

The Islamia University Bahawalpur
Pakistan Studies (Phy-01107)

Structure of Government

The President

The President is the head of the state and has been regarded as the chief spokesman of the republic. He is constitutionally the repository of the highest administrative authority of the federation which he can exercise in his own discretion or on the advice of the Prime Minister. Under the constitutional arrangements, the balance has been maintained between the powers of the President and that of the Prime Minister, whereas in the original constitution, President has no effective say in the federal administration.

Qualifications:

1. He must be a Muslim.
2. He should not be less than forty-five years of age.
3. He must be qualified to be elected as a member of the National Assembly.

Election:

The President is to be elected by both Houses of the Parliament in a joint session and by the members of all the Provincial Assemblies. Hence, the method of election is indirect while the legislative bodies are to act as the Electoral College. In case the office becomes vacant due to the death or resignation of the President, the new President shall be elected within thirty days.

Tenure:

The term of the office of the President is five years and he can be re-elected for another term but the third term in succession has been disallowed. The President can also be removed prior to the termination of his tenure.

Limitations:

The President-elect cannot remain a member of the Parliament or that of a Provincial Assembly. In case a member of any Assembly is elected as President he has to resign from the

membership. Under the constitution, he is not entitled to hold any office of profit in the service of Pakistan.

Privileges:

No criminal case can be registered in any court against the President in office, nor is any Court authorized for prosecution leading to his arrest. The President is also exempted from all civil proceedings in a civil court.

Powers of the President

The President was supposed to act as a constitutional head in the original constitution while Prime Minister virtually enjoyed all administrative powers. Hence the President has no discretionary authority and was expected to act only on the advice of the Prime Minister.

1. Executive Powers:

The President is the repository of the supreme executive authority of the federation which shall be exercised on the advice of the Prime Minister and his Cabinet.

a) Formation of Cabinet:

The most important function of the President is to appoint the Prime Minister. He invites the leader to form the Cabinet who commands the confidence of the majority of the National Assembly. The choice of the President regarding his nomination of Prime Minister has been curtailed so as to avoid his undue interference in practical politics. The President shall appoint other ministers on the advice of the Prime Minister. As a matter of fact, the formation of the Cabinet is the sole responsibility of the Prime Minister. The Prime Minister and his cabinet colleagues shall remain in offices at the pleasure of the President. But the President can remove them only when he thinks that they have ceased to command the confidence of the majority in the National Assembly. He may ask the Prime Minister to get a vote of confidence in the House. If the Prime Minister fails to do this, the Cabinet has to resign.

b) Discretionary Powers:

The President is authorized to ask the Cabinet to review its policy on a particular matter. It includes even such matters which have not been considered by the Cabinet but dealt with by the Prime Minister or by any other minister. In the performance of his functions, the President can seek the advice of the Prime Minister or that of any other minister but is not bound to act accordingly.

c) Appointment:

In addition to the appointment of the Prime Minister and that of other ministers, the President also appoints a number of superior administrative officers. Appointments of ambassadors to

different countries and that of the Chief Election Commissioner, judges of superior courts fall within the discretionary powers of the President. The latter appoints the Provincial Governors, after consultation with the Prime Minister. He can negotiate treaties with foreign nations. Being the supreme commander of the armed forces, he has to appoint Chief of Staff of all the three forces in addition to the appointment of Chairman of Joint Chiefs of Staff Committee in consultation with the Prime Minister.

2. Legislative Role:

The highest legislative authority in the country is the President of Parliament. The President can summon, prorogue and even dissolve the National Assembly, but the Senate cannot be dissolved. He can send special messages to any of the Houses of the Parliament conveying his proposals regarding any bill and the House are bound to consider it. The President can thus influence legislation.

Approval of the Bills:

All the bills passed by the Parliament have to be approved by the President. After the passage of a bill in both Houses of the parliament, it is sent to the President for his assent. The President within 30 days shall either assent to the bill or send it back to the House of its origin for revision. In case both Houses of the Parliament again pass that bill in a joint session by a simple majority vote, the President is bound to give his approval. Hence, the supremacy of the Parliament has been recognized at least in legislation.

3. Judicial Powers:

The President shall appoint Chief Justice and other judges of the Supreme and High Courts but he has to consult the respective Provincial Governor while making the appointment of the Judges of the High Court. The President is fully empowered to grant pardon, reprieve or clemency. Any action of the President regarding the use of his constitutional powers can not be challenged in any court.

Prime Minister

Prime Minister enjoys a very important position in the Cabinet and being an important advisor of the President, the whole administrative machinery revolves around him. He is, on the one hand, Chief of the administration and on the other hand, leader of the House.

As Head of the Cabinet

Prime Minister is the head of the Cabinet and in this capacity, he supervises the working of different governmental departments and also coordinates their activities. He has the final say in regard to the formation of the Cabinet, as he prepares a list of the ministers to be submitted for its approval by the President. He can ask any minister to resign and in all Cabinet meetings, his opinion weighs heavily. He resolves all differences between his Cabinet members and maintains homogeneity.

As Leader of the House

Being the leader of the majority party in the National Assembly, the Prime Minister is regarded as the leader of the House. In this capacity he issues important statements regarding policy

matters, he remains in close contact with the leader of the opposition to decide different matters relating to agenda and the business of the House. It is on the advice of the Prime Minister that the President normally summons, prorogues and is supposed to dissolve the National Assembly.

As a National Leader

Once appointed as Prime Minister, a person ceases to be a mere party leader, he rather becomes the leader of the nation. His speeches carry weight, ideas propagated and opinion held in esteem. Not only the national press but international press also gives full coverage to his viewpoint. People highly honor his opinion on national issues and look at him for guidance. He enjoys a unique position to mold public opinion through his much-publicized speeches.

The link between President and the Cabinet

The constitution requires that the Prime Minister should act as a link between the Cabinet and the President. As all the powers of the federal government, legally speaking, are exercised in the name of the President, it is, therefore, the duty of the Prime Minister to keep the President informed about all important policy matters. No doubt, every federal minister as in charge of a portfolio, has direct access to the President, it is the Prime Minister who keeps direct links with the President.

The Parliament

In modern political systems, the legislative branch enjoys a somewhat superior position over the other two branches of government, as it reflects the will of the political sovereign. In a parliamentary set-up, the legislature is regarded as a supreme law-making body on the one hand and a repository of executive power on the other.

It was in the interest of the provinces to introduce bicameralism in which the upper chamber would represent the federating units on a parity basis. The parity of representation in one chamber was thought to act as an important safeguard to preserve provincial autonomy. Another advantage of bicameralism is that the popular trends are let known after short intervals, as the election to both the chambers of Parliament is held at different times. In the form of Senate, a permanent Chamber has been provided in which complete change in its membership shall not take place, as half of its members are elected every three years. The quality of the membership of the Senate is expected to be comparatively superior as most competent persons, who may not become members of the National Assembly, due to non-involvement in practical politics, can be elected to the upper chamber due to its limited electoral constituency. Hence, the nation can utilize the services of the most talented persons.

National Assembly

Lower House of the Parliament is known as National Assembly. The duration of the National Assembly is five years. Nevertheless, in the package of proposals, it was suggested to minimize its tenure. It is to be noted that in the recent past none of the assemblies had completed its normal duration with the exception of Assembly which worked in 2002-2007.

Powers of the National Assembly

1. Legislation

The National Assembly is fully authorized to legislate on all matters enumerated in federal and concurrent lists. It enjoys exclusive power to legislate on matters in respect of the federal list, while Provincial Assemblies also enjoy powers to enact on concurrent affairs. Nevertheless, the supremacy of the National Assembly has been secured even in concurrent affairs as the laws of the Parliament shall prevail and provincial laws stand invalid in case of a clash between both the laws.

