of the armed forces; *the executive authority of the federal government is exercised in the name of President by the Prime Minister & Cabinet; acts on the advice of the Prime Minister or Cabinet; exercises discretionary constitutional powers on his own initiative without the advice of Prime Minister or the Cabinet; *can remove the Prime Minister if he/she fails to obtain a vote of confidence from the National Assembly; can summon, prorogue, address and send messages	* President could be removed from office for physical incapacity or impeached for violation of the constitution by joint sitting of the federal parliament. **Prime Minister could be removed by National Assembly if a vote of no-confidence is passed against him/her; Cabinet collectively responsible to Senate and National Assembly;

Branch	Hierarchy

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Branch	Hierarchy	Appointment	Powers	Removal
			Islamic Ideology, Chairman of the Public Service Commission, heads of the armed forces; *can issue a proclamation of emergency. **Prime Minister is the executive head of government and keeps the President informed of all matters of internal and external policy, as well as all legislative proposals; **Prime Minister and Cabinet have to aid and advise the President in the exercise of her or his functions; Prime Minister nominates 3 members each of the Council of Common Interests and National Economic Council.	
Legislative	[1]Senate [2]National Assembly	[1]Of 100 total Senators, each of the four provinces has 23 Senators, elected indirectly by the provincial assemblies through a system of proportional representation by means of the single transferable vote. 4 Senator from Federal Capital and 8 Senators from FATA to be elected in manner prescribed by the President. (now 4 reduced due to FATA merger) [2]It has a total of 336 members distributed amongst provinces on the basis of population. Members against general seats are elected by direct popular vote from single member territorial constituencies across the	[1]Except in case of money bills, the Senate shares equal powers with the National Assembly on: (a) making legislation on subjects mentioned in the federal legislative list; (b) constitutional amendments; (c) impeachment of the President; (d) holding the federal cabinet collectively responsible. [2]Money bills can only originate and be passed by the National Assembly. In all other matters (as mentioned above), it has co-equal powers with the Senate.	[1]Members of both houses of parliament could be disqualified from holding office on various grounds under Art. 63 and 63-A, including: if he/she is of unsound mind, or is undischarged insolvent; ceases to be a citizen or acquires citizenship of another state; holds office of profit in service of Pakistan; convicted by court for: acting against the ideology, integrity, or security of Pakistan, or brings into ridicule judiciary or armed forces of Pakistan, or for an offense involving moral turpitude; removed, dismissed or compulsorily retired from service of Pakistan; resigned from the parliamentary party of which he was a member, or abstains from voting, or votes against the party direction. [2]In addition to above grounds of disqualifications, members of the National Assembly could lose their

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Branch	Hierarchy	Appointment	Powers	Removal
		four provinces, Federal Capital and FATA. Each province is a single constituency for seats reserved for women allocated to each province. The constituency for all seats reserved for non-Muslims is the whole country. Seats reserved for women and non-Muslim are elected through proportional representation from political parties' list of candidates on the basis of total number of general seats secured by each political party: in case of seats reserved for women, from the province concerned in the National Assembly; and in case of reserved seats for non-Muslims, on the basis of votes obtained by such a party in the National Assembly as a whole.		offices when it is dissolved by the President on the advice of the Prime Minister, or on President's own initiative if the Prime Minister loses confidence of assembly and no other member has enough votes to become the Prime Minister.
Judicial	[a]Supreme Court [b]Federal Shariat Court Other courts etc.	[a]President appoints the senior most judge of the Supreme Court as the Chief Justice of Pakistan. Other judges of the Supreme Court, High Courts and Federal Shariat Court are appointed by a process involving the Judicial Commission of Pakistan (composed of the four members of bench, 1 member of the bar, federal minister of law and attorney-general) and the Parliamentary Committee (composed of eight members from each of the two houses of federal legislature, four from treasury and four from opposition benches). [b]Appointment process same as above.	[a]The Supreme Court has jurisdiction to hear appeals from rulings of the High Courts in civil and criminal cases. It has original jurisdiction to settle federal disputes involving the federal government and one or more provincial governments, or one or more provincial governments inter se by a declaratory judgment. It also has the original jurisdiction as a court of first instance in cases involving questions of public importance with reference to the enforcement of fundamental rights. It has the advisory jurisdiction, whereby the President can seek its opinion on a question of law having public importance.	[a]The judges of superior courts could be removed by a process involving Supreme Judicial Council on grounds of physical or mental incapacity, or misconduct. [b]Removal process same as above.

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Powers	Removal
	offices when it is dissolved by the President on the advice of the Prime Minister, or on President's own initiative if the Prime Minister loses confidence of assembly and no other member has enough votes to become the Prime Minister.
Supreme Court has iction to hear appeals ulings of the High in civil and criminal original jurisdiction to Federal disputes ng the federal ment and one or rovincial ments, or one or rovincial ments inter se by a tory judgment. as the original tion as a court of first in cases involving ns of public nce with reference nforcement of	[a] The judges of superior courts could be removed by a process involving Supreme Judicial Council on grounds of physical or mental incapacity, or misconduct. [b] Removal process same as above.

Branch	Hierarchy

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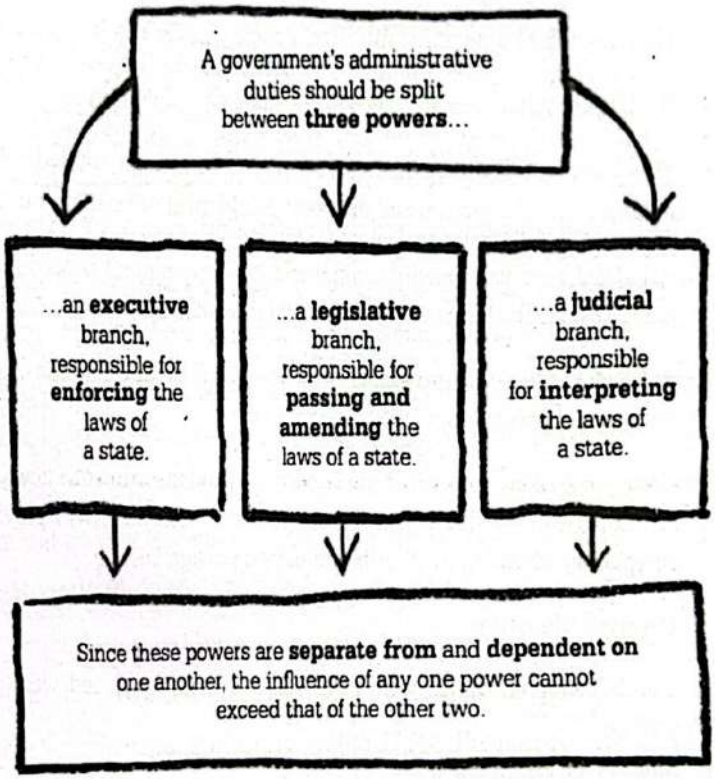
Branch	Hierarchy	Appointment	Powers	Removal
			[h] To examine and decide, on its own initiative or on a petition of a citizen, the question whether or not any law or provision of law is repugnant to the Injunctions of Islam.	

SUMMARY



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Chapter # 12

18th Amendment and its on Federalism

The Eighteenth Amendment of the Constitution of Pakistan was passed by the National Assembly of Pakistan on April 8, 2010, removing the power of the President of Pakistan to dissolve the Parliament unilaterally, turning Pakistan from a semi-presidential to a parliamentary republic, and renaming North-West Frontier Province to Khyber Pakhtunkhwa.

Changes due 18th Amendment to the Constitution of 1973

- The name of the former president of Pakistan, Gen Zia, has been removed from the text of Constitution
- North-West Frontier Province has been renamed Khyber-Pakhtunkhwa
- The 17th Amendment and Legal Framework Order as introduced by Musharraf has been repealed
- The ban on third time prime ministership and chief ministership has been lifted
- Holding constitution in abeyance is tantamount to high treason
- The Council of Common Interests (CCI) has been reconstituted with the prime minister as its chairperson and the body should meet at least once in 90 days
- A judicial commission will recommend the appointment procedure of superior judges and the final names of judges will be decided by parliamentary commission
- A Chief Election Commissioner will be appointed through consensus between treasury and opposition
- Recognition of the children's right to education and insertion of a new section under Article 25A to provide constitutional guarantee that state will provide free and compulsory education to all girls and boys up to age 16.

Devolved Ministries

The following ministries were devolved at federal level and were given to the provinces.

1. Ministry of Education became Ministry of Federal Education and Professional Training
2. Ministry of Archaeology and Culture became Ministry of Culture
3. Ministry of environment became Ministry of Climate Change
4. Ministry of health became Ministry of National Health Services, Regulation and Coordination
5. Ministry of special initiatives abolished at federal level.
6. Ministry of Labour and manpower became Ministry of Overseas Pakistanis & Human Resource Development

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7. Ministry of local government and rural development abolished at federal level.
8. Ministry of minorities' affairs merged with the Ministry of Religious Affairs
9. Ministry of population welfare abolished at federal level.
10. Ministry of social welfare and special education abolished at federal level.
11. Ministry of sports became Pakistan Sports Board at federal level and given to provinces.
12. Ministry of tourism's powers given to Pakistan Tourism Development Corporation
13. Ministry of women development abolished at federal level.
14. Ministry of youth affairs abolished at federal level.
15. Ministry of Zakat and Ushr abolished at federal level given to provinces.

Challenges of 18th Amendment

1. Tax Collection
2. Income Distribution: Federal to Provinces
3. Good Governance
4. Reforms
5. No Uniform Institutional Structure
6. National Integration/ National Identity
7. No Uniform Education Policy
8. Issues and Problems of Devolved Subjects

Impact of 18th Amendment

Being an ethno-federation, ethno-nationalism has always been a challenge to the national, political and geographical integrity of Pakistan, with the greatest contention being the distribution of political power and economic resources between the federating units. This distribution has invariably been skewed in favour of Punjab throughout the country's history. It has propelled the country into two civil wars and periods of widespread, ethnically-motivated violence. It has led to a successful secession movement in East Pakistan and quite a few unsuccessful, albeit violent, ones in Balochistan and Khyber-Pakhtunkhwa (K-P).

The 7th National Finance Commission (NFC) Award significantly increased the resources available to the provinces. Previously, 45% of the divisible pool (including taxes) was allotted to the provinces; this was revised to 57.5%. The inter-provincial distribution of revenues was also revised as criteria broader than population were also added, including the contribution to the national exchequer, levels of poverty (or backwardness) and inverse population density (especially important for Balochistan). This decreased Punjab's share by 5.6%, while simultaneously increased the shares of K-P and Balochistan by 1.1% and 3.8%, respectively. Balochistan was even awarded a floor of Rs83 billion in revenues, regardless to what the existing formula churned up.

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The 18th Constitutional Amendment was seen as a decisive step towards greater ethnic cohesion through provincial autonomy and re-establishment of a fundamental democratic institutional structure in Pakistan. The amendment further institutionalised provincial autonomy and equitable distribution of resources. The deletion of the concurrent list effectively relegated significant decision-making powers to the provincial government. The addition of Clause 3(A) and 3(B) to Article 160 established crucial rules regarding the NFC Awards. The amendment to Clause 1 of Article 161 ensures the entitlement of the provinces to revenues generated from natural gas and oil. Furthermore, Article 167, Clause 4, enhances the provincial government's ability to raise funds through borrowing from both, domestic and international sources.

This should have resulted in a decrease in inter-provincial inequities and improved the representation of generally marginalised ethnic interests, while reducing the clout of the Punjabi ethnicity. Which makes us question: why would politicians in Punjab agree to this? Katharine Adeney of University of Sheffield is of the view that the Punjabi politicians did not believe that things would change significantly by the 18th Amendment. A more realistic view can be that without any compensation from Punjab, consensus would not have been possible. Either ways, an unprecedented consensus was achieved 10 years ago and the rhetoric of provincial autonomy and ethnic representation that was dangled since the 1970s, started taking concrete institutional form. Now the issue is that: has it made any real difference? To what extent, if any, has this pacified the ethnic tensions within the nation? Have the grievances and deprivations been addressed sufficiently?

