

## PART-II

Question no:08

### INTRODUCTION: HISTORY OF CONSTITUTIONAL AMENDMENT AND DEVELOPMENT IN PAKISTAN SINCE 1947

Right after the emergence of Pakistan on world's map, one of the major obstacle to surpass was the formation of constitution in alignment with states goal. For this sole purpose, the constitutional assembly was given task to build constitution which oversaw with amendments in the inherited Government of India Act 1947. Hence the history of constitutional development of Pakistan has foreseen multiple amendments.

### AMENDMENTS AND MILESTONE IN CONSTITUTIONAL DEVELOPMENT

# OF PAKISTAN:

PART-II

(i)

The interim constitution of Pakistan

Pakistan (Provisional Constitutional)

order 1947 established a federal

system in Pakistan and underwent

following events and amendments

## (i) Presenting Bogra Formula:

Bogra formula was presented on 5th October 1953 by Basic Principle

Committee to cover the issue of disparity.

## Objective of One unit formula:

The main objective of one unit formula was <sup>on</sup> the "the principle

of parity" between East and West

Pakistan. Federal legislature would

be comprised of two houses.

Unit of house

House of people.

## BOHRA FORMULA

Houses	East Pakistan	West Pakistan
- Upper house	10	40
- Lower house	165	135
- Joint session	175	175

### (ii) Inclusion of Objective Resolution:

Major milestone while framing constitution was in the form of "Aims and objectives of Constitution" also known as Objective Resolution

#### Aim of Objective Resolution:

Main aims of objectives resolution were following:

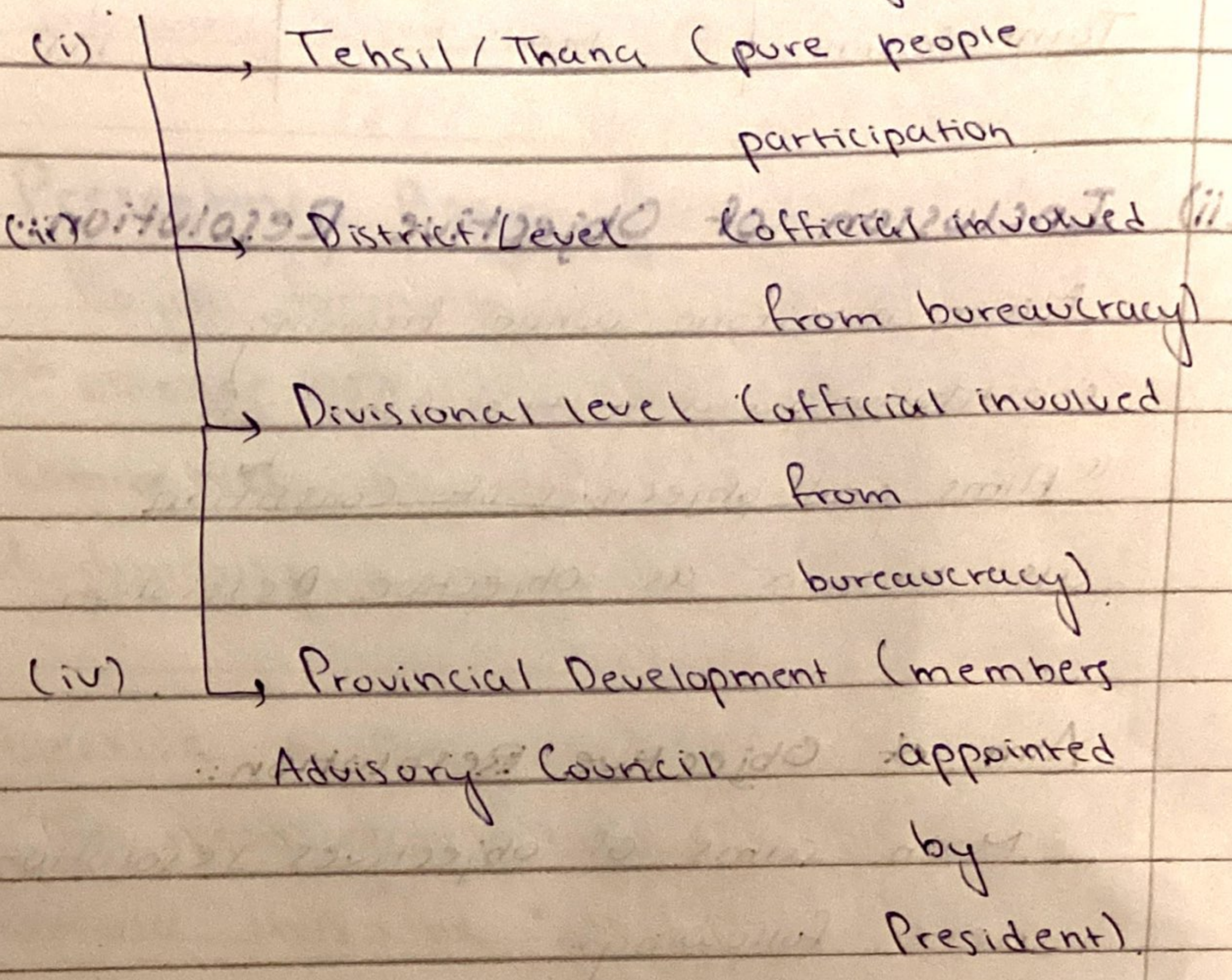
Representative  
chosen by  
people exert  
authority