2. Control over the Executive

The Prime Minister and all of his ministers are the members of either House of the Parliament. The whole Cabinet is accountable to the Parliament for all executive decrees, actions and policies that have been made by the President on the advice of the Prime Minister. The National Assembly can remove the Cabinet by passing a vote of no-confidence against it.

3. Financial Control

Modern legislatures exercise effective control over finance in a democratic system. The money bills originate in the Lower House, in case of a bicameral legislature and it exercises effective control in fiscal matters. Under the present constitutional system, National Assembly wields effective control over the purse of the nation, as no amount can be spent without its sanction and no revenue collected without its authorization. The members of the National Assembly exercise control over fiscal policy by criticizing the estimates for raising funds and demands for grants.

4. Judicial Powers

Parliament is empowered to prescribe the number of judges of the Supreme Court hence it can bring changes in the organization of the court. It enjoys also a quasi-judicial power to impeach the President, and remove him from the office on the basis of gross misconduct or mental or physical unfitness.

5. Amendment in the Constitution

Parliament can amend the constitution. Accordingly, a bill aiming at amendment can be initiated in any one House of the Parliament, and after having been passed by both Houses it is sent for Presidential assent. Further, any proposal aiming at the alterations in the boundaries of any province got to be ratified by the Provincial Assembly concerned by a two-thirds majority.

Miscellaneous Powers

To ventilate public grievances is an important function of a modern legislature. The deputies draw the attention of the public officials to the problems faced by the people by asking questions or criticizing public policies. The members can effectively control the ministers in case the latter remain present on the floor of the Chamber.

The Parliament also acts as a useful training center in which the most competent parliamentarians can distinguish themselves by virtue of their performance. A member of higher intellectual caliber and political sagacity can easily demonstrate his capabilities on the floor of the House, and such distinguished members can be included in the Cabinet. Undoubtedly, the role of a Parliament in the success of democracy is of vital importance.

Speaker and Deputy Speaker

The newly-elected National Assembly, in its very first session, shall elect a Speaker and a Deputy Speaker from amongst its members. Before assuming the duties, both shall take the oath of their respective offices. Deputy Speaker shall preside over the meetings of the National Assembly during the absence of Speaker. In case the former is also absent, any other member, according to the rules of procedure of the House, shall perform Speaker's functions. Both, Speaker and Deputy Speaker, are not entitled to preside over the session in which a motion aiming at their removal is under consideration.

Functions:

1. The Speaker of the National Assembly presides over the meetings of the Assembly and is responsible for the maintenance of law and order in the House. While performing this function he enjoys enormous powers. He can issue warning to a member who defies the established rules and even suspend the proceedings

2. He revolves around the issues in the light of the usages on which there are no explicit rules. The Speaker also gives his rulings on point of order.

3. While presiding over the meetings, the Speaker effectively controls the deliberations. All the questions to be asked from the Ministers are to be addressed to the Speaker and the latter is fully authorized to reject any of these questions.

4. The members take part in the deliberations and take the floor on the permission by the Speaker. The latter can order for the omission of unparliamentary remarks from the proceedings. He can obstruct any member from using objectionable language in his speech.

5. The Speaker enjoys the executive power to select any of the amendments proposed by the members, for submission in the House. He is also fully authorized to reject or accept any of the motion.

The Senate

Senate has been formed for the first time under the present constitutional set-up, as the previous legislatures under both the defunct Constitutions of the Islamic Republic of Pakistan were unicameral.

The formation of the Senate has the definite advantage of ensuring effective representation of all the provinces in the central legislature to their fullest satisfaction due to the parity of representation. Both chambers may also act as a check on each other. As a matter of fact, the concentration of all legislative authority in one House of the legislature may lead to legislative autocracy. A thorough examination of a bill and more effective deliberation is possible during the legislative process on account of the presence of the upper chamber. An issue can be exhaustively crystallized when it is examined by two different chambers. The senate shall also perform its traditional role, viz, revision of bills sent by the National Assembly and rendering its proposals.

Senate is a permanent Chamber which cannot be dissolved. Half of its members shall be replaced after every three years, after having completed their six years term. A complete change in the total membership occurs at no stage; rather continuity in the membership is its novel feature.

Chairman and Deputy Chairman

Chairman and Deputy Chairman are elected by the Senate for three years from amongst its members. In the absence of both the office bearers, a new one shall be elected. It is to be noted, that both are elected after every three years at the time of the reconstitution of the Senate. The functions and powers of the Chairman are similar to the ones performed by the Speaker of National Assembly. If the President of Pakistan is unable to perform his functions due to absence from the country or any other ground, Chairman of the Senate shall work as Acting President.

Powers of the Senate

In most of the federal states, legislatures are bicameral. The presence of an upper chamber has been regarded as an effective safeguard to protect the interests of the smaller federating units against the encroachment on their rights by the bigger ones. It is to be noted, that in a federation, the upper chamber is constituted normally on the basis of parity of representation.

1. Legislative Powers

According to the Eighth Amendment of the Constitution, both the Houses of Parliament have almost equal powers. Hence, bills can be initiated in any of the Houses with the exception of money bills that originate in the National Assembly exclusively. In the original constitution, the bills relating to the first part of the federal list could be introduced only in National Assembly but at present no such discrimination has been preserved in respect of ordinary legislation. Consequently, Senate can legislate, with the co-operation of the National Assembly, on any matter expressed in the federal or concurrent list.

2. Financial Legislation

The National Assembly enjoys a monopoly in respect of fiscal legislation while the Senate has been deprived of a direct role to this effect. All the money bills originate in the National Assembly and it has the ultimate power over the fate of such bills. It is the function of the Speaker to declare a bill as a money bill. Senators can exert indirect influence in shaping financial legislation by passing resolutions or criticizing the policies of the government.

3. Control over the Executive

According to a constitutional requirement, at least one-fourth of the ministers are to be taken from the Senate. The ministers remain present in this Chamber and the Senators can ask questions concerning their respective portfolios.

4. Judicial Powers

The Senate, along with National Assembly, can legislate on all matters relating to the

organization of the judiciary. It also shares with National Assembly the power to impeach the President.

Conclusion:

In financial matters, the National Assembly still enjoys superior powers. It is laid down that after the passage of money bills in the National Assembly, these shall be sent to the Senate for consideration. The Senate shall consider and review such bills within seven days. The approval of the Senate regarding financial bills has not been made obligatory. Exhaustive deliberations on any bill are possible and its drawbacks frequently pointed out, as the fate of government is not involved in this Chamber.

Moreover, strict party discipline does not exist in this Chamber and the issues can be thrashed and examined in a free atmosphere over and above party affiliations. Permanence and continuity in its membership is another distinct feature. But for the success of the parliamentary system requires that it should not become rival of the popular chamber, it is rather expected to uphold political values of parliamentary democracy.

Basic Principles Committee [1949-1952]

After the Objectives Resolution was passed in 1949, the Constitution Assembly set up a number of committees to draw the future constitution on the basis of the principles given in the Objectives Resolution. The most important among those committees was the Basic Principles Committee set up on March 12, 1949, by Khawaja Nazimuddin on the advice of Prime Minister Liaquat Ali Khan.

The main function of this committee was to determine the basic principles of the future Constitution of Pakistan. The committee comprised 24 members. Maulvi Tamiz-ud-din Khan headed it and Liaquat Ali Khan was its Vice President. The committee presented its interim report to the Legislative Assembly in 1950. This was a short document presenting the guidelines and principles of the future Constitution of Pakistan.

Representatives of East Pakistan raised objections against the report. The main criticism was against the quantum representation in the Central Legislature. East Pakistan, with a majority of the population, was given an equal number of seats in the Upper House as West Pakistan, thus reducing the representation of the majority of the population in Pakistan by one-fifth. East Pakistan representatives also did not like Urdu being declared as the only national language of Pakistan.