The first big difference these changes made was the increased availability of resources to provinces other than Punjab. However, on ground, the pre-existing disparities seem to be consistent. The inequalities in human development remain stark. The SBP's annual report (2018-19) posits that Sindh and Balochistan remain relatively more food insecure. The level of access to social programmes also remains unequal with Balochistan (0.3% of the population) being in distinct disadvantage, when compared with Sindh and K-P. Balochistan also reports the highest number of children who missed essential vaccination while Gilgit-Baltistan reported 100% coverage. A 2018 study carried out by researchers from the University of Maryland in collaboration with USAID also confirms this asymmetry in health outcomes. This asymmetry exists despite increased growth in the current expenditures especially in Punjab and Balochistan. However, the share of

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development expenditure remains the lowest in Balochistan. This brings us to the issue of capacity of the provinces in utilising the increased resources effectively and exercising the new "relative" autonomy to address issues of regional significance. A 2015 report of the Institute of Policy Reforms (IPR) shows that while the contribution to the country's economy of Sindh and K-P has increased since 1999-2000, it had actually declined for Balochistan. In comparison of the regime-wise growth analysis of the provinces, Dr Hafeez Pasha pointed out that K-P has shown impressive growth rates since 2008, while Punjab has remained consistent. The same report points out the persistence of Balochistan's dismal economic performance and the deterioration of performance by Sindh since 2008. A 2019 World Bank report on poverty in Pakistan corroborates this outcome, with K-P showing significant decline in poverty since 2010, while Balochistan again lagging significantly behind. Both Dr Pasha's analysis and the aforementioned report suggest that the new distribution scheme has benefitted the provinces; however, the positive effect is not sufficiently effective in eradicating decades of neglect and relative deprivation.

The intra-provincial distribution brings forward an interesting picture with the urban-rural poverty gap increasing for Punjab, Sindh and Balochistan in 2015-16. The report also points out that from 2009 to 2014, the per capita allocation of revenues to district Lahore was almost 18 times higher the average of all other districts in the province combined. The largest gap was recorded in Sindh with Karachi receiving almost 100 times more in per capita than other districts. A 2018 research brief by Pakistan Poverty Alleviation Fund (PPAF) goes so far as to say that the revenue allocation to districts in Punjab has been negatively correlated with the level of poverty, with the poorest districts receiving lowest share of allocation. Not surprisingly, the poorest districts are all from South Punjab. This geographical divide in access to basic resources has intensified ethnic cleavages. For example a 2019 study of rural Pakistan by Hameed and Qaiser presents that social exclusion is highest among Balochi, Saraiki and Sindhi rural households. This means that these ethnicities experience higher deprivation in material assets, education, and access to financial resources, health services, and food security, as compared to Punjabi, Pashtun and Hazarawal communities. This depicts that the relative deprivation is not only geographical in nature but also deprives certain ethnicities disproportionately. Therefore, one can conclude that relative deprivation that formed the basis for ethnic strife and secession movements in the past seem to be persisting and while a step in the right

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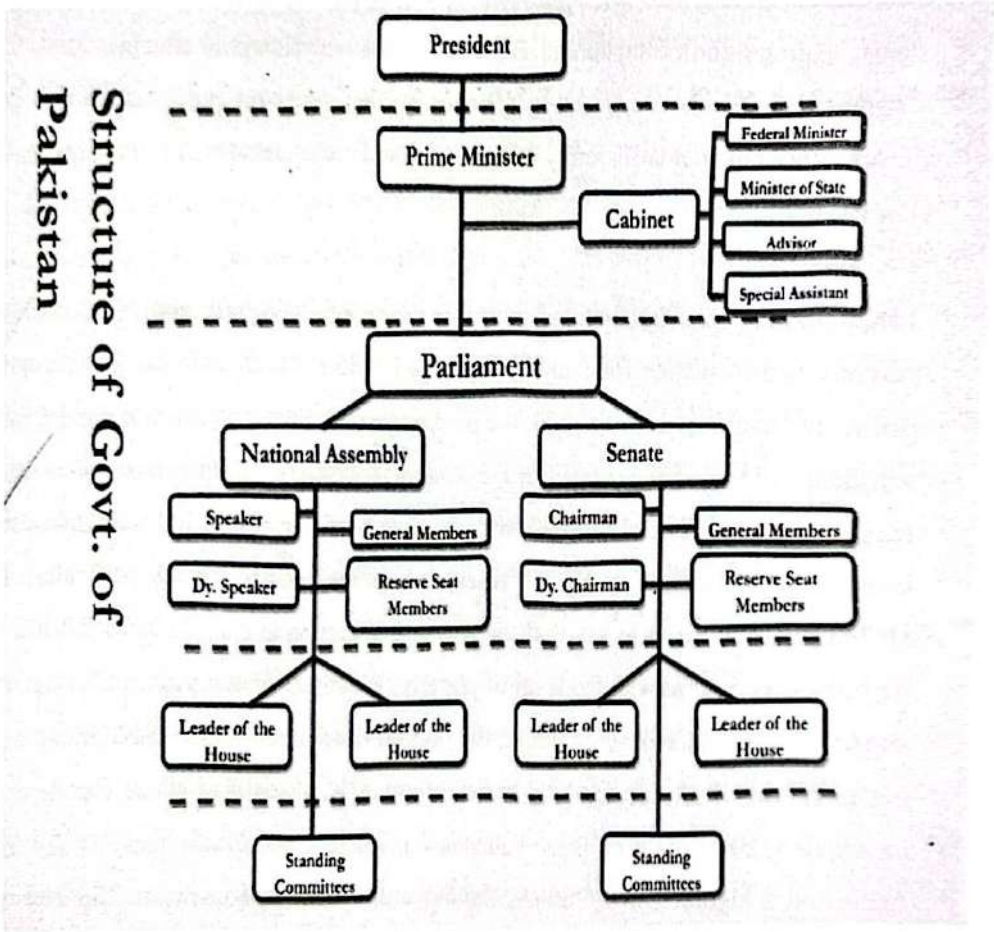
direction, the 18th Amendment so far has been insufficiently effective in reducing the existing inequalities. That said, do all the above arguments make the 18th Amendment redundant? We would like to posit that no. A step in the right direction is nevertheless more desirable than inactivity. In fact we would like to argue that the 18th Amendment has to be implemented to the fullest extent in order for it to be effective in eliminating relative derivations. Article 140(A) provides for a viable solution, i.e. devolution of "political, administrative and financial responsibility and authority to the elected representatives of the local governments" to cater for intra-provincial diversity. This will ensure more equitable access to resources within provinces and may go a long way towards pacifying grievances and reducing disparities that have divided this country since its inception.



Structure of Govt. of Pakistan

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Chapter # 13

Overview of Fundamental Rights guaranteed (Article 8-28)

Like the previous Constitutions of 1956 and 1962, the new Constitution provided for the fundamental rights of the citizens. It laid great emphasis on these rights by asserting that if any existing law or custom or usage having the force of law was inconsistent with any provision of fundamental rights, it would be void to the extent of inconsistency and that no authority in Pakistan, whether the federal government, the National Assembly, a provincial government, or legislature, or any local authority, was competent to make any law, regulation, or any order which might be repugnant to any provisions of the fundamental rights. If any such law, regulation, or order was made, it would, to the extent of repugnancy be void **(Article-8).** The judiciary was given the power to enforce fundamental rights and the courts were to decide if a law was repugnant to any of their provisions. The familiar democratic rights and freedoms such as freedom of speech and expression, of assembly and association, of movement and profession were all provided for in the constitution, with the usual qualifications. Regarding civil rights, familiar rights such as rights to life, liberty, and property were granted, again with the usual qualifications and safeguards. An important provision from the standpoint of civic liberty laid down that if a person were arrested he/she could not be detained in custody without being informed, 'as soon as may be' of the grounds for such arrest, and he or she could not be denied the right of legal consultation and defence. Further, a person arrested or detained was given the right to be produced before the nearest magistrate within a period of twenty-four hours and no further detention was allowed except on an order of the magistrate. Serious restrictions were laid down regarding laws relating to preventive detention. No law could authorize the detention of a person beyond one month unless the appropriate Review Board headed by a Supreme Court judge in case of a federal law, and by a High Court judge in case of a provincial law, after affording opportunity to the detenu, came to the conclusion before the expiry of such period that there was sufficient cause for such detention. It was also provided that the detaining authority should communicate to the detenu, within one week, the grounds of his detention so that he could have representation against such order. It was also provided that no detention under a law for preventive detention could exceed eight months in a span of two years for acting in a manner prejudicial to the public order and twelve months in any other case **(Article – 10)**. Such safeguards were, however, not applicable to any person arrested or detained for anti-national activities under any law providing for preventive detention.

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During an emergency, the President could, by an order, suspend the enforcement of some of the fundamental rights guaranteed to the citizens under the Constitution. The right to move any court for the enforcement of fundamental rights could also be suspended. **(Article- 233)**

The principal fundamental rights guaranteed by the 1973 Constitution are briefly described below:

1. All citizens are equal before the law and entitled to equal protection of laws. **(Article- 25)**
2. No person should be deprived of life or liberty save in accordance with the law. **(Article-9)**
3. No person should be punished for an act which was not punishable when it was committed. **(Article-12)**
4. There should be no discrimination on grounds of religion, race, caste, sex, or place of birth with regard to access to places of public entertainment, recreation, welfare, or utility. **(Article -26)**
5. All forms of slavery, servitude, forced labour, torture, or cruel or inhuman treatment or punishment were declared illegal. **(Article – 11)**
6. All duly qualified citizens were made eligible for appointment in the service of the state, irrespective of religion, race, caste, sex, descent, or place of birth, provided that for an initial period of ten years it would not be unlawful for the state to reserve posts in favour of members of any sex or class or residents of any area to secure their adequate representation in the service of Pakistan. **(Article-27)**
7. Every person was guaranteed a right to acquire, hold and dispose of property in any part of Pakistan subject to reasonable restrictions and public interest under the law. **(Article -23)**

   No person should be deprived of his property save in accordance with the law. The right to property was subject to a number of constitutional restrictions including acquisition of enemy property; acquisition of property for providing housing, education; maintenance of sick, old, and infirm; acquisition of property acquired through unfair means and in an illegal manner; or acquisition of property in excess of the maximum limit provided under a law for land reforms. However, the new constitution did not specifically provide for fair compensation. Adequacy of compensation provided under any law relating to compensation for acquisition of property, could not be called in question in any court. **(Article -24)**

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8. All citizens were guaranteed (a) freedom of speech, expression, and press; (b) freedom to assemble peacefully; (c) freedom of association; and (d) the right to move freely throughout Pakistan and to reside in any part of the country. **(Article - 15, 16, 17 and 19)**

9. Freedom of conscience and the right to profess, practise, and propagate any religion, subject to public order and morality, were guaranteed. Every religious association and every sect thereof was guaranteed the right to establish, manage, and maintain its religious institutions. **(Article – 20)**

10. No person attending any educational institution should be required to receive religious instruction or to attend religious worship other than that of his own community or denomination. No religious community should be prevented from providing religious instruction for pupils of that community in any educational institution which it maintained. No person should be compelled to pay any special taxes, the proceeds of which were specifically appropriated for the propagation or maintenance of any religion other than his own.
(Article - 21 and 22)

11. The dignity of man and the privacy of home were declared inviolable. Procuring evidence through torture was prohibited. **(Article – 14)**

12. Protection was provided against double punishment and self-incrimination.
(Article – 13)

13. Every citizen was guaranteed the freedom to enter upon any lawful profession or occupation or to conduct any lawful trade or business. However, this freedom was subjected to such qualifications as might be prescribed by law.
(Article -18)

14. Other fundamental rights granted by the constitution included as under:

(a) Safeguards against discrimination in services on the ground only of race, religion, caste, sex, residence, or place of birth. This right was, however, subjected to regional quotas for some time. **(Article – 27)**

(b) Non-discrimination in respect of access to places of public entertainment or resort. However, special provisions could be made for women and children. **(Article – 26)**

(c) Right to preserve and promote distinct language, script, and culture. **(Article – 28)**

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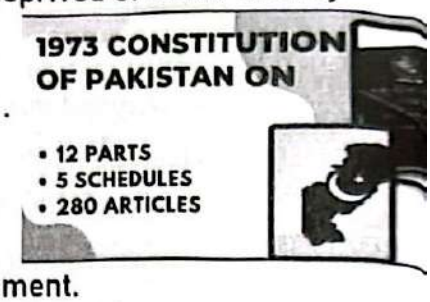
Summary

Fundamental Rights in the Constitution of Pakistan, 1973

Article 8. Laws inconsistent with or in derogation of fundamental rights to be void.