Declared  
Islam as  
State  
religion.

Holistic  
appraisal  
regarding  
social and  
economic  
rights.

### (iii) The Act of Basic Democracy (1958):

Introduction of Basic Democracy act was solely on the basis of the purpose of guiding democracy. It comprised of four tier system:



### Features presented by Basic Democracies

People elect	Elected democrats	Indirect election	Civil servants
Democrat	becomes electoral college		could select candidates

## Aim of Basic Democracy Act:

Basic idea of this act was to strengthen local government, masses were entrusted with right to elect local notable candidates.

At the same time acted as a guided democracy.

## (iv) Introduction of Legal Framework Order (1970) :

Legal Framework Order was established to act as a guiding factor for the general elections of 1970.

### Aim of LFO :

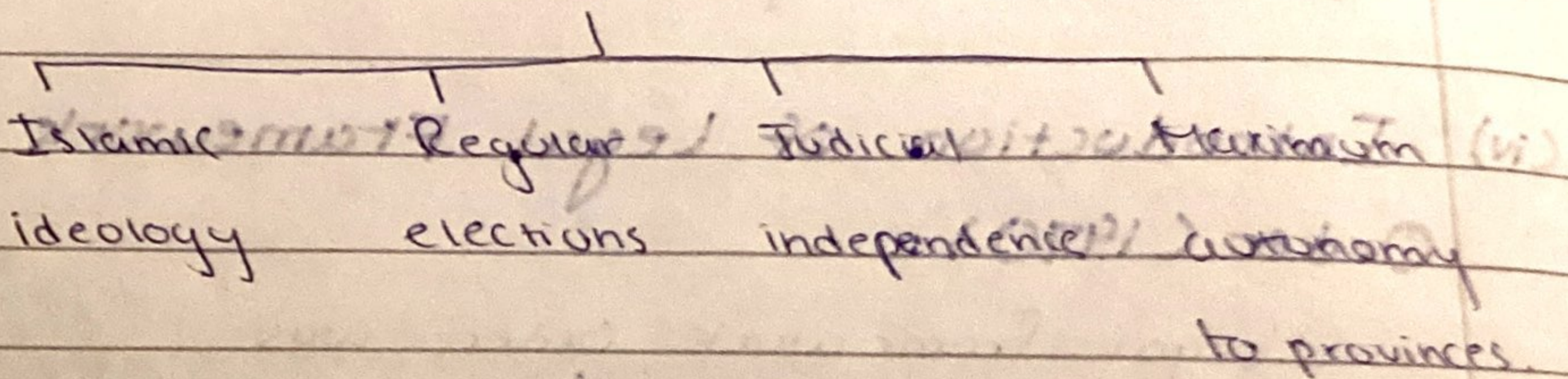
Objectives of LFO were as following.

- Re distribution of National Assembly seats.
- Mandatory for the Constitution to be drafted on the basis of directive principles which included Islamic moral standards.
- President given power to reject LFO if not in accordance with

the directive principles.

- Constituent assembly to be dissolved if unable to frame the constitution within 120 days. LFO then to act as a interim constitution.