Liaquat Ali Khan agreed to consider the objections with an open mind. He, therefore, postponed the deliberation of the Constituent Assembly in order to enable the Basic Principles Committee to examine and consider suggestions that might be made by the people regarding the principles of the Constitution. In order to include public opinion, Liaquat Ali Khan called forth general comments and suggestions by the public on the report. A large number of proposals and suggestions were sent by the public, which were examined by a special subcommittee headed by Sardar Abdur Rab Nishtar. The setting up of the committee was a right and commendable step, but its working was immensely affected by the assassination of Liaquat Ali Khan. The subcommittee, however, gave its report to the Basic Principles Committee in July 1952, which was presented by Khawaja Nazimuddin in the National Assembly on December 22, 1952.

According to the Basic Principles Committee Report, the head of the state was to be a Muslim, elected by a joint session with the majority vote of the Central Legislature for a period of five years. The Prime Minister was to be appointed by the head of the state. The Central Legislature was to consist of two houses: the House of Units with 120 members and the House of People with 400 members. There were to be three lists of subjects for the division of power between the Federation and the Units. Adult franchise was introduced. The judiciary was to be headed by the Supreme Court of Pakistan consisting of a Chief Justice and two to six other judges. The Chief Justice was to be appointed by the head of state. There was to be a High Court for each of the units of East Pakistan, Punjab, Sindh, Baluchistan and the N. W. F. P. A Board of Ulema was to be set up by the head of state and provincial governors. The Board of Ulema was to examine the law making process to ensure that no law was passed that went against the principles of the Quran and Sunnah. The Objectives Resolution was adopted as a preamble to the proposed Constitution.

The Basic Principles Committee's report was severely criticized and raised much bitterness between East and West Pakistan. The Prime Minister, Khawaja Nazimuddin, however, welcomed the report and commended it as a valuable document according to the aspirations of the people of Pakistan. But the fact was that the nation was not satisfied with the report and hence there was a serious deadlock in making of the constitution.

Liaquat-Nehru Pact 1950

At the time of independence, many communal riots broke out in different areas of India and Pakistan. These riots had a great impact on the status of minorities in the two nations. Due to brutal killings by the majority community, a huge number of Muslims migrated from India, and Hindus and Sikhs from Pakistan. Yet, the mass migration failed to solve the minority problem. Even after the migration, almost half of the Muslims living in the Sub-continent were left in India and a sizable number of Hindus in Pakistan. Those who were left behind were unable to become an integral part of the societies they were living in. The people and government of their countries looked upon them as suspects. They were unable to assure their countrymen of their loyalty.

This problem escalated during the late 40's and early 50's. It seemed as if India and Pakistan were about to fight their second war in the first three years of their independence. At this critical juncture in the history of South Asia, Prime Minister of Pakistan, Liaquat Ali Khan issued a statement emphasizing the need to reach a solution to the problem. He also proposed a meeting with his Indian counterpart to determine how to put an end to the communal riots and the fear of war.

The two Prime Ministers met in Delhi on April 2, 1950, and discussed the matter in detail. The meeting lasted for six long days. On April 8, the two leaders signed an agreement, which was later entitled as Liaquat-Nehru Pact. This pact provided a 'bill of rights' for the minorities of India and Pakistan. Its aim was to address the following three issues:

1. To alleviate the fears of the religious minorities on both sides.
2. To elevate communal peace.
3. To create an atmosphere in which the two countries could resolve their other differences.

According to the agreement, the governments of India and Pakistan solemnly agreed that each shall ensure, to the minorities throughout its territories, complete equality of citizenship, irrespective of religion; a full sense of security in respect of life, culture, property and personal honor.

It also guaranteed fundamental human rights of the minorities, such as freedom of movement, speech, occupation and worship. The pact also provided for the minorities to participate in the public life of their country, to hold political or other offices and to serve in their country's civil and armed forces.

The Liaquat-Nehru Pact provided for the mechanism to deal with oppressive elements with an iron hand. Both the governments decided to set up minority commissions in their countries with the aim of observing and reporting on the implementation of the pact, to ensure that no one breaches the pact and to make recommendations to guarantee its

enforcement. Both Minority Commissions were to be headed by a provincial minister and were to have Hindu and Muslim members among its ranks. India and Pakistan also agreed to include representatives of the minority community in the cabinet of the two Bengals, and decided to depute two central ministers, one from each government, to remain in the affected areas for such period as might be necessary. Both the leaders emphasized that the loyalty of the minorities should be reserved for the state in which they were living and for the solution of their problems they should look forward to the government of the country they were living in.

Khawaja Nazimuddin becomes Prime Minister [1951-1953]

Under Quaid-i-Azam's constitutional framework, executive powers lay with the Prime Minister. When Liaquat Ali Khan was assassinated on October 16, 1951, Khawaja Nazimuddin, who was the Governor General at that time, took over as the second Prime Minister of Pakistan. Ghulam Muhammad, who had been Finance Minister since the inception of Pakistan, was elevated to the post of Governor General.

It was under Prime Minister Khawaja Nazimuddin that the second draft of the Basic Principles Committee was presented to the Constituent Assembly on December 22, 1952. He remained in power till April 1953 when Ghulam Muhammad removed him from the office. Khawaja Nazimuddin's downfall was not only due to his meekness of character, but also due to the power struggle amongst the various leaders. The movement for Tahaffuz-i-Khatam-i-Nabuwat and the worsening food condition in Punjab caused a lot of trouble for Khawaja Nazimuddin.

The anti-Ahmadiya movement was started in Punjab by the Ahrar and had the support of Mian Mumtaz Daultana, the Chief Minister of Punjab. This movement soon spread to other parts of the country. There were widespread disturbances and the situation in the country soon worsened to the brink of anarchy and civil war. Imposition of Martial Law became imminent. Khawaja Nazimuddin was summoned by the Governor General along with his Cabinet and ordered to resign. Khawaja Nazimuddin declined but was dismissed by Malik Ghulam Muhammad on April 17, 1953. After the dismissal of Khawaja Nazimuddin, the Governor General appointed Muhammad Ali Bogra, an unknown person from East Pakistan, as the Prime Minister.

Most historians agree that the removal of Khawaja Nazimuddin was improper, undemocratic and objectionable because the Prime Minister still enjoyed the confidence of the Parliament. This act set an unhealthy tradition and precedent for the future Presidents who were fond of removing elected governments, thus creating continued instability in the country.

Ghulam Muhammad becomes Governor General [1951]

When Khawaja Nazimuddin took over as Prime Minister in 1951, Ghulam Muhammad was appointed as the Governor General. After coming to power, Ghulam Muhammad wanted to change the status quo of executive powers. To this end, in an undemocratic move, he dismissed the Prime Minister, Khawaja Nazimuddin in April 1953.

After dismissing Khawaja Nazimuddin, the Governor General appointed a rather unknown leader from East Pakistan, Muhammad Ali Bogra, as the Prime Minister. Ghulam Muhammad had also dissolved the Constituent Assembly although the Assembly had accomplished the task of framing the Constitution, and all obstacles in the way of its promulgation had been removed. After coming to power, Bogra declared that the making of the Constitution was

one of his primary targets. He worked hard towards accomplishing this task and within six months of assuming power, came out with a constitutional formula known as the Bogra Formula. The Bogra Formula was presented before the Constituent Assembly of Pakistan on October 7, 1953.

A committee was set up to draft the constitution according to the approval of the Constituent Assembly. However, before the constitution could be finalized, Ghulam Muhammad dissolved the Assembly. The Prime Minister, Muhammad Ali Bogra was allowed to continue in office with a new cabinet. This move was apparently to counter a bill passed in the Assembly curtailing the powers of the Governor General. Muhammad Ali Bogra was sworn in again as the Prime Minister and it was promised that fresh elections would be held later on.

Malik Ghulam Muhammad was forced to retire from the post of Governor General due to his failing health and Major General Iskander Mirza, the Minister of Interior, took over the office. Although the expulsion of Ghulam Muhammad from power seemed necessary, yet his successor, Iskander Mirza proved to be a greater menace for the country.