Article 9. Security of person. No person shall be deprived of life or liberty save in accordance with law.



Article 10. Safeguards as to arrest and detention.

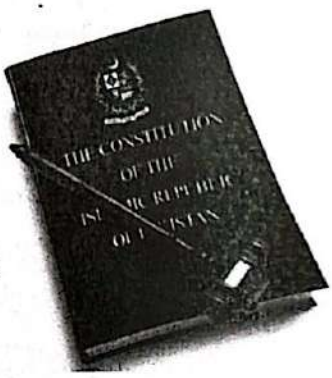
Article 10A. Right to fair trial.

Article 11. Slavery, forced labour, etc. prohibited.

Article 12. Protection against retrospective punishment.

Article 13. Protection against double punishment and self-incrimination.

Article 14. Inviolability of dignity of man, etc.



Article 15. Freedom of movement, etc.

Article 16. Freedom of assembly.

Article 17. Freedom of association.

Article 18. Freedom of trade, business or profession

Article 19. Freedom of speech, etc.

Article 19A. Right to information

Article 20. Freedom to profess religion and to manage religious institutions.

Article 21. Safeguard against taxation for purposes of any particular religion.

Article 22. Safeguards as to educational institutions in respect of religion, etc.

Article 23. Provision as to property.

Article 24. Protection of property rights.

Article 25. Equality of citizens.

Article 25A: Right to Education (Age 5 -16)

Article 26. Non-discrimination in respect of access to public places.

Article 27. Safeguard against discrimination in services.

Article 28. Preservation of language, script and culture.

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Chapter # 14

Directive Principles of State Policy & Responsibility of Citizens

Like the earlier Constitutions, the new Constitution also included Directive Principles of Policy. It was made the responsibility of each organ and authority of the state and those performing functions under them to act in accordance with these principles. **(Article 29 and 30)**

These principles are enumerated as under:

1. Steps to be taken to enable Muslims to order their lives in accordance with the Holy Quran and the Sunnah. The state should endeavour to facilitate learning of Arabic, to promote observance of Islamic moral standards, and to secure the proper organization of zakat, auqaf and mosques. **(Article-31)**
2. Securing the well-being of the people, prevention of the concentration of wealth and means of production in the hands of a few, providing of basic necessities of life, reducing disparity of income, provision of food, clothing, housing, education, and medical relief for citizens incapable of earning their livelihood owing to unemployment, sickness, or similar reasons. (Article-38)
3. Promotion of social justice by removing illiteracy; providing of free and compulsory secondary education; ensuring inexpensive and expeditious justice; making provisions for securing just and humane conditions of work; enabling the people of different areas to participate fully in a ll forms of national activities; preventing prostitution, gambling, alcoholic liquors, drugs, etc. **(Article-37)**
4. Discouragement of parochial, tribal, and racial feelings among Muslims. **(Article-33)**
5. Strengthening of the bonds of unity between Muslim countries and promotion of peace and goodwill among the peoples of the world. **(Article – 40)**
6. Protection for all legitimate rights and interests of the non-Muslim minorities. **(Article – 36)**
7. Protection of marriage, the family, the mother, and the child. **(Article – 35)**
8. To ensure full participation of women in all spheres of law. **(Article – 34)**
9. To promote local government institutions. **(Article - 32)**
10. To eliminate Riba as early as possible. **(Article - 38(f))**
11. To enable people from all parts of Pakistan to participate in the armed forces of Pakistan. **(Article – 39)**

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It is interesting to note that in the new Constitution, separation of the judiciary from the executive vas not relegated to the chapter of the principles of policy. This principle was, instead, included in the operative part of the Constitution. It became a dictate of the Constitution and the separation was required to take place within three years. **(Article -75(3))**

Article 5: Loyalty to State and obedience to Constitution and law

1. Loyalty to the State is the basic duty of every citizen.
2. 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.

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Chapter # 15

Constitutional Amendments

Process of Amendment Article 238-239 (Original Text)

Article 238

Subject to this Part, the Constitution may be amended by Act of 1 [Majlis-e-Shoora (Parliament)]. **Constitution, amendment Bill**

Article 239

(1) A Bill to amend the Constitution may originate in either House and, when the Bill has been passed by the votes of not less than two-thirds of the total membership of the House, it shall be transmitted to the other House.

(2) If the Bill is passed without amendment by the votes of not less than two-thirds of the total membership of the House to which it is transmitted under clause (1), it shall, subject to the provisions of clause (4), be presented to the President for assent.

(3) If the Bill is passed with amendment by the votes of not less than two-thirds of the total membership of the House to which it is transmitted under clause (1), it shall be reconsidered by the House in which it had originated, and if the Bill as amended by the former House is passed by the latter by the votes of not less than two-thirds of its total membership it shall, subject to the provisions of clause (4), be presented to the President for assent.

(4) A Bill to amend the Constitution which would have the effect of altering the limits of a Province shall not be presented to the President for assent unless it has been passed by the Provincial Assembly of that Province by the votes of not less than two-thirds of its total membership.

(5) No amendment of the Constitution shall be called in question in any court on any ground whatsoever.

(6) For the removal of doubt, it is hereby declared that there is no limitation whatever on the power of the Majlis-e-Shoora (Parliament) to amend any of the provisions of the Constitution.

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Constitution Amendment Bill (Explanation)

- Constitutional Amendment Bill can originate in either House.
- Each House has to pass the Bill with two thirds majority (2/3) of the total membership of that House.
- If 2nd House passes the Bill with amendments it is referred back to the House in which it is originated and if that House agrees to those amendments with two thirds majority it is sent to the President for assent (agreement). If the 2nd House does not agree to the Bill or the amendments the matter ends there and then.
- Constitutional amendment Bill which seeks altering the limits of a Province shall also be passed by the Provincial Assembly of that Province by the votes of not less than two thirds of its total membership.

AMENDMENTS TO THE CONSTITUTION OF 1973

First Amendment: The first amendment of the Constitution of 1973 was enacted on 4th May 1974. It redefined the boundaries of Pakistan as after the separation of East Pakistan the territories were changed. According to the first amendment the territories of Pakistan shall comprise on the four provinces including the Balochistan, the North-West Frontier Province (present day K.P), the Punjab and Sindh. Along with the four provinces the territories of the country comprised Federal Capital Area of Islamabad and the Federally Administered Tribal Area (FATA). FATA was merged in KP in May 2018 through thirty first constitutional Bill, after approval of the bill; FATA included in KP under 25th Constitutional Amendment.

Second Amendment: On 7 September 1974, the Second Amendment to the Constitution of Pakistan became the part of the Constitution of Pakistan. The persons belonged to Quadiani group or the Lahori groups (who call themselves 'Ahmadis') were declared as non-Muslim through this amendment as the Indian Muslims had been demanding before the creation of Pakistan. It was first time in the constitutional history of Pakistan that the term Muslim was defined. The Quadiani and Lahori do not believe on the finality of the Holy Prophet (PBUH); therefore, they were declared non-Muslims.

Third Amendment: It was enacted on 18 February 1975. Through this amendment the period of preventive detention was extended. It was for those who accused of committing 269 serious cases of treason and espionage against the state of Pakistan. in such cases,

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these persons may under trial by the government of Pakistan. The third amendment of the constitution protected against the abuse of government authority in legal procedure, and extended the investigation period from one month to three months.

Fourth Amendment: On 21 November 1975, the additional seats for minorities were decided through the fourth amendment of the Constitution. It also deprived courts of the power to grant bail to any person detained under any preventive detention.

Fifth Amendment: On 5 September 1976, the West Pakistan Water and Power Development Authority and the West Pakistan Industrial Development Corporation were replaced as Pakistan Water and Power Development Authority and the Pakistan Industrial Development Corporation. It was also decided that the Chief Justice of a High Court, will be able to hold his office for a term of four years or unless he sooner attains the age of sixty-two years.

Sixth Amendment: This was enacted on 22 December 1976. This amendment declared that a Chief Justice of the Supreme Court will attain his office for five years up to the maximum age of sixty-five years. While a Chief justice of the High Court may also continue his office for five years but the maximum age would be 62 years. According to the same amendment the word "Mansehra" was substituted for the word "Hazara" in the constitution.

Seventh Amendment: It was enacted on 16 May 1977 which stated that the Prime Minister of Pakistan has to obtain a vote of confidence from the people of Pakistan through a referendum.

Eighth Amendment: It was enacted in November 1985 and remained the most debatable amendment in the politics of Pakistan. Through this amendment the Pakistani government was changed from a parliamentary government to a semi-presidential system by giving president a number of additional powers.

Ninth Amendment: It was a bill to impose the Shariah Law as the supreme law of Pakistan. The bill was although passed by the Senate of Pakistan in 1985 but could never be passed by the National Assembly.

Tenth Amendment: This amendment was enacted on 29 March 1987. It amended article 54 and 61 of the Constitution. The minimum working day of the National Assembly and Senate were decreased from 160 to 130 in each year.

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Eleventh Amendment: The bill was presented in 1989 regarding the revision of women seats in national assembly and provincial assemblies but could not pass and the bill was withdrawn in 1992. 270

Twelfth Amendment: The amendment was enacted in 1991 and a new article 212B was added in the constitution. The special courts were established for the trial of heinous offences. The courts were established for the initial period of three years. The amount of salaries and pension for the Chief Justice and other judges was also revised.

Thirteenth Amendment: The amendment was enacted in 1997 and through this amendment the presidential power of Article 58 (2-B) was omitted. The amendment was related to article 58, 101, 112 and 243. Through this the power of the president of Pakistan was reduced and the effort was made to restore the actual parliamentary form of government in Pakistan.

Fourteenth Amendment: It was enacted in July 1997 regarding the disqualification of members of parliament.

Fifteenth Amendment: The bill was presented in 1998 in the second reign of Nawaz Sharif government. It was a bill to enforce the Shariah Law as Supreme law in the country but never passed.

Sixteenth Amendment: It was promulgated on 5 August 1999. Through this amendment the quota system was increased for the appointment in government jobs for next 20 years in the country.

Seventeenth Amendment: The Seventeenth Amendment was promulgated in December 2003 and it made various changes to Pakistan's constitution. Some of these changes dealt with the office of the President and the reversal of the effects of the thirteenth amendment of the constitution.

Eighteenth Amendment: The Eighteenth Amendment of the Constitution of 1973 was passed by the National Assembly of Pakistan on 8 April 2010 during the tenure of Prime Minister of Pakistan, Yousaf Raza Gillani. The amendment dealt with removing the power of the President of Pakistan to dissolve the National Assembly unilaterally. It turned Pakistan from a semi-presidential to a parliamentary form of government. According to the same amendment, various departments and powers of the federal government were transferred to the provinces.