### "Directive Principles"



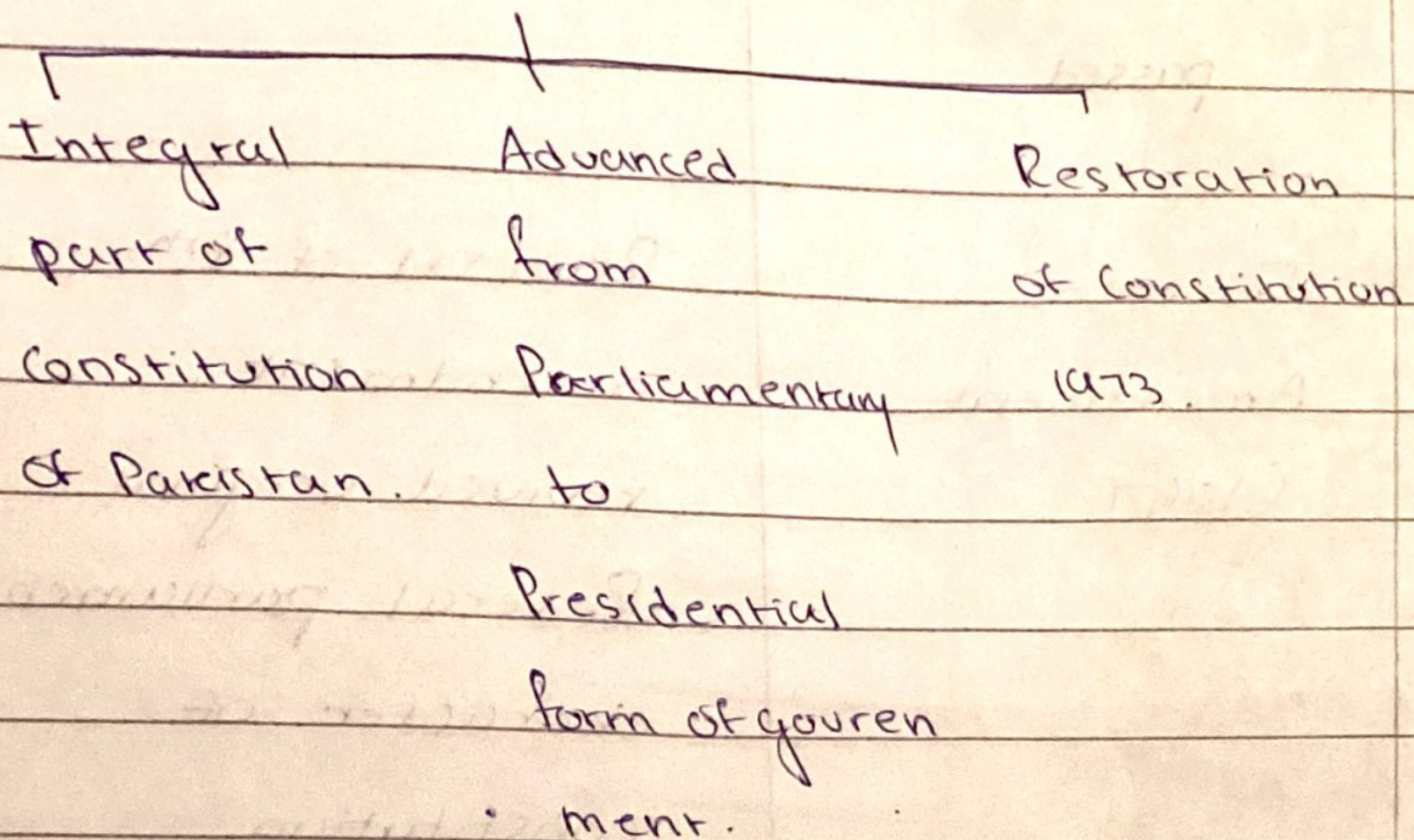
Hence, Principle of Parity replaced Principle of direct ballot.

### v) LFO of 2002 passed:

Through passing or enacting of LFO of 2002 the then President and Chief Executive Parvez Musharraf was able to revive the constitution of Pakistan.

### Aim of LFO:

## Implication Objectives of LFO (2002)



## (vi) Amendments made during the constitutional development process:

Amendment passed	Objective
• Eighth Amendment (1985)	Empowerment of president to dismiss PM and dissolve assembly

Amendment passed	Objective
Thirteen Amendment (1997)	Reversal of 8th amendment, revived original federal parliamentary character of constitution.
• Revision of eighth amendment (LFO-2002)	Presidentialism (iv) the system
• Seventeenth amendment (2003)	Article of 1973 constitution amended. Revitalised the office of president.
• 18th amendment (2010)	Restoration of parliamentary form, devolution of power to provinces.



## Conclusion:

The constitutional development of Pakistan faced ~~to~~ many events and amendments during the process. Final 1973 constitution is able to show <sup>all</sup> characteristics for after several amendments.

Thus, the original ~~of~~ interim constitution of PCO with several amendments have led to present day scenario.