Muhammad Ali Bogra becomes Prime Minister [1953]

Khawaja Nazimuddin was dismissed by the Governor General, Malik Ghulam Muhammad, on April 17, 1953, and replaced by Muhammad Ali Bogra. Bogra was then the Pakistani Ambassador to the United States. After coming to power, he set a new precedent of inviting the Commander-in-Chief of the Pakistan Army to become the Defense Minister.

Governor General Ghulam Muhammad had dissolved the Constituent Assembly although the Assembly had accomplished the task of framing the Constitution and all obstacles in the way of its promulgation were removed. After coming to power, Prime Minister Muhammad Ali Bogra declared that the making of the Constitution was one of his primary targets. He worked hard towards accomplishing this task and within six months of assuming power, he came out with a constitutional formula. His constitutional proposal is known as the Bogra Formula and was presented before the Constituent Assembly of Pakistan on October 7, 1953.

Unlike the two reports of the Basic Principle Committee, the Bogra Formula was appreciated by different sections of the society. There was great enthusiasm amongst the masses as they considered it a plan that could bridge the gulf between the two wings of Pakistan and would act as a source of unity for the country. The proposal was discussed in the Constituent Assembly for 13 days. On November 14, 1953, a committee was set up to draft the constitution according to the approval of the Constituent Assembly. However, before the constitution could be finalized, Ghulam Muhammad dissolved the Assembly. The Prime Minister, Muhammad Ali Bogra, was allowed to continue in office with a new cabinet. This move was apparently to counter a bill curtailing the power of the Governor General. Muhammad Ali Bogra was sworn in again as the Prime Minister on October 26, 1954. The new government promised fresh elections.

Muhammad Ali Bogra as Prime Minister of Pakistan worked hard for the settlement of the Kashmir issue. He urged Nehru to settle the Kashmir dispute in order to promote friendly relations between the two countries. Due to his strenuous efforts, the Prime Ministers of both the countries met numerous times in London and Karachi. Letters and telegrams were also exchanged between the leaders of the two countries. As a result of his efforts, Pandit Nehru agreed to hold a free and fair plebiscite in Kashmir. However, in May 1954, the news

of American military aid to Pakistan gave Pandit Nehru an excuse to go back on his commitments to hold referendum in Kashmir. Thus Bogra was unable to solve the Kashmir problem. It was during the tenure of Muhammad Ali Bogra that Pakistan joined C. E. N. T. O. and S. E. A. T. O. In August 1955, the Governor General was forced to resign due to ill health and Major General Iskander Mirza was made the acting Governor General. The acting Governor General also dismissed Muhammad Ali Bogra on August 8, 1955.

Bogra - Nehru Negotiations

Muhammad Ali Bogra became the Prime Minister of Pakistan in April 1953. He made an impassioned appeal to Pandit Nehru to settle all outstanding disputes between the two countries. Addressing the parliament he said, "I consider that the maintenance of peace and establishment of friendly relations between India and Pakistan are essential to the peace and stability of Asia". He stressed the need for the settlement of Kashmir issue without which permanent peace or friendship in the Sub-continent was not possible. Due to his efforts, the two Prime Ministers met informally in London in June 1953, on the occasion of the Commonwealth Prime Ministers Conference, and again the following month in Karachi. Muhammad Ali urged Nehru to realize the desirability of settling the Kashmir dispute, thus promoting friendly relations between the two countries. Nehru was ready to talk on everything, including philosophy and ethics, but not on Kashmir. Bogra seemed impressed by Nehru's charm and started calling him "elder brother", but as far as the Kashmir dispute was concerned, the progress was not nearer to any solution. ----The Indian government had to face an uprising in Kashmir in 1953, which they crushed by force. This caused widespread anger and concern in Pakistan. Bogra dashed to New Delhi to confer with Nehru, who at first did not like the idea of meeting him, as "the affairs in Kashmir were no concern of Pakistan". However, they finally met in August 1953. This resulted in a statement that stressed the following points:

1. It was their opinion that this dispute would be settled in accordance with the wishes of Kashmiris by a fair and impartial plebiscite.
2. The plebiscite administrator should be appointed by the end of April 1954.
3. The preliminary issues that had so far held up progress towards a plebiscite should be decided and actions in implementation thereof should be taken, and with this object in view, committees of military and other experts should be appointed to advise the two Prime Ministers.
4. Progress could only be made in this direction if there was an atmosphere of peace and cooperation between the two countries.

The Delhi meeting was followed by an exchange of letters between the two Prime Ministers. It is said that 27 letters and telegrams were exchanged between August 10, 1953, and September 21, 1954. However, in May 1954, the news of American military aid to Pakistan was published, which gave Pandit Nehru an excuse to go back on his commitments to hold a free vote in Kashmir. Muhammad Ali pointed out the strength of India, and the fact that India was spending three times as much as Pakistan on its armed forces. He warned that a war might engulf the entire Sub-continent. But Nehru's objections to military aid to Pakistan dominated the correspondence and ultimately wrecked the direct talks with Bogra, which had started with great hope. -----Muhammad Ali Bogra soon became convinced that all his efforts for a peaceful settlement of the Kashmir dispute were in vain. In his letter on September 21, 1954, he wrote, "It is with profound regret that I have been led to the

conclusion that our talks regarding Kashmir have failed." However he concluded his letter with the words, "I hope and pray that the conscience and wisdom of men may yet perceive the great injustice and dangers inherent in the continuance of this disastrous dispute."

Bogra Formula

While taking charge as Prime Minister, Muhammad Ali Bogra declared that formulation of the Constitution was his primary target. He worked hard on this project and within six months of assuming power, came out with a constitutional formula. His constitutional proposal, known as the Bogra Formula, was presented before the Constituent Assembly of Pakistan on October 7, 1953. The plan proposed for a Bicameral Legislature with equal representation for all the five provinces of the country in the Upper House. A total of 50 seats were reserved for the Upper House. The 300 seats for the Lower House were to be allocated to the provinces on the basis of proportionate representation. One hundred and sixty five seats were reserved for East Pakistan, 75 for Punjab, 19 for Sindh and Khairpur, 24 for N. W. F. P., tribal areas and the states located in N. W. F. P., and 17 for Baluchistan, Baluchistan States Union, Bhawalpur and Karachi. -----In this way East Pakistan was given more seats in the Lower House than the combined number of seats reserved for the federal capital, the four provinces and the princely states of the Western Wing. So in all, both the wings were to have 175 seats each in the two houses of the Legislative Assembly. Both the houses were given equal power, and in case of a conflict between the two houses, the issue was to be presented before a joint session. ----In order to prevent permanent domination by any wing, a provision was made that if the head of the state was from West Pakistan, the Prime Minister was to be from East Pakistan, and vice versa. The two houses of the Legislative Assembly formed the Electoral College for the presidential elections and the President was to be elected for a term of 5 years. In place of the Board of Ulema, the Supreme Court was given the power to decide if a law was in accordance with the basic teachings of the Holy Quran and Sunnah or not.

Unlike the two reports of the Basic Principles Committee, the Bogra Formula was appreciated by different sections of the society. There was great enthusiasm amongst the masses as they considered it as a plan that could bridge the gulf between the two wings of Pakistan and would act as a source of unity for the country. The proposal was discussed in the Constituent Assembly for 13 days, and a committee was set to draft the constitution on November 14, 1953. However, before the constitution could be finalized, the Assembly was dissolved by Ghulam Muhammad, the then Governor General of Pakistan.