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Nineteenth Amendment: The Nineteenth Amendment was passed on 22 December 2010 by the National Assembly and on 30 December 2010 by the Senate while it assented to by the president on 1 January 2011. According to the amendment the Tribal Areas adjoining to the Districts of Tank and Laki Marwat were declared to be part of FATA. It was also regarding the appointment of the judges. Now it was decided that the parliamentary committee shall send the name of the nominee confirmed by it, to the Prime Minister of Pakistan and the Prime Minister shall forward it to the president, which meant that the Prime Minister was now involved in the appointment of the judges.

Twentieth Amendment: It was relevant to free and fair elections of Pakistan. The words "Chief Election Commissioner" were substituted by the words "Election Commission of Pakistan". The twentieth amendment was promulgated in 2012.

Twenty-first Amendment: It was passed by both the houses of the parliament on 6 January 2015. Through this amendment the military courts were established for speedy trial for terrorist offenses, waging war against Pakistan and the acts threatening the security of Pakistan. It was decided that the initial duration of these courts would be two years. The decision to amend the constitution came after the Army Public School, Peshawar massacre on 16 December 2014.

Twenty-second Amendment: It was passed in June 2016. The Amendment was unanimously passed by the National Assembly and the Senate. Through the amendment important positive electoral reforms had been introduced. The aim of these reforms was to solve the issues regarding the limitations in the functions of the Election Commission of Pakistan (ECP) and its chief, the Chief Election Commissioner (CEC).

Twenty-third Amendment: The Twenty-third Amendment was passed for the establishment of the military courts for additional two years till 6 January 2019. The military courts were established in 2015 for the period of two years. The period had to expire on 6 January 2017; hence the twenty third amendment was passed. At the end of this period all the amendments will automatically expire.

Twenty-fourth Amendment: This amendment was promulgated in December 2017 and it was for the approval of adjustment of seats in the Parliament of Pakistan. The constitutional amendment was brought in the parliament after the provisional results of the Census 2017. The Punjab lost some seats while the provinces of Balochistan and Khyber

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Pakhtunkhwa gained the seats. The Sindh province had no affects; however, the overall number of seats in the National Assembly will stay the same.

Twenty-fifth Amendment: This amendment was passed by the Parliament of Pakistan and the Khyber Pakhtunkhwa Assembly in May 2018. After the implementation of this amendment, the Federally Administrated Tribal Areas (FATA) has been merged with the Khyber Pakhtunkhwa.

Twenty-sixth & Twenty-seventh Amendments: Both the bills were introduced by Minister for Law and Justice and Climate Change Zahid Hamid in the house in 2017. The first was a proposed amendment to the Constitution of 1973. Its aim was to restore the delegation powers of the federal government authorities which were not included in the eighteenth amendment. However, the said amendment was not adopted and never officially became part of the constitution of Pakistan. The second was regarding the Electoral Reforms package comprising Draft Election Bill, 2017. The said bill was approved by the National Assembly of Pakistan in October 2017.

Twenty-eighth and Twenty-ninth Amendments: The two bills were presented by Minister for Law and Justice Zahid Hamid on 10 March 2017 in National Assembly of Pakistan to introduce new constitutional Bills. The 28th Amendment Bill 2017 was aimed to restore the military courts in the country while the 29th Amendment Bill was aimed to enable trial of the cases related to terrorism under the Pakistan Army Act 1952.

Amendments in the constitution are a necessity to bring it into line with the needs of the changing times. These amendments and adaptations keep the sacred instrument afresh and up-to-date. Similarly, the constitution of 1973 that came into force on 14th August 1973 was amended seven times during the Bhutto regime while nineteen others were made between 1985 and 2019. However, some of these amendments were not made out of necessity but were motivated by some ulterior motives.

List of all the amendments to the Constitution of Pakistan (1973).

#	Amendments	Proposal date/year	Enactment date
1st	Redefined the boundaries of Pakistan and removed references to East Pakistan.		4 May 1974
2nd	Defined a Muslim and declared the status of Ahmadis as minority and 'non-Muslim'.		17 September 1974

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3rd	Extended the period of preventive detention.		18 February 1975
4th	Decreed additional seats for minorities, it also deprived courts of the power to grant bail to any person detained under any preventive detention.		21 November 1975
5th	Widened the scope of restriction on the High Courts.		5 September 1976
6th	Provided that Chief Justice of Supreme Court will be retired at the age of 65 and High Court judges at age 62.		22 December 1976
7th	Enables the prime minister to obtain a vote of confidence of the people of Pakistan.		16 May 1977
8th	Changed Pakistan's government from a Parliamentary system to a Semi-presidential system by giving the President a number of additional powers.		11 November 1985
9th	Bill to impose Shariah law as the supreme law of land. The bill was passed by Senate but could never be passed by National Assembly owing to the latter's dissolution.	1985	Not passed
10th	Fixed the interval period between sessions of the National Assembly to not exceed 130 days.		25 March 1987
11th	Revision of the reserved seats for women in the National and the provincial assemblies. The bill was withdrawn in 1992.	1989	Not passed
12th	Created Speedy Trial Court for 3 years.		1991
13th	Stripped the President of Pakistan of his reserve power to dissolve the National Assembly of Pakistan, and thereby triggering new elections and dismissing the Prime Minister.		1997
14th	Allowed members of parliament to be dismissed if they defect.		3 July 1997
15th	Bill to impose Shariah law as supreme law of land. Was never passed.	1998	Not passed
16th	Increased the term appointed for quota system as per 1973 Constitution from 20 to 40 years.		1999
17th	Made changes dealing with the office of the President and the reversal of the effects of the Thirteenth Amendment.		2003
18th	Removed the power of President of Pakistan to dissolve the Parliament unilaterally. Gave more		8 April 2010

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	authority to the provinces. Province of North-West Frontier Province(NWFP) was renamed as Khyber Pakhtunkhwa(KPK)		
19th	Provided for the appointment of the Judges of the Supreme Court of Pakistan and made amendments in the number of members of the parliamentary committee for the appointment of Chief Electoral Officers at Election Commission of Pakistan.		22 December 2010
20th	For Free and Fair Elections.		14 February 2012
21st	In the aftermath of APS Peshawar Attack, Military Courts were established for speedy trials of terrorists and their sponsors.		7 January 2015
22nd	ECP powers deputed to Chief Election Commissioner		8 June 2016
23rd	The 23rd Amendment was passed to re-establish the military courts for further two years till 6 January 2019. In 2015, National Assembly passed the 21st Amendment and created the military courts for the period of 2 years. The period of two years was expired on 6 January 2017 hence this 23rd Amendment was passed to re-establish the military courts for further two years till 6 January 2019. At the end of this period all the amendments will be expired/removed automatically.		7 January 2017
24th	Reallocation of National Assembly seats among federating units and allowing election authorities to update boundaries of constituencies based on provisional results of 2017 Census of Pakistan.		22 December 2017
25th	Merges Federally Administered Tribal Areas with Khyber Pakhtunkhwa.		31 May 2018
26th	Increasing the National Assembly seats to 12 and of provincial assembly to 24 of the erstwhile Federally Administered Tribal Areas		13 May 2019

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Chapter # 16
Foreign Policy of Pakistan

General Overview

"Our foreign policy is one of the friendliness and goodwill towards all the nations of the world. We do not cherish aggressive designs against any country or nation. We believe in the principle of honesty and fair play in national and international dealings, and are prepared to make our contribution to the promotion of peace and prosperity among the nations of the world. Pakistan will never be found lacking in extending its material and moral support to the oppressed and suppressed peoples of the world and in upholding the principles of the United Nations Charter."

Quaid-e-Azam Mohammad Ali Jinnah

Foreign policy is a plan of action that a nation adopts with regard to its diplomatic dealings with other countries in the world. This is the policy that dictates how a country will act with respect to other countries politically, socially, economically, and militarily. The development of foreign policy is influenced by domestic considerations, the policies or behaviour of other states, or plans to advance specific geopolitical designs.

In the context of Pakistan, we have seen that when Saudi Arabia expected Pakistani soldiers to fight in Yemen — though the request was politely turned down — the government invoked religion; when Chinese President Xi Jinping visited Pakistan, official propagandists started to highlight the economic and strategic imperatives that bind together Islamabad and Beijing; when it comes to our other neighbours in the region — India, Afghanistan and Iran — we mostly adopt a hostile undertones and perceive Indian manoeuvres in the region as a threat; when it comes to Muslim World, we present our country as the only Muslim State having nuclear power and the only advocate of unity of Muslim Ummah; and when it comes to EU or the United States or Russia or any superpower, we invoke our important geographical location in Asia. So, the first question that comes to mind regarding the foreign policy making in Pakistan is: "What factors determine the foreign policy making in Pakistan?"

Following is a brief description of the factors that policymakers have to keep in mind while making decisions related to country's policy.

Determinants of Foreign Policy

1. Ideology

Pakistan was created as a homeland for Muslims of British India after a long freedom struggle. Islam was at the core of this struggle because Two Nation Theory reinforced that Muslims were a separate nation, with their distinct cultural, ideological and religious values. In the establishment of Pakistan, Muslims actually dreamed of a separate homeland where they could spend their lives according to the teachings of the Holy Quran and Sunnah of the Holy Prophet (PBUH).

Quaid-i-Azam Muhammad Ali Jinnah also vowed to preserve the Islamic ideology of the

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country. He said:
"Pakistan not only means freedom and independence but the Muslim Ideology which has to be preserved, which has come to us as a precious gift and treasure and which, we hope other will share with us."
Moreover, at the very outset, Liaquat Ali Khan, the first Prime Minister of Pakistan, declared:
"Pakistan came into being as a result of the urge felt by the Muslims of this subcontinent to secure territory, however limited, where the Islamic Ideology and way of life could be practiced and demonstrated to the world."
So, it was not possible for our foreign policy makers to set aside this ideology while framing country's foreign policy. Hence Islamic ideology has always been a central focus in this realm.

2. Geography
"The foreign policy of a country is determined by its geography".
— Napoleon Bonaparte

For the policymakers, it is important to take into considerations factors like what country's neighbours are, as their attitude, irrespective of their size or power, has a direct bearing especially on issues of its security, development and resource allocation. No country could change its geography nor choose its neighbours. So, in Pakistan, sole consideration has been on safeguarding and preserving country's independence and territorial integrity. Geography, thus, placed on Pakistan the onerous responsibility of consistent vigilance and careful conduct of its relations not only with its immediate neighbours but also with the rest of the world.

3. History
Since its inception, Pakistan has been facing complex challenges. Hence, the country's foreign policy is also guided by its history. Pakistan and India relations have been marred by distrust and antagonism. Pakistan and Afghanistan have also been at odds since long, major concern being the Durand Line which Afghanistan is not willing to accept an international border. Thanks to the old imperial connections, we immediately got sucked into the Cold War struggle. In the process, we encountered unbroken series of crises and challenges that perhaps, no other country in the world has ever experienced. So, foreign policy makers cannot remain oblivious to these factors.

4. Domestic Policies
The foreign policy of a country is linked to its domestic policies, governance issues and political situation. A country's standing in the international community always corresponds directly to its political, social, economic and strategic strength. Foreign policy cannot be divorced from domestic considerations. It is an outcome of national priorities, strength and weaknesses. Unlike large powers, mistakes in foreign policy can be very costly for a developing country like Pakistan. Pakistan's position in the world is constrained by its weak economics and its dependence on foreign finances. And, that has

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been a big challenge before the policymakers.

The policymakers must understand that no country has ever succeeded externally if it is weak and crippled domestically. Even a superpower, the former Soviet Union, could not survive as a superpower because domestically it was weak and crippled.

5. Security

Internal and external security is the most important factor in Pakistan's foreign policy. Historian Paul Kennedy named Pakistan as one of the nine pivotal states whose future evolution would not only determine the fate of their region, but also affect international stability. Pakistan has developed as a principal actor and a vital personality of its own. So, it is supposed to secure and protect its all vital interests, at all costs.

