

Q Objective resolution made constitutional process slow or it helped in making the 1st constitution of Pakistan.

Develop your argument.

Introduction:

The objective Resolution was known to be the first constitutional document that laid the foundation of the constitution development of Pakistan.

It made the constitutional-making process easy because of prime objects from which the 2nd constitution gave the birth. The Resolution was moved by Liaquat Ali Khan, the then Prime-Minister of Pakistan, and approved on March 12, 1949.

First Constituent Assembly:

The first constituent Assembly existence under Indian independence Act 1947. The Pakistan was recently got Independence many districts that became part of Pakistan which were 69% increase to 79

which increased the population which is a major point in constitutional making process.

Objection by Non-Muslims:

The Non-Muslims was to raised the objection of that government was trying to mix the religion and politics which was against spirit of democracy.

Importance of Resolution:

It is a primary document of the constitutional history of Pakistan, which was remained preamble of all the constitutions due to its importance. It is the middle way abiding by the Islamic laws and the international democratic values. It also insert in the constitution of 1973 as Article 2A of the constitution. This show the importance of the Objective Resolution. It provides a frame work to achieve better life of the people of Pakistan.

Some major Issues while making the 1956 constitution:

After partition, the Pakistan was mainly governed by the Government of India Act 1935. After 1946 elections, the first Constituent Assembly faced certain issues, which are followed:

a) Federalism:

The Pakistan was itself a big territory, i.e. East and West Pakistan. East Pakistan which had more population but less representation & West Pakistan which have less population and more Administrative control, i.e. the four units. In 1956, it was a federal system with three list federal legislative list, provincial list and concurrent legislative list.

b) Representation Issue:

Representation of units in federal level was an Issue. To curtail this constituent Assembly formed a Basic principle Committee on March 12, 1949, which

to set 'basic principles' for future constitution.

c) No consensus on BPC Report

After BPC formed no majority consensus made on the 1st Report, 2nd Report and third report known as Muhammad Ali formula in October 1953.

d) Dissolution of 1st Constituent Assembly:

In October 1954, The Governor General dissolved the Constituent Assembly which was challenged in the Sindh High Court by Maulvi Tamizuddin.

Maulvi Tamizuddin case:

The dissolution was upheld by the doctrine of necessity, and the court said to the Governor General to set up an elected Constituent Assembly. It was then the 2nd Constituent Assembly was made.

2nd Constituent Assembly:

Ghulam Muhammad called a convention on May 10, 1955. All its members were to be elected indirectly (by the provincial Assemblies).

Again the constitution-making was started:

The previous report helped the new assembly that completed its work and presented in the 2nd constituent Assembly on January 9, 1956. and enforced on March 23, 1956, Pakistan became an Islamic Republic of Pakistan.

Main points of objective resolution in constitution:

- a) Scope of legislation for an elected Assembly
- b) Islamic nature of laws
- c) position of women, votes & work
- d) Religious minorities rights.

Political Instability in constitution making:

The all major parties are not aligned in same page for in the constitution-making. Apart from that the other issue was of East & West-Bangladesh Pakistan which make the process slow of constitution of Pakistan.

Conclusion:

The objective resolution gave a path to the future constitution making of Pakistan. The objective resolution is very important piece of document in term of constitution making. It ensure the Islamic way of life, protect all fundamental right, minority rights, Religious and cultural rights. Moreover, Democracy, freedom, equality, tolerance, and Social justice is uphold in objective resolution. These all principles and other rights are uphold in the future constitution of Pakistan. The objective resolution is the Basic pillar of the 1st constitution of Pakistan.