Chaudhry Muhammad Ali Becomes Prime Minister [1955]

On October 24, 1954, Malik Ghulam Muhammad dissolved the Constituent Assembly of Muhammad Ali Bogra on the grounds that it had "lost the confidence of the people", and declared a state of emergency in the country. Muhammad Ali Bogra, however, remained as the Prime Minister, since he was again invited to form a cabinet known as the Ministry of Talents. On August 8, 1955, he was dismissed by the acting Governor General, Major General Iskander Mirza in the absence of Malik Ghulam Muhammad, who had gone on a temporary leave and was also subsequently forced to resign due to his ill health. Chaudhry Muhammad Ali was appointed as the new Prime Minister on August 11, 1955. -----Chaudhry Muhammad Ali's greatest achievement was framing the Constitution of 1956 and its approval by the Constituent Assembly. The entire country with great joy and enthusiasm celebrated the promulgation of this Constitution on March 23, 1956. The 1956 Constitution was Islamic and democratic in character, acceptable to people of all parts of the country, and had the blessings of almost all schools of thought.

Chaudhry Muhammad Ali, however, could not come up to the bargaining and the deals necessary to reconcile the various interest groups into accepting the One Unit and the adoption of the Constitution. He proved to be a poor politician who failed to control his own party. This ultimately led to his downfall. His greatest blunder was the selection of Dr. Khan Sahib as Chief Minister of the Unified Province of West Pakistan, despite the opposition of the Muslim League. Dr. Khan Sahib was an old Congressman who had opposed the creation of Pakistan, therefore the Muslim League opposed his appointment. Dr. Khan Sahib, however, enjoyed the support of the President Iskander Mirza. He dropped Muslim League members from his cabinet, and by bringing the dissident Muslim Leaguers and other supporters, formed his own party, the Republican Party.

In the Central Government, the Muslim League shared power as a major component of the coalition without being in office in any province. The Republican Party kept growing in number and claimed to be the single largest party in the National Assembly. Prime Minister Chaudhry Muhammad Ali was urged by the Muslim League to act against the West Pakistan Ministry. Chaudhry Muhammad Ali believed that as a Prime Minister, his actions should be governed by the good of the country and not by the resolution of any party. He believed that he was responsible only to the Cabinet and the Parliament. Thus, he refused the demands of the Muslim League. Disgusted with the scenario, Chaudhry Muhammad Ali resigned as a Prime Minister on September 8, 1956, also resigning from his membership of the Muslim League at the same time. His decision to resign of his own accord is considered as a unique example of political decorum in the history of Pakistan.

Iskander Mirza Becomes Governor General [1955]

In August 1955, Major General Iskander Mirza took over as Governor General when Ghulam Muhammad became too ill to continue. He was confirmed as the fourth Governor General of Pakistan on October 4, 1955. ----Iskander Mirza was a civil servant and it is widely believed that he lacked the parliamentary spirit. He was of the view that democratic institutions could not flourish in Pakistan due to lack of training in the field of democracy and low literacy rate of the masses. He wanted a controlled democracy for Pakistan with more powers for the civil bureaucracy. He thought that politicians should be given the power to make policy but not allowed to interfere in administration. Iskander Mirza was also a great advocate of the One Unit scheme and it was under his rule that all the four provinces and the states of West Pakistan were merged into one unit in October 1955. ----It was during his tenure that Chaudhry Muhammad Ali presented the 1956 Constitution and Iskander Mirza was elected the first President of Pakistan.

West Pakistan Established as One Unit [1955]

Even after eight years of existence, Pakistan was without a constitution. The main reason was believed to be the fact that there were two unequal wings of Pakistan separated from each other by more than a thousand miles. To diminish the differences between the two regions, the Government of Pakistan decided that all the four provinces and states of West Pakistan should be merged into one unit. -----To this end, Prime Minister Muhammad Ali made the first official announcement on November 22, 1954, enumerating the benefits of having one unit or province. On September 30, 1955, the Assembly passed the bill merging 310,000 square miles into a single province, with Lahore as its provincial capital. West Pakistan had formerly comprised three Governor's provinces, one Chief Commissioner's province, a number of states that had acceded to Pakistan, and the tribal areas. Geographically, they formed a homogenous block with easy communication, but with

marked linguistic and ethnic distinctions. The result of the new bill was to unify these various units into one province to be known as West Pakistan.

The Bill was hailed as a measure of administrative rationalization as it was likely to reduce the administrative expenditure. It was claimed that one unit of West Pakistan would eliminate the curse of provincial prejudices. The problem of representation of various units in the proposed Federal Legislature had been a big hurdle in the way of making a Constitution and it was said that with the removal of this hurdle, the formation of the Constitution would now speed up. ----Dr. Khan Sahib was appointed as the first Chief Minister of the One Unit, while Mushtaq Ahmad Gurmani was appointed as the first Governor of West Pakistan. Dr. Khan Sahib's Ministry, however, came to an end when the President himself took over the administration. Subsequently, Sardar Abdur Rashid and Muzzaffar Ali Qazilbash were appointed Chief Ministers of that province in succession.

While the One Unit scheme in West Pakistan could be supported on various grounds, the method of its establishment was not free from criticism. The government wanted to introduce the One Unit Scheme by an executive decree, which it could not do. So the Central Government dismissed the Ministry in Punjab, Sindh and N. W. F. P. One Unit continued until General Yahya Khan dissolved it on July 1, 1970.

The Constitution of 1956

After assuming charge as Prime Minister, Chaudhry Muhammad Ali along with his team worked day and night to formulate a constitution for Pakistan. His efforts led to the first constitution that was enforced in the country on March 23, 1956. Pakistan's status as a dominion ended and the country was declared an Islamic Republic of Pakistan. Thereupon the Constituent Assembly of Pakistan became the interim National Assembly and Governor General Iskander Mirza was sworn in as the first President of Pakistan.

The Constitution of 1956 consisted of 234 articles, which were divided into 13 parts and 6 schedules. One of the main features of the Constitution was its Islamic character. The Islamic provisions were contained in the directive principles of the state policy. Along with other Islamic provisions in the Constitution, the president, who was required to be a Muslim of at least 40 years of age, was to set up an organization for Islamic research with the aim of establishing a true Islamic society. The Objectives Resolution was, however, only made the preamble of the Constitution and not included in its main text. ----The Constitution vested the executive authority of the President in the Federation. The President had the discretionary powers to make the appointment of the Chairman and members of the Election Commission, Delimitation Commission and Public Service Commission. He also had the power to appoint the Prime Minister from amongst the members of the National Assembly. However, his appointee had to take a vote of confidence from the Assembly within two months of his appointment. The President also had the power to remove the Prime Minister if he felt that the Prime Minister had lost the confidence of the majority of the National Assembly members.

The Constitution of 1956 provided for parliamentary form of government with a unicameral legislature. The only house of parliament, the National Assembly, was to consist of 300 members. The Constitution recognized the concept of One Unit, and the seats were divided equally between the two wings of the country. Thus the principle of parity was introduced. For the first ten years, five additional seats were reserved for women for each wing. National Assembly was to meet at least twice a year with at least one session at Dhaka. The Constitution offered direct elections under adult franchise. Every citizen of Pakistan with

minimum age of 21 was allowed to vote in the elections. -----The Constitution provided for federal form of government in the country. The provincial structure was similar to the one in the center.

The pattern for the center-province relations was the same as it was in the Government of India Act, 1935. There were federal, provincial and concurrent lists of subjects. There were 30 items in the federal list, 94 items in the provincial list and 19 items in the concurrent list. The federal legislation was to get precedence over provincial legislation regarding the concurrent list. Residuary powers were vested in the provinces. In case of a conflict between center and provinces or between the two provinces, the Chief Justice of the Supreme Court was to act as the mediator.

The Constitution of 1956 was a written and flexible constitution. It advocated the fundamental rights of the individual. However, the President had the power to suspend these rights in case of an emergency. Judiciary was to remain independent. Urdu and Bengali were both accepted as state languages, while English was to remain the official language for the first 25 years. After ten years' passage of the Constitution, the President was to appoint a commission with the task to make recommendation for the replacement of English as the official language. -----The Constitution of 1956 proved to be short lived as on October 7, 1958, Martial Law was promulgated and the constitution was abrogated.