6. Economic Compulsions

Pakistan as a developing country also needs to establish and maintain cordial relations with those states with whom it can maximize its trade relations or from whom it can obtain maximum economic aid. Pakistan's position in the world is constrained by its weak economics and its dependence on foreign finances. The main aim of Pakistan's foreign policy is to boost economic trade.

A Pragmatic Future Strategy

1. Pursuing National Interest

"The meaning of national interest is survival—the protection of physical, political and cultural identity against encroachments by other nation-states"—Morgenthau.

Foreign policy of every nation around the world is formulated on the basis of its national interest. Since seeking its national interests is a universally accepted right of each state, therefore, this should be the only driving force behind Pakistan's foreign policy. All our alliances should be subjected to this keystone criterion. That said, no country can remain isolated and all relationships between states, bilaterally and multilaterally, are therefore based on mutual interests which are freely determined and pursued.

Pakistan's national interest lies in enhancing country's economic, military and cultural power within its ideological framework. Pakistan should use foreign policy to defend its territorial integrity. That necessitates strong defence and deterrent capabilities. Pakistan has to leverage its relations with nations in the region and beyond, as well as with international multilateral institutions, to attract foreign direct investment, start off joint ventures and promote trade. A national interest-centred foreign policy will also act as a catalyst for domestic economic development and international clout.

2. Focusing Regional Dynamics

Pakistan's sense of insecurity vis-à-vis India has been the core driver of its foreign policy since partition. Its relations with its immediate neighbours such as Afghanistan and Iran, and other regional countries such as Turkey and the Gulf States, have all been filtered through this security prism. But, changing global trends in regional trade and the growth of Asian economies have forced Pakistan to readjust the focus of its foreign relations

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especially within its neighbourhood. Pakistan's reluctance in getting militarily involved in the Saudi-led war in Yemen is evidence of this new thinking. As Iran would soon be rejoining the global economy and also Russia is cosying up with Pakistan after India's unprecedented tilt towards the US, Pakistan should also change its policies to not only benefit from these changes but also to gain an important role in regional politics.

3. Promotion of Economy

Pakistan's foreign policy ought to be based on our country's inherent strengths. As the sixth-largest nation in the world by way of population, country's foreign policy makers should take into account the factor that we possess a reasonable quality of human resources and have an extremely useful geography.

Our human resource base was good enough to make us the only nuclear Muslim state in the world. Our strength is our agriculture, which enables us to be food-sufficient with a considerable surplus of rice and wheat. We also enjoy an abundance of fruit, vegetables and dairy products and have the capacity to launch all these for export.

We can rightfully boast of the highest quality of craftsmanship in leather, metals, pottery and stitched craft, and are now entering the fashion market at an international level. Moreover, our considerable mineral resources await exploration, as do our deposits of natural gas.

Despite all these strengths, we have fallen into a debt trap because of poor governance and mismanagement, rectifying which is certainly within the realm of the feasible. A growth- and export-driven economy would enable us to exploit our strategic advantage effectively and base our foreign policy on an economically strong agenda.

Conclusion

Traditionally, Pakistan has been a security-driven state and that's the reason why more emphasis has been on state-building over nation-building. However, changing regional as well as world dynamics present our foreign policy makers with a set of complex challenges. This is perhaps the most opportune time that Pakistan should reap the benefits of its geographical location and its importance to the whole world. Our foreign policy makers should move forward with extreme prudence.

II. Foreign Policy Challenges Faced by Pakistan

A. *Security Concerns*

1. **Terrorism and Extremism**: Pakistan has been grappling with terrorism and extremism for decades. It faces the challenge of eradicating terrorism within its borders while simultaneously countering the international perception that it is a breeding ground for extremism.
2. **Border Disputes**: Pakistan faces border disputes with India and Afghanistan, notably over Kashmir and the Durand Line, respectively. These disputes pose ongoing security challenges and hinder regional stability.

B. *Economic Challenges*

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1. **Economic Dependency**: Pakistan's economic dependence on foreign loans and aid, particularly from China and the International Monetary Fund (IMF), raises concerns about sovereignty and long-term economic sustainability.
2. **Trade Imbalances**: Persistent trade imbalances with key trading partners, including China, Middle East from where it imports oil further strain Pakistan's economic stability. Pakistan's depleting foreign reserves on account of shortfall in the foreign remittances, investment and exports are other challenges.

C. *Geopolitical Challenges*

1. **Balancing Act in a Multipolar World**: Pakistan must navigate the complexities of a multipolar world, managing relations with both the United States and China, each with its own global ambitions. With China, it has deep economic and strategic relations via CPEC and Gwadar port. Meanwhile, the USA views China as a rival in both political and economic domains.
2. **Regional Power Dynamics**: The regional dynamics, including India's growing influence, Iran's distancing from the USA and Israel, and its increasing ties with China, along with the evolving Afghan landscape under the Taliban, create diplomatic challenges and opportunities for Pakistan that demand careful maneuvering.
3. **Strained Relations with India**: Relations with India have historically remained strained, marked by three major wars, with the Kashmir issue as a primary point of contention. India also played a significant role in the disintegration of East Pakistan in 1971. In light of these historical tensions, SAARC has struggled to take off and is currently nearly dysfunctional.
4. **Political Instability:** The persistent political instability and chaos are tarnishing the country's international image. Additionally, they serve as a discouraging factor in attracting foreign investment, especially from the Pakistani diaspora.

III. Opportunities in Pakistan's Foreign Policy

A. *Economic Cooperation*

1. **CPEC: China-Pakistan Economic Corridor**: Pakistan's participation in CPEC, a flagship project under China's Belt and Road Initiative (BRI), offers immense economic prospects, including infrastructure development and increased trade connectivity.
2. **Regional Trade Initiatives**: Pakistan's participation in regional trade blocs like the Shanghai Cooperation Organization (SCO) and the Economic Cooperation Organization (ECO) can open doors to enhanced economic cooperation.

B. *Diplomatic Efforts*

1. **Peace Initiatives with India**: Diplomatic efforts aimed at resolving the Kashmir dispute and normalizing relations with India can usher in regional stability and economic opportunities.
2. **Role in Afghan Peace Process**: Pakistan's involvement in the Afghan peace process positions it as a key regional player and offers the opportunity to stabilize its western border and foster economic connectivity.

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C. *Strategic Alliances*

1. **Relations with China**: Pakistan's strong strategic and economic partnership with China provides it with a reliable ally and access to resources and investments.
2. **Engaging with the United States**: Maintaining a productive relationship with the United States is crucial for military and economic support, especially in the context of Afghanistan and counterterrorism efforts, and balancing act between USA and China.

IV. Regional Dynamics and their Impact

A. *Relations with India*

1. **Kashmir Conflict**: The longstanding Kashmir conflict continues to strain Pakistan-India relations, with potential escalations posing security risks.
2. **Water Disputes**: Water disputes, particularly concerning the Indus Water Treaty, impact regional cooperation and stability. Pakistan and India have longstanding water disputes primarily centered around the sharing of the Indus River and its tributaries. These disputes are governed by the Indus Waters Treaty (IWT), which was signed in 1960 with the assistance of the World Bank. The treaty is considered one of the most successful water-sharing agreements in the world. However, tensions and disagreements have arisen from time to time. The main disputes include:

- Pakistan has raised concerns about India's construction of dams, particularly on the western rivers, as it can potentially affect the flow of water into Pakistan. India's projects, such as the Baglihar Dam on the Chenab River and the Kishanganga Dam on the Jhelum River, have been points of contention. Pakistan has accused India of violating the treaty's provisions by altering the river flow and storing water, which it claims affects its agriculture and water supply.
- During times of heightened tensions between the two countries, water has been used as a potential weapon. Pakistan has expressed concerns about India potentially reducing water flow as a form of non-kinetic aggression during conflicts.

B. *Relations with Afghanistan*

1. **Afghan Refugees and Border Management**: The presence of Afghan refugees and border management issues challenge Pakistan's resources and security.
2. **Afghan Peace Process**: Pakistan's role in facilitating the Afghan peace process influences regional stability and its standing on the global stage.

C. *Relations with China*

1. **Economic and Military Cooperation**: Pakistan's deepening ties with China have geopolitical implications, potentially altering the balance of power in the region.
2. **Strategic Implications**: China's expanding influence in the region may necessitate Pakistan to carefully balance its interests between China and other major powers particularly with USA.

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Original Text of Constitution (Article 7 to 40)

Part II: Fundamental Rights and Principles of Policy

7 Definition of the State

In this Part, unless the context otherwise requires, "the State" means the Federal Government, [Majlis-e-Shoora (Parliament)], a Provincial Government, a Provincial Assembly, and such local or other authorities in Pakistan as are by law empowered to impose any tax or cess.

Chapter 1: Fundamental Rights

8 Laws inconsistent with or in derogation of fundamental rights to be void.

(1) Any law, or any custom or usage having the force of law, in so far as it is inconsistent with the rights conferred by this Chapter, shall, to the extent of such inconsistency, be void.

(2) The State shall not make any law which takes away or abridges the rights so conferred and any law made in contravention of this clause shall, to the extent of such contravention, be void.

(3) The provisions of this Article shall not apply to :-

(a) any law relating to members of the Armed Forces, or of the police or of such other forces as are charged with the maintenance of public order, for the purpose of ensuring the proper discharge of their duties or the maintenance of discipline among them; or

(b) any of the:-

(i) laws specified in the First Schedule as in force immediately before the commencing day or as amended by any of the laws specified in that Schedule;

(ii) other laws specified in Part I of the First Schedule;

] and no such law nor any provision thereof shall be void on the ground that such law or provision is inconsistent with, or repugnant to, any provision of this Chapter.

(4) Notwithstanding anything contained in paragraph (b) of clause (3), within a period of two years from the commencing day, the appropriate Legislature shall bring the laws specified in [Part II of the First Schedule] into conformity with the rights conferred by this Chapter:

Provided that the appropriate Legislature may by resolution extend the said period of two years by a period not exceeding six months.

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Explanation:- If in respect of any law [Majlis-e-Shoora (Parliament)] is the appropriate Legislature, such resolution shall be a resolution of the National Assembly.

(5) The rights conferred by this Chapter shall not be suspended except as expressly provided by the Constitution.

9. Security of person.

No person shall be deprived of life or liberty save in accordance with law.

10 Safeguards as to arrest and detention

(1) No person who is arrested shall be detained in custody without being informed, as soon as may be, of the grounds for such arrest, nor shall he be denied the right to consult and be defended by a legal practitioner of his choice.

(2) Every person who is arrested and detained in custody shall be produced before a magistrate within a period of twenty-four hours of such arrest, excluding the time necessary for the journey from the place of arrest to the court of the nearest magistrate, and no such person shall be detained in :custody beyond the said period without the authority of a magistrate.

(3) Nothing in clauses (1) and (2) shall apply to any person who is arrested or detained under any law providing for preventive detention.

(4) No law providing for preventive detention shall be made except to deal with persons acting in a manner prejudicial to the integrity, security or defence of Pakistan or any part thereof, or external affairs of Pakistan, or public order, or the maintenance of supplies or services, and no such law shall authorise the detention of a person for a period exceeding [three months] unless the appropriate Review Board has, after affording him an opportunity of being heard in person, reviewed his case and reported, before the expiration of the said period, that there is, in its opinion, sufficient cause for such detention, and, if the detention is continued after the said period of [three months], unless the appropriate Review Board has reviewed his case and reported, before the expiration of each period of three months, that there is, in its opinion, sufficient cause for such detention.

