**Background**

Following the abrogation of the 1962 Constitution and the imposition of martial law on March 25, 1969, Zulfiqar Ali Bhutto assumed the role of the first civilian Chief Martial Law Administrator on December 20, 1971. Bhutto faced the crucial task of drafting a new constitution for Pakistan. While initially favouring a presidential form of government to consolidate power, internal disagreements within the Pakistan People's Party led him to settle for a parliamentary system.

On April 21, 1972, the National Assembly approved an Interim Constitution, marking a significant step in Pakistan's constitutional development during this period of political transition.

**Constitution Making**

In 1972, a Constitutional Committee, comprising members from the National Assembly representing various political parties, was established. The Law Minister chaired this committee, and after months of deliberations and compromises, all parties reached an agreement on the future political system. The committee submitted its report, and the final draft of the constitution was unanimously approved in 1973.

Zulfiqar Ali Bhutto, wielding significant power, crafted the 1973 constitution, minimizing the authority of the head of the state. This constitution was officially approved later in 1973. It remained in force from 1973 to 1977 but was subsequently suspended from 1977 to 1985. In 1985, the constitution was reinstated with a major amendment known as the 8th amendment, often referred to as the mini constitution. Later, Zia-ul-Haq introduced an Article, enhancing the president's powers, including the authority to dissolve the National Assembly.

Since then, the constitution has experienced periods of operation and suspension:

- 1973-77: Operational

- 1977-1985: Suspended

- 1985-1999: Operational after changes

- 1999-2002: Suspended

- 2002 onwards: Operational after changes

**Salient Features**

All the Islamic provisions of the previous constitutions were included in the Constitution of 1973. Some more Islamic provisions were also added, which are as under.

**1. Parliamentary System:** The parliamentary form of government was established, with a powerful Prime Minister as the head of the government and a relatively weak President. The President acted on the advice of the Prime Minister.

**2. Role of President:** The President's role was reduced to a symbolic figure, and the President must act on the advice of the Prime Minister. In 1985, powers of the President were increased through the 8th constitutional amendment. The President had the power to dissolve the National Assembly, appoint a caretaker Prime Minister, and give consent to bills passed by the parliament. According to the Constitution of 1973 the President must be at least 45 years of age.

**3. Bicameralism:** Bicameralism was introduced with the Senate (Upper House) and the National Assembly (Lower House). The Senate had equal representation for provinces, reserved seats for tribal areas, women, and technocrats. The National Assembly was elected based on population and had more legislative powers than the Senate.

**4. Federal System:** A federal form of government was established with four provinces and federally administered areas. Two lists were created: Federal list and Concurrent list, with residuary powers belonging to provinces.

**5. Provincial Structure:** Provinces had elected Chief Ministers exercising executive powers, and parliamentary systems were introduced in the provinces. Governors were appointed by the President on the advice of the Prime Minister. Provinces to depend on centre for finance. Residuary powers were to rest with the provinces. Centre was given emergency powers. Sufficient provincial autonomy was ensured in the constitution.

**6. Principles of Policy:** Islamic provisions were included in the Principles of Policy, covering social, economic, and foreign policy principles.

**7. Fundamental Rights:** Fundamental Rights were secured in the constitution and could be implemented through the highest court, the Supreme Court.

**8. Islamic Provisions:** The title of the state was changed to the Islamic Republic of Pakistan. Islam was declared the state religion, and the Council for Islamic Ideology and Federal Shariat Court were established.

**9. National Language:** Urdu was declared the national language, and English could be used for official purposes until arrangements were made for its replacement by Urdu.

**10. National Security Council:** The National Security Council was added in 2002 in an advisory capacity.

**11. Judiciary:** An independent judiciary was established, with the Supreme Court as the highest court, one High Court in each province including Azad Jammu & Kashmir, and lower courts under the High Courts.

**Importance of Constitution of 1973**

Constitution of 1973 has a great importance in the constitutional history of Pakistan because a lot of Islamic Clauses are added in the constitution as compared to the previous constitutions. This constitution cannot be dismissed (Cancelled or abrogated), any persons who will dissolve it will be hanged till death.

**Bhutto’s Rule**

During Zulfiqar Ali Bhutto's rule under the 1973 constitution, several events unfolded, showcasing the exercise of immense power and political challenges:

**1. Balochistan Conflict:** Bhutto faced strong opposition, particularly in Balochistan. To quell resistance, Nawab Akbar Bugti was appointed as the governor. However, the situation escalated, leading to a full-scale military operation under General Tikka Khan, known for his role in the 1971 war.

**2. Federal Security Force (FSF):** Bhutto established the Federal Security Force, composed of retired military personnel, to manage his affairs. This force employed brutal measures, including political assassinations, to suppress disagreement and opposition in various regions, leading to a decline of the political landscape.

**3. Elections and Rigging:** Elections were held in March 1977, where Bhutto's party, the Pakistan People's Party (PPP), scored a significant victory. However, the elections were marred by allegations of drastic rigging and manipulation by Bhutto's FSF, leading to widespread protests and agitation by the Pakistan National Alliance (PNA).

**4. Agitation and Economic Downturn:** PNA launched a countrywide agitation movement against the unfair elections, resulting in street violence, arrests, and economic downturn. The economy suffered, and Bhutto faced financial challenges, leading to the collapse of the FSF.

**5. Negotiations and Military Intervention:** Bhutto, facing pressure, engaged in negotiations with PNA leaders for the smooth functioning of his government. However, the parties failed to reach an agreement on the process of holding fresh elections. This paved the way for military intervention.

**6. Overthrow and Martial Law:** In 1977, Bhutto's government was overthrown by General Zia-ul-Haq, the chief of army staff appointed by Bhutto himself. Bhutto was arrested, the constitution was suspended, and Pakistan entered in its third military rule.

**7. Constitutional Suspension and Re-activation:** The 1973 constitution was once again suspended following the military intervention. General Zia-ul-Haq reactivated the constitution in 1985, marking a period of martial law. Subsequently, the constitution faced additional suspensions during the regimes of Pervaiz Musharraf in 1999 and 2007.

In summary, Bhutto's rule witnessed political turbulence, military intervention, and the suspension of the constitution, leading to a significant impact on Pakistan's political landscape.