H. S. Suhrawardy Becomes Prime Minister [1956]

Soon after the adoption of the 1956 Constitution, Huseyn Shaheed Suhrawardy replaced Chaudhry Muhammad Ali as Prime Minister on September 12, 1956. Suhrawardy had managed to secure the office for himself by forging an alliance with the Republican Party.

The controversy over One Unit and the appropriate electoral system for Pakistan, whether joint or separate, revived as soon as Suhrawardy became Prime Minister. In West Pakistan, there was strong opposition to the joint electorate by the Muslim League and the religious parties. Suhrawardy and his party in East Pakistan supported the joint electorate. These differences over One Unit and the appropriate electorate caused problems for his government. ----Not a man to let setbacks destroy his morale, Suhrawardy thought his political fortunes might change if he scored some success on the economic front during his tenure. Suhrawardy tried to remove the economic disparity between the Eastern and Western wings of the country but to no avail. He also tried unsuccessfully to alleviate the food shortage in the country. -----By early 1957, the movement for the dismemberment of the One Unit had started. Suhrawardy was at the mercy of central bureaucracy fighting to save the One Unit. Big business groups in Karachi were lobbying against Suhrawardy's decision to distribute the better part of the \$10 million I. C. A. aid to East Pakistan and to set up a national shipping corporation. Supported by these lobbyists, President Mirza demanded the Prime Minister's resignation. Suhrawardy requested to seek a vote of confidence in the National Assembly, but this request was turned down. Suhrawardy resigned under threat of dismissal on October 10, 1957.

Iskander Mirza Becomes President [1956]

Governor General Ghulam Muhammad's despotic and dictatorial policy led Iskander Mirza and his collaborators to force him out of power. Although his removal was necessary, yet another despot, Iskander Mirza, who was the fourth Governor General and then the first President of Pakistan, succeeded him. He was sworn-in as the first President under the 1956 Constitution. During his regime not only was the first Constitution of Pakistan finalized, but

also all the provinces and princely states of West Pakistan were knitted together to form One Unit of the West Pakistan Province. -----During his tenure from 1956 to 1958, President Iskander Mirza brought about various cabinet changes and advocated a controlled democracy for Pakistan.

Muhammad Ali Bogra was the first Prime Minister under Iskander Mirza. Bogra could not stay at this position for long, he resigned and went back to the U. S. A. where he was reinstated as the Ambassador of Pakistan. After Bogra, Chaudhry Muhammad Ali became the next Prime Minister. It was under his premiership that the establishment of One Unit was given practical shape and the Constitution of 1956 was introduced. Huseyn Shaheed Suhrawardy, I. I. Chundrigar and Malik Feroz Khan Noon succeeded him as Prime Ministers under Iskander Mirza's despotic rule.

In collusion with the Commander-in-Chief, Muhammad Ayub Khan, Iskander Mirza abrogated the Constitution on October 7, 1958 and declared Martial Law. Iskander Mirza and Ayub Khan began the new era with apparent unanimity. Although the two were responsible for bringing about the change, they had different views on dealing with the new situation. Share of power soon led to a struggle between the two, which ended with Iskander Mirza being arrested and exiled to Britain where he later died.

I. I. Chundrigar Becomes Prime Minister [1957]

After merely a year, Suhrawardy resigned from his Premiership in October 1957. His resignation came as a result of the President's refusal to convene a meeting of the Parliament to seek a vote of confidence. President Iskander Mirza appointed I. I. Chundrigar as the interim Prime Minister. Being a nominated Prime Minister, Chundrigar held a weak position from the very beginning. He headed a coalition government including the Krishak Sramik Party, Nizam-i-Islam Party, the Muslim League and the Republican Party. The Muslim League had agreed to form a coalition government with the Republican Party on the condition that by amending the Electoral Act, the principle of separate electorate would be implemented in the country. -----After the formation of the Cabinet, Ministers from East Pakistan and the Republican Party started opposing the proposed amendments. The Republican Party opposed the amendment as it wanted to gain advantage over its political opponent, the Muslim League. -----Iskander Mirza exploited the differences between the parties and thus made Chundrigar an easy victim as he remained Prime Minister for only two months and therefore could not give any practical shape to his program.

Malik Feroz Khan Noon Becomes Prime Minister [1957]

On December 16, 1957, Malik Feroz Khan Noon took over the office of Prime Minister from Chundrigar. Malik Feroz Khan Noon was the last in the line of Prime Ministers under the President-ship of Iskander Mirza. Being the leader of the Republican group in the National Assembly, Noon came to power by forging an alliance with five different political groups, Awami League, National Awami Party, Krishak Sramik Party, National Congress and the Scheduled Caste Federation. Though the coalition was dependent on the support of such a large number of political parties, it was able to form a stable government. ----The Noon Cabinet was fortunate to have the support of the Bengali and Punjabi group of politicians, reaching an accord between them for the first time. H. S. Suhrawardy's Awami League Party assured full cooperation to the cabinet of Feroz Khan Noon. President Iskander Mirza was distressed by the alliance of Suhrawardy and Noon. He not only felt a serious threat to his office but also perceived that he had lost his grip over the politicians. He tried to counter by bring other politicians to his side and making alliances with other political parties.

On the other side, in West Pakistan, Muslim League had become quite popular under the leadership of Khan Abdul Qayyum Khan. As events were going against Iskander Mirza, he displayed his willingness to dissolve West Pakistan's One Unit for his own interests. ----- President Iskander Mirza also tried to seek the help of Khan Abdul Ghaffar Khan in June 1958, and also started negotiations with the Governor of East Pakistan in order to break the strength of the Awami League there. The tussle for power reached a critical point. The Awami League, being the party in power, affronted the Speaker of the Assembly. The Krishak Sramik Party also criticized the government for its actions. With all these events in progress, an attack on the Deputy Speaker occurred from which he could not survive.

Under these tumultuous circumstances of political instability, President Iskander Mirza turned towards General Ayub Khan, the Commander-in-Chief of the armed forces of Pakistan. At midnight between October 7 and 8, 1958, the President of Pakistan abrogated the Constitution and imposed Martial Law in the country. This brought an end to the term of Malik Feroz Khan Noon, which lasted for less than a year. The Parliamentary Government came to an end in Pakistan, thus setting the stage for the recurrence of Martial Law again and again in the future.

Martial Law Under Field Marshal Ayub Khan [1958-62]

On October 7, 1958, President Iskander Mirza abrogated the Constitution and declared Martial Law in the country. This was the first of many military regimes to mar Pakistan's history. With this step, the Constitution of 1956 was abrogated, ministers were dismissed, Central and Provincial Assemblies were dissolved and all political activities were banned. General Muhammad Ayub Khan, the then Commander-in-Chief of the armed forces, became the Chief Martial Law Administrator. The parliamentary system in Pakistan came to end. Within three weeks of assuming charge on October 27, 1958, Iskander Mirza was ousted by General Ayub Khan, who then declared himself President. -----General Ayub Khan gave himself the rank of Field Marshal. Corruption had become so widespread within the national and civic systems of administration that Ayub Khan was welcomed as a national hero by the people.

Soon after coming to power, the new military government promised that they would carry out reforms in the entire government structure and would cleanse the administration of the rampant corruption. A thorough screening process of all government servants was conducted and service records were closely scrutinized. Public servants were tried for misconduct by tribunals consisting of retired judges of the Supreme Court or High Court. If charges were proven, disciplinary action such as dismissal or compulsory retirement of the public servant could take place. A public servant could also be disqualified from holding any public office for 15 years.