Explanation-I: In this Article, "the appropriate Review Board" means:-

(i) in the case of a person detained under a Federal law, a Board appointed by the Chief Justice of Pakistan and consisting of a Chairman and two other persons, each of whom is or has been a Judge of the Supreme Court or a High Court; and

(ii) in the case of a Person detained under a Provincial law, a Board appointed by the Chief Justice of the High Court concerned and consisting of a Chairman and two other persons, each of whom is or has been a Judge of a High Court.

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Explanation-II: The opinion of a Review Board shall be expressed in terms of the views of the majority of its members.

(5) When any person is detained in pursuance of an order made under any law providing .for preventive detention, the authority making the order shall, [within fifteen days] from such detention, communicate to such person the grounds on which the order has been made, and shall afford him the earliest opportunity of making a representation against the order:

Provided that the authority making any such order may refuse to disclose facts which such authority considers it to be against the public interest to disclose.

(6) The authority making the order shall furnish to the appropriate Review Board all documents relevant to the case unless a certificate, signed by a Secretary to the Government concerned, to the effect that it is not in the public interest to furnish any documents, is produced.

(7) Within a period of twenty-four months commencing on the day of his first detention in pursuance of an order made under a law providing for preventive detention, no person shall be detained in pursuance of any such order for more than a total period of eight months in the case of a person detained for acting in a manner prejudicial to public order and twelve months in any other case:

Provided that this clause shall not apply to any person who is employed by, or works for, or acts on instructions received from, the enemy [or who is acting or attempting to act in a manner prejudicial to the integrity, security or defence of Pakistan or any part thereof or who commits or attempts to commit any act which amounts to an anti-national activity as defined in a Federal law or is a member of any association which has for its objects, or which indulges in, any such anti-national activity]

(8) The appropriate Review Board shall determine the place of detention of the person detained and fix a reasonable subsistence allowance for his family.

(9) Nothing in this Article shall apply to any person who for the time being is an enemy alien.

10A. Right to fair trial:

For the determination of his civil rights and obligations or in any criminal charge against him a person shall be entitled to a fair trial and due process.

11 Slavery, forced labour, etc. prohibited

(1) Slavery is non-existent and forbidden and no law shall permit or facilitate its introduction into Pakistan in any form.

(2) All forms of forced labour and traffic in human beings are prohibited.

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(3) No child below the age of fourteen years shall be engaged in any factory or mine or any other hazardous employment.

(4) Nothing in this Article shall be deemed to affect compulsory service:-

(a) by any person undergoing punishment for an offence against any law; or

(b) required by any law for public purpose provided that no compulsory service shall be of a cruel nature or incompatible with human dignity.

12 Protection against retrospective punishment

(1) No law shall authorize the punishment of a person:-

(a) for an act or omission that was not punishable by law at the time of the act or omission; or

(b) for an offence by a penalty greater than, or of a kind different from, the penalty prescribed by law for that offence at the time the offence was committed.

(2) Nothing in clause (1) or in Article 270 shall apply to any law making acts of abrogation or subversion of a Constitution in force in Pakistan at any time since the twenty-third day of March, one thousand nine hundred and fifty-six, an offence.

13 Protection against double punishment and self incrimination.

No person:-

(a) shall be prosecuted or punished for the same offence more than once; or

(b) shall, when accused of an offence, be compelled to be a witness against himself.

14 Inviolability of dignity of man, etc.

(1) The dignity of man and, subject to law, the privacy of home, shall be inviolable.

(2) No person shall be subjected to torture for the purpose of extracting evidence.

15 Freedom of movement, etc.

Every citizen shall have the right to remain in, and, subject to any reasonable restriction imposed by law in the public interest, enter and move freely throughout Pakistan and to reside and settle in any part thereof.

16 Freedom of assembly.

Every citizen shall have the right to assemble peacefully and without arms, subject to any reasonable restrictions imposed by law in the interest of public order.

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17. Freedom of association:

(1) Every citizen shall have the right to form associations or unions, subject to any reasonable restrictions imposed by law in the interest of sovereignty or integrity of Pakistan, public order or morality.

(2) Every citizen, not being in the service of Pakistan, shall have the right to form or be a member of a political party, subject to any reasonable restrictions imposed by law in the interest of the sovereignty or integrity of Pakistan and such law shall provide that where the Federal Government declares that any political party has been formed or is operating in a manner prejudicial to the soverignty or integrity of Pakistan, the Federal Government shall, within fifeen days of such declaration, refer the matter to the Supreme Court whose decision on such reference shall be final.

(3) Every political party shall account for the source of its funds in accordance with law.

18 Freedom of trade, business or profession.

Subject to such qualifications, if any, as may be prescribed by law, every citizen shall have the right to enter upon any lawful profession or occupation, and to conduct any lawful trade or business:

Provided that nothing in this Article shall prevent:-

(a) the regulation of any trade or profession by a licensing system; or

(b) the regulation of trade, commerce or industry in the interest of free competition therein; or

(c) the carrying on, by the Federal Government or a Provincial Government, or by a corporation controlled by any such Government, of any trade, business, industry or service, to the exclusion, complete or partial, of other persons.

19 Freedom of speech, etc.

Every citizen shall have the right to freedom of speech and expression, and there shall be freedom of the press, subject to any reasonable restrictions imposed by law in the interest of the glory of Islam or the integrity, security or defence of Pakistan or any part thereof, friendly relations with foreign States, public order, decency or morality, or in relation to contempt of court, [commission of] or incitement to an offence.

19A. Right to information:

Every citizen shall have the right to have access to information in all matters of public importance subject to regulation and reasonable restrictions imposed by law.

20 Freedom to profess religion and to manage religious institutions.

Subject to law, public order and morality:-

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(a) every citizen shall have the right to profess, practice and propagate his religion; and

(b) every religious denomination and every sect thereof shall have the right to establish, maintain and manage its religious institutions.

21 Safeguard against taxation for purposes of any particular religion.
No person shall be compelled to pay any special tax the proceeds of which are to be spent on the propagation or maintenance of any religion other than his own.

22 Safeguards as to educational institutions in respect of religion, etc.

(1) No person attending any educational institution shall be required to receive religious instruction, or take part in any religious ceremony, or attend religious worship, if such instruction, ceremony or worship relates to a religion other than his own.

(2) In respect of any religious institution, there shall be no discrimination against any community in the granting of exemption or concession in relation to taxation.

(3) Subject to law:

(a) no religious community or denomination shall be prevented from providing religious instruction for pupils of that community or denomination in any educational institution maintained wholly by that community or denomination; and

(b) no citizen shall be denied admission to any educational institution receiving aid from public revenues on the ground only of race, religion, caste or place of birth.

(4) Nothing in this Article shall prevent any public authority from making provision for the advancement of any socially or educationally backward class of citizens.

23 Provision as to property.
Every citizen shall have the right to acquire, hold and dispose of property in any part of Pakistan, subject to the Constitution and any reasonable restrictions imposed by law in the public interest.

24 Protection of property rights.

(1) No person shall be compulsorily deprived of his property save in accordance with law.

(2) No property shall be compulsorily acquired or taken possession of save for a public purpose, and save by the authority of law which provides for compensation therefore and either fixes the amount of compensation or specifies the principles on and the manner in which compensation is to be determined and given.

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(3) Nothing in this Article shall affect the validity of :-

(a) any law permitting the compulsory acquisition or taking possession of any property for preventing danger to life, property or public health; or

(b) any law permitting the taking over of any property which has been acquired by, or come into the possession of, any person by any unfair means, or in any manner, contrary to law; or

(c) any law relating to the acquisition, administration or disposal of any property which is or is deemed to be enemy property or evacuee property under any law (not being property which has ceased to be evacuee property under any law); or

(d) any law providing for the taking over of the management of any property by the State for a limited period, either in the public interest or in order to secure the proper management of the property, or for the benefit of its owner; or

(e) any law providing for the acquisition of any class of property for the purpose of

(i) providing education and medical aid to all or any specified class of citizens or

(ii) providing housing and public facilities and services such as roads, water supply, sewerage, gas and electric power to all or any specified class of citizens; or

(iii) providing maintenance to those who, on account of unemployment, sickness, infirmity or old age, are unable to maintain themselves ; or

(f) any existing law or any law made in pursuance of Article 253.

(4) The adequacy or otherwise of any compensation provided for by any such law as is referred to in this Article, or determined in pursuance thereof, shall not be called in question in any court.

25 Equality of citizens.

(1) All citizens are equal before law and are entitled to equal protection of law.

(2) There shall be no discrimination on the basis of sex [].

(3) Nothing in this Article shall prevent the State from making any special provision for the protection of women and children.

25A. Right to education:

The State shall provide free and compulsory education to all children of the age of five to sixteen years in such manner as may be determined by law.

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26. Non-discrimination in respect of access to public places.

(1) In respect of access to places of public entertainment or resort not intended for religious purposes only, there shall be no discrimination against any citizen on the ground only of race, religion, caste, sex, residence or place of birth.

(2) Nothing in clause (1) shall prevent the State from making any special provision for women and children.

27. Safeguard against discrimination in services.

(1) No citizen otherwise qualified for appointment in the service of Pakistan shall be discriminated against in respect of any such appointment on the ground only of race, religion, caste, sex, residence or place of birth:

Provided that, for a period not exceeding [forty] years from the commencing day, posts may be reserved for persons belonging to any class or area to secure their adequate representation in the service of Pakistan:

Provided further that, in the interest of the said service, specified posts or services may be reserved for members of either sex if such posts or services entail the performance of duties and functions which cannot be adequately performed by members of the other sex [:]

[**Provided** also that under-representation of any class or area in the service of Pakistan may be redressed in such manner as may be determined by an Act of Majlis-e-Shoora (Parliament).]

(2) Nothing in clause (1) shall prevent any Provincial Government, or any local or other authority in a Province, from prescribing, in relation to any post or class of service under that Government or authority, conditions as to residence in the Province. for a period not exceeding three years, prior to appointment under that Government or authority.

28 Preservation of language, script and culture.

Subject to Article 251 any section of citizens having a distinct language, script or culture shall have the right to preserve and promote the same and subject to law, establish institutions for that purpose.

29 Principles of Policy

(1) The Principles set out in this Chapter shall be known as the Principles of Policy, and it is the responsibility of each organ and authority of the State, and of each person performing functions on behalf of an organ or authority of the State, to act in accordance with those Principles in so far as they relate to the functions of the organ or authority.

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(2) In so far as the observance of any particular Principle of Policy may be dependent upon resources being available for the purpose, the Principle shall be regarded as being subject to the availability of resources.

(3) In respect of each year, the President in relation to the affairs of the Federation, and the Governor of each Province in relation to the affairs of his Province, shall cause to be prepared and laid before the 41[each House of Majlis-e-Shoora (Parliament)] 41 or, as the case may be, the Provincial Assembly, a report on the observance and implementation of the Principles of Policy, and provision shall be made in the rules of procedure of the National Assembly 42[and the Senate] 42or, as the case may be, the Provincial Assembly, for discussion on such report.

30 Responsibility with respect to Principles of Policy.

(1) The responsibility of deciding whether any action of an organ or authority of the State, or of a person performing functions on behalf of an organ or authority of the State, is in accordance with the Principles of Policy is that of the organ or authority of the State, or of the person, concerned.

(2) The validity of an action or of a law shall not be called in question on the ground that it is not in accordance with the Principles of Policy, and no action shall lie against the State or any organ or authority of the State or any person on such ground.

31 Islamic way of life.

(1) Steps shall be taken to enable the Muslims of Pakistan, individually and collectively, to order their lives in accordance with the fundamental principles and basic concepts of Islam and to provide facilities whereby they may be enabled to understand the meaning of life according to the Holy Quran and Sunnah.

(2) The state shall endeavour, as respects the Muslims of Pakistan :-

(a) to make the teaching of the Holy Quran and Islamiat compulsory, to encourage and facilitate the learning of Arabic language and to secure correct and exact printing and publishing of the Holy Quran;

(b) to promote unity and the observance of the Islamic moral standards; and

(c) to secure the proper organisation of zakat, 43[ushr,] 43auqaf and mosques.

