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Date: 08/9/23

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Constitutional History of Pak

Introduction

The basic principles and laws of a nation, state or a social group which determines the powers and duties of government and certain rights of people in it. According to Aristotle: "Constitution is the way of life, that a state chooses for it". Constitution of a country/state may be written, unwritten, flexible or rigid.

It is basically composed of three main parts: Legislative, Executive and Judiciary.

Constitutional Journey of Pakistan (Overview):

Pakistan was found in 14 Aug 1947, through the Independent act, which split the ^{British} India into India and Pakistan.

The legislative assemblies became the central legislative Assemblies with powers - Pakistan had experience a multiple constitution since its

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creation. The first Constitution Assembly was dissolved before the constitution was drafted. The second assembly drafted the first constitution in 1956. ~~After~~ martial law was imposed in 1958, leading to the abrogation of the constitution. In 1962 a new constitution was presented but, abrogated through second martial law. On December 7, 1970, Pakistan held its first general election under a decree called Legal Framework Order (LFO), issued by President General Agha Muhammad Yahya Khan. Mujibur Rahman's Awami League Party representing east ~~Ben~~ Pakistan, won majority of votes, however, the politicians from west Pak. joined Army forces to prevent Mujib ur Rahman from Government. As a result Zulfikar Ali Bhutto became the prime minister of Pakistan and took oath on 14 Aug 1973.

1956 Constitution On 23, March 1956, Iskandar Mirza promulgated a ~~for~~ Constitution - parliamentary form of

government. Urdu and Bengali was declared as national language; it composed / contain 234 articles, 13 parts and 6 schedule.

Due to political instability, President Sikandar Mirza ~~decl~~ abrogated the Constitution and declared Martial Law, on 7th Oct 1958. He appointed General Ayub Khan as the Chief Martial Law Administrator. On 27th Oct 1958 General Ayub Khan took-over as a second president of Pakistan.

1962 Constitution

General Ayub Khan appointed a Constitutional Commission on 17 Feb 1960. The Commission report submitted its report to government on 25th Oct 1960; and on the basis of this report a new constitution was framed and given to the nation ~~on~~ promulgated on 08 Jun 1962: presidential form of government. main features of this constitution are:

- President, no prime Minister.
- Basic democracies Electoral College

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- Legislative was unicameral.
- President appointed judges, armed forces chiefs and ministers
- He could not dissolve National Assembly without losing his own office.

On 25th March 1969 the second martial law was imposed by Ayub Khan took-over as the President and Chief Martial Law Administrator and abrogate the 1962 constitution.

Road to Constitution of 1973 On Dec 1970, Pakistan held its first general election under a decree called LMO (Legal Framework Order), issued by President Ayub Khan - The election were based on adult franchise and population. Mujib ur Rahman's party Awami League won a majority of vote but the politicians of West Pakistan did prevent him from government. This economic and political deprivation and the suppression of democratic processes, East Pakistan eventually seceded and became

the independent country of Bangladesh 1971. On 17 April 1972 an Interim Constitution was adopted by the National Assembly which provided for a Presidential form of Govt. Under this constitution, the national Assembly was not to be dissolved earlier than 14th Aug 1973. The Assembly also formed a Constitutional Committee on 17 April 1972 to prepare a form of constitution. The report of the committee was presented with a draft constitution on 31 Dec 1972, and it was ~~passed~~ unanimously passed by the assembly on 10th April 1973.

Resultly, the constitution called "Constitution of the Islamic Republic of Pakistan 1973"

was promulgated on 14 Aug 1973 (Parliamentary form of Government). The 1973 constitution is still in place. It has significant changes over time, particularly during period of military rule under Muhammad Zia ul Haq & and Pervez Musharraf.

These changes shifted the parliamentary system into semi-presidential systems. It was only on April 8, 2010, that the National Assembly of Pakistan passed the 18th amendment to the constitution, which brought back parliamentary form of government. The most significant change was the removal of 58-2(b).