About 3,000 officials were dismissed and many others were reduced in rank as a result of these measures. The rest of the government servants were provided with an incentive to working hard. Similarly, a law called the Elective Bodies Disqualification Order, popularly known as E. B. D. O., was promulgated for the disqualification of politicians. Under this law, a person could be disqualified from being a member of any elective body till December 31, 1966. Under this harsh law, several politicians like Suhrawardy and Qayyum Khan were disqualified. The E. B. D. O., particularly its application, was severely criticized in the legal and political circles throughout Pakistan. -----After taking over, Ayub Khan focused on the long-standing question of land reforms in West Pakistan. The land reforms included the reduction of land ceiling to 1,000 acres for non-irrigated land and 500 acres for irrigated land and with ownership rights granted to the tenants. The land in excess of these limits

was taken over by the government to be distributed amongst the deserving persons.

Ayub Khan also introduced a comprehensive scheme of local government, popularly known as Basic Democracies. This scheme was enforced through the Basic Democracies Order on October 27, 1959. Basic Democracies was a pyramidal plan enabling the people to directly elect to Local Council men they knew, who would in turn elect the upper tier of the administration. Altogether there were 80,000 Basic Democrats elected. To lend legitimacy to his rule, Ayub Khan used the Basic Democrats as an electoral college, holding a referendum to seek a mandate to continue in office as President and to have the authority to frame the future Constitution of Pakistan. -----The referendum held on February 14, 1960, asked the voters "if they had confidence in President Field Marshal Muhammad Ayub Khan, Hilal-i-Jurat?" With the results of the referendum, Ayub Khan was elected not only as President of Pakistan for five years, but also got the mandate to give Pakistan a Constitution of his choice.

Ayub Khan set up a Constitution Commission which was not only given the responsibility to make recommendations on the future Constitution, but was also to examine the causes of failure of parliamentary government in Pakistan. The report of the Constitution Commission was presented to Ayub Khan on May 6, 1961. Ayub Khan was not satisfied by the findings. The 1962 Constitution was very different from the recommendation of the Constitution Commission, as Ayub Khan favored a presidential form of government. The 1962 Constitution was promulgated on March 1. This ended the three-and-a-half-year Martial Law regime of Ayub Khan. A civilian constitutional government under Ayub Khan replaced his previous military regime.

Indus Water Treaty [1960]

Pakistan is an agricultural country. Eighty percent of its agricultural output comes from the Indus Basin. Pakistan has one of the world's largest canal systems built much before Independence by the British. After Independence, problems between the two countries arose over the distribution of water. Rivers flow into Pakistan territory from across India. In 1947, when Punjab was divided between the two countries, many of the canal head-works remained with India. The division of Punjab thus created major problems for irrigation in Pakistan. ----On April 1, 1948, India stopped the supply of water to Pakistan from every canal flowing from India to Pakistan. Pakistan protested and India finally agreed on an interim agreement on May 4, 1948. This agreement was not a permanent solution; therefore, Pakistan approached the World Bank in 1952 to help settle the problem permanently. Negotiations were carried out between the two countries through the offices of the World Bank. It was finally in Ayub Khan's regime that an agreement was signed between India and Pakistan in September 1960. This agreement is known as the Indus Water Treaty.

This treaty divided the use of rivers and canals between the two countries. Pakistan obtained exclusive rights for the three western rivers, namely Indus, Jehlum and Chenab. And India retained rights to the three eastern rivers, namely Ravi, Beas and Sutluj. The treaty also guaranteed ten years of uninterrupted water supply. During this period Pakistan was to build huge dams, financed partly by long-term World Bank loans and compensation money from India. Three multipurpose dams, Warsak, Mangla and Tarbela were built. A system of eight link canals was also built, and the remodeling of existing canals was carried out. Five barrages and a gated siphon were also constructed under this treaty.

The Constitution of 1962

With the aim of investigating the reasons of failure of the parliamentary system in Pakistan, and to make recommendations for a new constitution, Ayub Khan appointed a Constitution Commission under the supervision of Justice Shahab-ud-din. After a number of considerations, the Commission submitted its report on May 6, 1961. Ayub Khan was not satisfied with the report and had it processed through various committees. As a result the Constitution, which was promulgated on March 1, and enforced on June 8, 1962, was entirely different from the one recommended by the Shahab-ud-din Commission.

The **Constitution of 1962** consisted of **250 Articles**, which were divided into 12 Parts and three Schedules. It advocated presidential form of government with absolute powers vested in the President. The President was to be a Muslim not less than 35 years of age. The term of the President was for five years and nobody could hold the post for more than two consecutive terms. The President was the head of the state as well as the head of the Government. The President had the power to appoint Provincial Governors, Federal Ministers, Advocate General, Auditor General and Chairmen and Members of various administrative commissions. As the Supreme Commander of the Armed Forces of Pakistan, the appointment of the chiefs of the forces was also his duty.

The Constitution of 1962 provided for a unicameral legislature. The National Assembly was to consist of 156 members, including six women. The Eighth Amendment later increased this number to 218. Principle of parity was retained and seats were distributed equally between the two wings of the country. Principle of Basic Democracy was introduced for the first time in the country and the system of indirect elections was presented. Only 80,000 Basic Democrats were given the right to vote in the presidential elections.

The Eighth Amendment later increased this number to 120,000. Half of them were to be from the Eastern Wing, the rest from the Western Wing of the country. -----According to the Constitution of 1962, the Executive was not separated from the Legislature. The President exercised veto power in the legislative affairs and could even veto a bill passed by the National Assembly with a two-third majority. He had the power to issue ordinances when the Assembly was not in session. The ordinance needed the approval of the National Assembly within 48 days of its first meeting or 108 days after its promulgation. However, if the President enforced emergency in the country, which according to the constitution was within his jurisdictions, then the ordinances needed no approval from the legislative body. ---The President had the power to dissolve the National Assembly. Federal form of government was introduced in the country with most of the powers reserved for the Central Government. There was a federal list of subjects over which the provinces had no jurisdiction. Principle of One Unit for West Pakistan was maintained and the number of seats for Punjab was curtailed to 40 percent in the Western Wing for the initial five years. Provincial Governors were to enjoy the same position in the provinces, which the President was to enjoy in the center. -----Islamic clauses were included in the Constitution. These could not be challenged in any court of law. The state was named the Republic of Pakistan, but the first amendment added the word "Islamic" to the name. The word "Islam" and not "Quran and Sunnah" was used in the Islamic clauses to give a liberal touch to the Constitution. The Advisory Council of Islamic Ideology was introduced whose job was to recommend to the government ways and means to enable Muslims to live their lives according to the teachings of Islam.

The Constitution of 1962 was a written Constitution upholding the fundamental rights of the citizens. Under the Constitution, the Judiciary had little independence and the appointment of the Chief Justices and Judges of the Supreme and High Courts was in the hands of the President. The President also had the power to remove a judge after an inquiry on

misconduct or on the basis of mental or physical illness. Both Urdu and Bengali were made the national languages of Pakistan and English was declared as the official language of the country for the first ten years. The Constitution was flexible in nature and could be amended by a two-third majority in the National Assembly and with the approval of the President. In its short life of seven years, eight amendments were made in the Constitution. ---When Ayub Khan handed over power to Yahya Khan, Martial Law was enforced in the country and the Constitution was terminated on March 25, 1969.

Field Marshal Ayub Khan Becomes President [1962-1969]

In March 1962, Ayub Khan suspended the Martial Law and proclaimed the Constitution of 1962. Presidential elections were held in January 1965, and Ayub Khan defeated Miss Fatima Jinnah, Jinnah's sister, to once again become the President of Pakistan.

During his term, the "Great Decade" was celebrated, which highlighted the development plans executed during ten years of Ayub's rule. The 1965 War was fought during Ayub's term and Ayub Khan represented Pakistan in the subsequent Tashkent Talks. ---Ayub Khan moved the capital of Pakistan from Karachi to Islamabad in 1965, but could not complete his term due to public pressure. He handed over power to General Muhammad Yahya Khan on March 25, 1969.