32 Promotion of local Government institutions.

The State shall encourage local Government institutions composed of elected representatives of the areas concerned and in such institutions special representation will be given to peasants, workers and women.

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33 Parochial and other similar prejudices to be discouraged.

The State shall discourage parochial, racial, tribal, sectarian and provincial prejudices among the citizens.

34 Full participation of women in national life.

Steps shall be taken to ensure full participation of women in all spheres of national life.

35 Protection of family, etc.

The State shall protect the marriage, the family, the mother and the child.

36 Protection of minorities.

The State shall safeguard the legitimate rights and interests of minorities, including their due representation in the Federal and Provincial services.

37 Promotion of social justice and eradication of social evils.

The State shall:

(a) promote, with special care, the educational and economic interests of backward classes or areas;

(b) remove illiteracy and provide free and compulsory secondary education within minimum possible period;

(c) make technical and professional education generally available and higher education equally accessible to all on the basis of merit;

(d) ensure inexpensive and expeditious justice;

(e) make provision for securing just and humane conditions of work, ensuring that children and women are not employed in vocations unsuited to their age or sex, and for maternity benefits for women in employment;

(f) enable the people of different areas, through education, training, agricultural and industrial development and other methods, to participate fully in all forms of national activities, including employment in the service of Pakistan;

(g) prevent prostitution, gambling and taking of injurious drugs, printing, publication, circulation and display of obscene literature and advertisements;

(h) prevent the consumption of alcoholic liquor otherwise than for medicinal and, in the case of non-Muslims, religious purposes; and

(i) decentralise the Government administration so as to facilitate expeditious disposal of its business to meet the convenience and requirements of the public.

38 Promotion of social and economic well-being of the people.

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The State shall :

(a) secure the well-being of the people, irrespective of sex, caste, creed or race, by raising their standard of living, by preventing the concentration of wealth and means of production and distribution in the hands of a few to the detriment of general interest and by ensuring equitable adjustment of rights between employers and employees, and landlords and tenants;

(b) provide for all citizens, within the available resources of the country, facilities for work and adequate livelihood with reasonable rest and leisure;

(c) provide for all persons employed in the service of Pakistan or otherwise, social security by compulsory social insurance or other means;

(d) provide basic necessities of life, such as food, clothing. housing, education and medical relief, for all such citizens, irrespective of sex, caste, creed or race, as are permanently or temporarily unable to earn their livelihood on account of infirmity, sickness or unemployment;

(e) reduce disparity in the income and earnings of individuals, including persons in the various classes of the service of Pakistan; 44[] 44

(f) eliminate riba as early as possible 45[; and]

(g) the shares of the Provinces in all federal services, including autonomous bodies and corporations established by, or under the control of, the Federal Government, shall be secured and any omission in the allocation of the shares of the Provinces in the past shall be recitified.

39 Participation of people in Armed Forces.

The State shall enable people from all parts of Pakistan to participate in the Armed Forces of Pakistan.

40 Strengthening bonds with Muslim world and promoting international peace.

The State shall endeavour to preserve and strengthen fraternal relations among Muslim countries based on Islamic unity, support the common interests of the peoples of Asia, Africa and Latin America, promote international peace and security, foster goodwill and friendly relations among all nations and encourage the settlement of international disputes by peaceful means.

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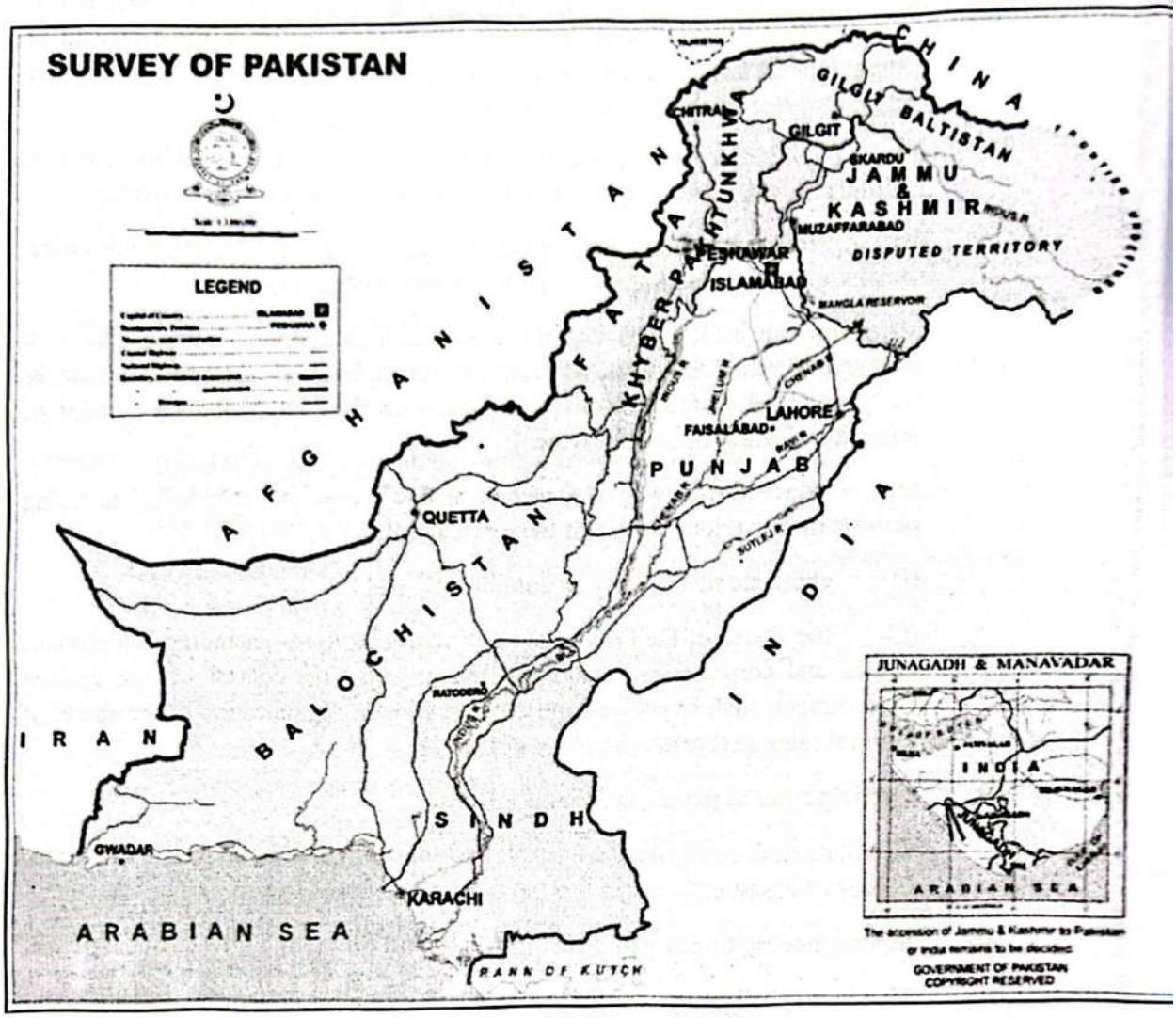
MAPS



Political Map of Pakistan (2020)

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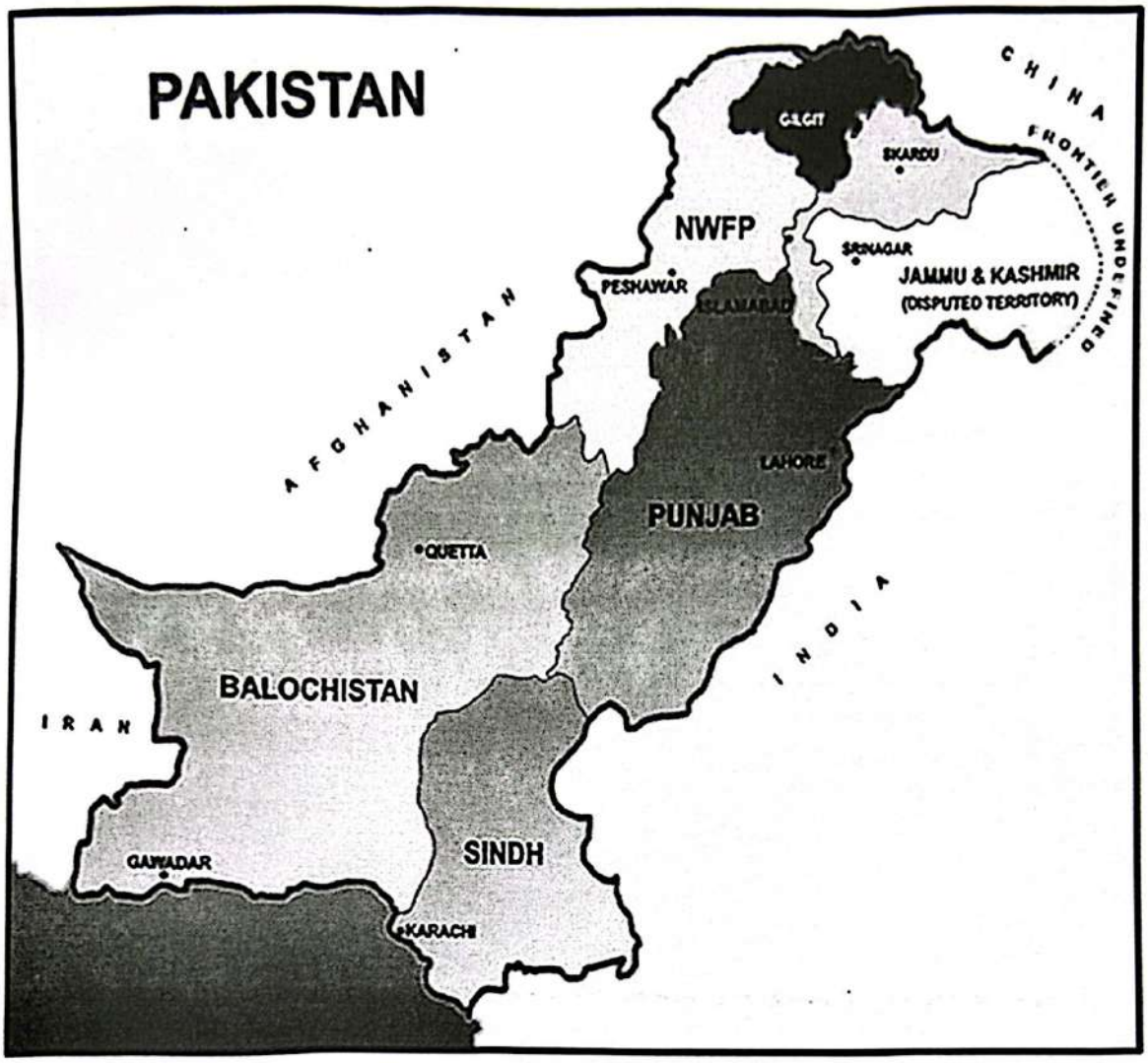

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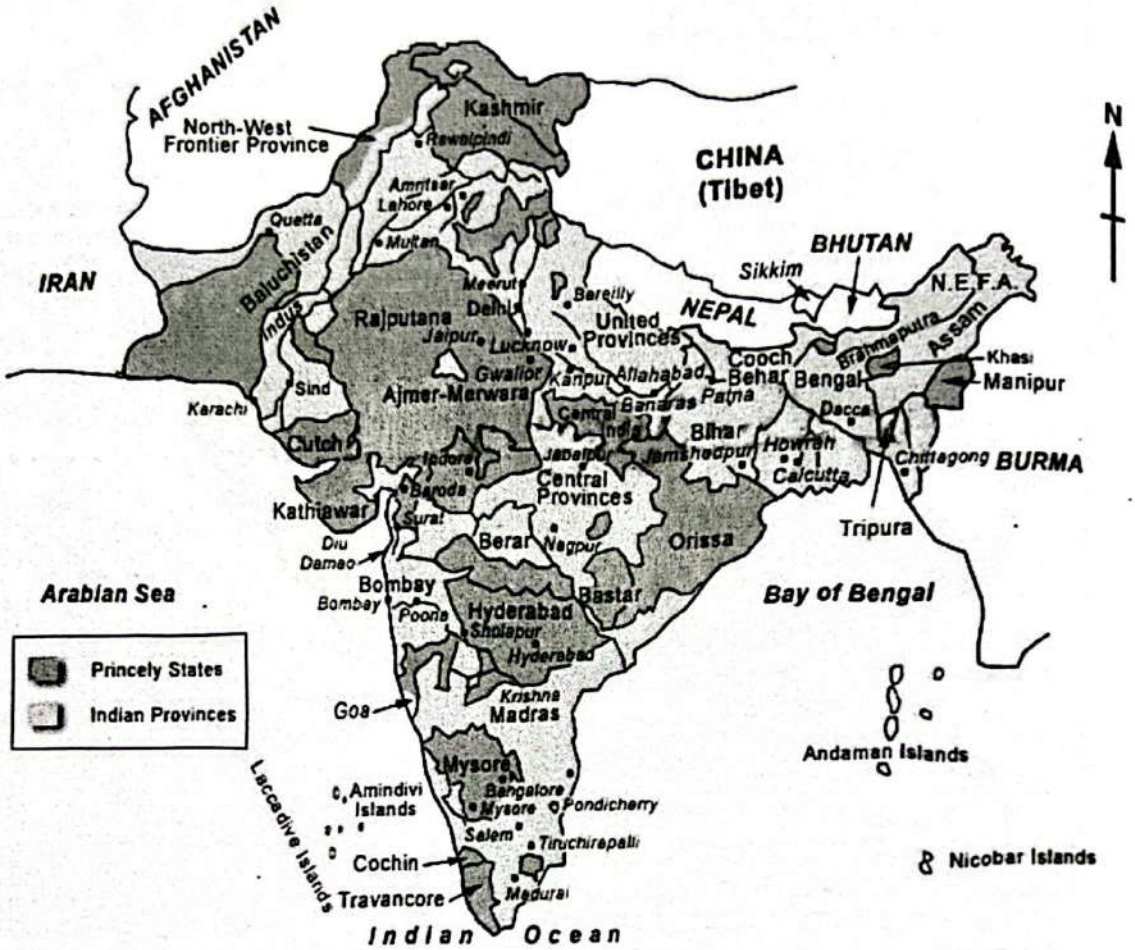
Pre-Partition Map



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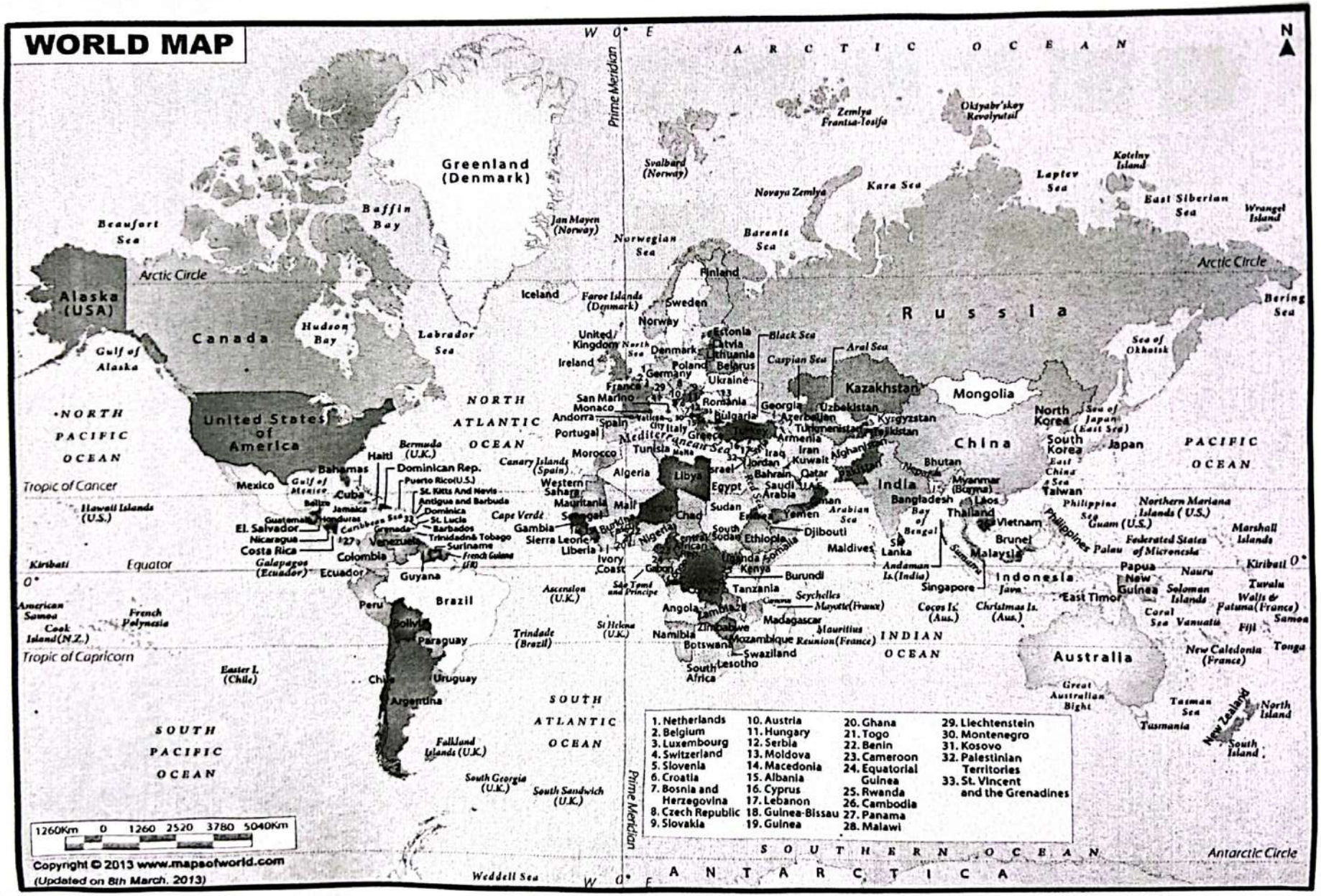

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List of Governors-General of Pakistan

No.	Portrait	Name (Birth–Death)	Term of office			Monarch (Reign)
			Took office	Left office	Time in office	
1		Muhammad Ali Jinnah (1876–1948)	14 August 1947	11 September 1948	1 year, 28 days	George VI (1947–1952)
2		Sir Khawaja Nazimuddin (1894–1964)	14 September 1948	17 October 1951	3 years, 33 days	
3		Sir Ghulam Muhammad (1895–1956)	17 October 1951	7 August 1955	3 years, 294 days	Elizabeth II (1952–1956)
4		Iskander Mirza (1899–1969)	7 August 1955	23 March 1956	229 days	

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Presidents of Pakistan

S/No	Name	Tenure	Image
1	Maj. General Iskander Mirza	23-03-1956 To 27-10-1958	
2	General Mohammed Ayub Khan	27-10-1958 To 25-03-1969	
3	General Mohammed Yahya Khan	25-03-1969 To 20-12-1971	
4	Mr. Zulfiqar Ali Bhutto	20-12-1971 To 14-08-1973	
5	Mr. Fazal Elahi Chaudhry	14-08-1973 To 16-09-1978	
6	General Mohammed Zia-ul-Haq	16-09-1978 To 17-08-1988	
7	Mr. Ghulam Ishaq Khan	17-08-1988 To 08-07-1993	
8	Mr. Wasim Sajjad (Acting)	18-07-1993 To 14-11-1993	
9	Sardar Farooq Ahmed Leghari	14-11-1993 To 02-12-1997	
10	Mr. Wasim Sajjad (Acting)	02-12-1997 To 01-01-1998	

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11	Justice (R) Mohammed Rafiq Tarar	01-01-1998 To 20-06-2001	
12	General Parvez Musharraf	20-06-2001 To 15-10-2007	
13	General (Retd) Parvez Musharraf	29-11-2007 To 18-08-2008	
14	Muhammad Mian Soomro (Acting)	18-08-2008 To 09-09-2008	
15	Mr. Asif Ali Zardari	09-09-2008 To 09-09-2013	
16	Mr. Mamnoon Hussain	09-09-2013 To 09-09-2018	
17	Dr. Arif-ur-Rehman Alvi	09-09-2018 To 10-03-2024	
18	Mr. Asif Ali Zardari	10-03-2024 – to date	

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Prime Ministers of Pakistan

S/No	Name	Tenure	Image
1	Mr. Liaqat Ali Khan	15-08-1947 To 16-10-1951	
2	Khawaja Nazimuddin	17-10-1951 To 17-04-1953	
3	Mr. Mohammad Ali Bogra	17-04-1953 To 11-08-1955	
4	Ch. Mohammed Ali	11-08-1955 To 12-09-1956	
5	Mr. Hussain Shaheed Suharwardi	12-09-1956 To 18-10-1957	
6	Mr. Ibrahim Ismail Chaundrigar	18-10-1957 To 16-12-1957	
7	Malik Feroz Khan Noon	16-12-1957 To 07-10-1958	
8	Mr. Noor-ul-Amin	07-12-1971 To 20-12-1971	
9	Mr. Zulfiqar Ali Bhutto	14-08-1973 To 05-07-1977	
10	Mr. Muhammad Khan Junejo	23-03-1985 To 29-05-1988	

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11	Mohtrama Benazir Bhutto	02-12-1988 To 06-08-1990	
12	Mr. Ghulam Mustafa Khan Jatoi (Caretaker)	06-08-1990 To 06-11-1990	
13	Mian Mohammed Nawaz Sharif	06-11-1990 To 18-04-1993	
14	Mir Balakh Sher Mazari (Caretaker)	18-04-1993 To 26-05-1993	
15	Mian Mohammed Nawaz Sharif	26-05-1993 To 08-07-1993	
16	Mr. Moin Qureshi (Caretaker)	08-07-1993 To 19-10-1993	
17	Mohtrama Benazir Bhutto	19-10-1993 To 05-11-1996	
18	Malik Meraj Khalid (Caretaker)	06-11-1996 To 17-02-1997	
19	Mian Mohammed Nawaz Sharif	17-02-1997 To 12-10-1999	
20	Mir Zafarullah Khan Jamali	23-11-2002 To 26-06-2004	
21	Chuadhary Shujaat Hussain	30-06-2004 To 26-08-2004	
22	Mr. Shaukat Aziz	28-08-2004 To 15-11-2007	

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23	Mr. Muhammad Mian Soomro (Caretaker)	16-11-2007 To 24-03-2008	
24	Syed Yousaf Raza Gillani	25-03-2008 To 25-04-2012	
25	Raja Pervez Ashraf	22-06-2012 To 24-03-2013	
26	Mir Hazar Khan Khoso (Caretaker)	25-03-2013 To 05-06-2013	
27	Mr. Muhammad Nawaz Sharif	05-06-2013 To 28-07-2017	
28	Mr. Shahid Khaqan Abbasi	01-08-2017 To 31-05-2018	
29	Justice (Retd) Nasir-ul-Mulk (Caretaker)	01-06-2018 To 18-08-2018	
30	Mr. Imran Khan	18-08-2018 To 10-04-2022	
31	Mian Muhammad Shehbaz Sharif	11-04-2022 To 13-08-2023	
32	Anwar ul Haq Kakkar (Caretaker)	14-08-2023 To 03-03-2024	
33	Mian Muhammad Shehbaz Sharif	03-03-2024 to date	

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