Presidential Election (1965)

Miss Fatima Jinnah, popularly acclaimed as the Madar-i-Millat, or "Mother of the Nation" for her role in the Freedom Movement, contested the 1965 elections at the age of 71. Except for her brief tour to East Pakistan in 1954, she had not participated in politics since Independence. After the imposition of Martial Law by Ayub Khan, she once wished the regime well. But after the Martial Law was lifted, she sympathized with the opposition as she was strongly in favor of democratic ideals. Being the Quaid's sister, she was held in high esteem, and came to symbolize the democratic aspirations of the people. The electoral landscape changed when Miss Fatima Jinnah decided to contest the elections for the President's office in 1965. She was challenging the incumbent President Ayub Khan in the indirect election, which Ayub Khan had himself instituted.

Presidential candidates for the elections of 1965 were announced before commencement of the Basic Democracy elections, which was to constitute the Electoral College for the Presidential and Assembly elections. There were two major parties contesting the election. The Convention Muslim League and the Combined Opposition Parties. The Combined Opposition Parties consisted of five major opposition parties. It had a nine-point program, which included restoration of direct elections, adult franchise and democratization of the 1962 Constitution. The opposition parties of Combined Opposition Parties were not united and did not possess any unity of thought and action. They were unable to select presidential candidates from amongst themselves; therefore they selected Miss Fatima Jinnah as their candidate. Elections were held on January 2, 1965. There were four candidates; Ayub Khan, Miss Fatima Jinnah and two obscure persons with no party affiliation. There was a short campaigning period of one month, which was further restricted to nine projection meetings that were organized by the Election Commission and were attended only by the members of the Electoral College and members of the press. The public was barred from attending the projection meetings, which would have enhanced Miss Fatima Jinnah's image.

Ayub Khan had a great advantage over the rest of the candidates. The Second Amendment of the Constitution confirmed him as President till the election of his successor. Armed with

the wide-ranging constitutional powers of a President, he exercised complete control over all governmental machinery during elections. He utilized the state facilities as head of state, not as the President of the Convention Muslim League or a presidential candidate, and didn't even hesitate to legislate on electoral matters. Bureaucracy and business, the two beneficiaries of the Ayub Khan regime, helped him in his election campaign. Being a political opportunist, he brought all the discontented elements together to support him; students were assured the revision of the University Ordinance and journalists the scrutiny of the Press Laws. Ayub Khan also gathered the support of the ulema who were of the view that Islam does not permit a woman to be the head of an Islamic state.

Miss Jinnah's greatest advantage was that she was the sister of the Founder of Pakistan. She had detached herself from the political conflicts that had plagued Pakistan after the Founder's death. The sight of this dynamic lady moving in the streets of big cities, and even in the rural areas of a Muslim country, was both moving and unique. She proclaimed Ayub Khan to be a dictator. Miss Jinnah's line of attack was that by coming to terms with India on the Indus Water dispute, Ayub had surrendered control of the rivers over to India. Her campaign generated tremendous public enthusiasm. She drew enormous crowds in all cities of East and West Pakistan. The campaign however suffered from a number of drawbacks. An unfair and unequal election campaign, poor finances, and indirect elections through the Basic Democracy System were some of the basic problems she faced. Miss Fatima Jinnah lost the election of 1965 and Ayub Khan was elected as the President of Pakistan.

It is believed that had the elections been held via direct ballot, Fatima Jinnah would have won. The Electoral College consisted of only 80,000 Basic Democrats, who were easily manipulated. The importance of this election, lay in the fact that a woman was contesting the highest political office of the country. The orthodox religious political parties, including the Jamaat-i-Islami led by Maulana Maududi, which had repeatedly declared that a woman could not hold the highest office of a Muslim country, modified their stance and supported the candidature of Miss Fatima Jinnah. The election showed that the people had no prejudice against women holding high offices, and they could be key players in politics of the country.

The Tashkent Declaration [1966]

In September 1965, the long-standing border dispute, communal tensions, and conflict over the question of Kashmir flared up in a full-scale war between India and Pakistan. Fearing that this regional conflict within the boundaries of Indo-Pakistan would escalate into a conflict of global dimensions, the Soviet Union and the United States pressurized the U. N. to arrange an immediate ceasefire. The diplomatic efforts of the United Nations resulted in a ceasefire that came into effect on September 23, 1965. ---The Soviet Union, which had remained neutral when India and Pakistan went to war in September 1965, played the broker afterwards at Tashkent. A Soviet Government communiqué formally announced on December 8 that the Indian Prime Minister Lal Bahadur Shastri and the Pakistani President Muhammad Ayub Khan would meet at Tashkent on January 4, 1966. The Tashkent Conference lasted from January 4 to January 10. Largely as due to the efforts of Soviet Premier Kosygin, India and Pakistan signed a declaration that is known as the **Tashkent Declaration**.

The significant clauses of this agreement were:

1. The Prime Minister of India and the President of Pakistan agree to make all efforts to establish good relations between India and Pakistan in accordance with the United Nations Charter. They affirm to renounce the use of force in the settlement of their disputes.

2. The President of Pakistan and the Indian Prime Minister agree to withdraw, no later than February 25, 1966, all armed personnel to the position held before August 5, 1964.
3. Both India and Pakistan agree to follow the principle of non-interference in their affairs and will discourage the use of any propaganda against each other.
4. Both the countries also agree to reopen normal diplomatic functioning and to return of the High Commissioners of both the countries to their posts.
5. Measures towards the restoration of economic and trade relations, communications, as well as cultural exchanges between the two countries were to be taken. Measures were to be taken to implement the existing agreements between Pakistan and India.
6. Prisoners of war would be repatriated.
7. Discussions would continue relating to the problem of refugees and eviction of illegal immigrants. Both sides will create conditions that will prevent the exodus of the people.

The President of Pakistan and the Indian Prime Minister agreed that both sides would continue to meet at the highest and other levels on matters of direct concern to both the countries. Both the sides recognized the need to set up joint Indo-Pakistan bodies, which would report to their governments in order to decide what further steps need to be taken. In accordance to the Tashkent Declaration, talks at the ministerial level were held on March 1 and 2, 1966. Despite the fact that these talks were unsuccessful, diplomatic exchange continued throughout the spring and summer. No result was achieved out of these talks, as there was a difference of opinion over the Kashmir issue.

Euphoria had built up during the 1965 war, which had led to the development of a public perception that Pakistan was going to win the war. News of the Tashkent Declaration shocked the people who were expecting something quite different. Things further worsened as Ayub Khan refused to comment and went into seclusion instead of taking the people into confidence over the reasons for signing the agreement. Demonstrations and rioting erupted at various places throughout the country. In order to dispel the anger and misgiving of the people, Ayub Khan decided to lay the matter before the people by addressing the nation on January 14. -----It was the difference over Tashkent Declaration, which eventually led to the removal of Z. A.

Bhutto from Ayub's government, who later on launched his own party, called the Pakistan People's Party. Despite the fact that Ayub Khan was able to satisfy the misgiving of the people, there is no doubt that the Tashkent Declaration greatly damaged the image of Ayub Khan, and became one of the many factors that led to his downfall.

Awami League's Six-Point Program

In the 1970 National Assembly elections, the mandate of Sheikh Mujib-ur-Rahman's Awami League Party was based on a Six-Point Program of regional autonomy in a federal Pakistan. Sheikh Mujib-ur-Rahman had presented the Six-Point Program as the constitutional solution of East Pakistan's problems, in relation to West Pakistan.

First enunciated on February 12, 1966, the six points are as below:

1. The Constitution should provide for a Federation of Pakistan in the true sense on the

basis of the Lahore Resolution and for a parliamentary form of government based on the supremacy of a directly elected legislature on the basis of universal adult franchise.

2. The Federal Government shall deal with only two subjects; Defense and Foreign Affairs. All residuary subjects will be vested in the federating states.

3. There should be either two separate, freely convertible currencies for the two Wings, or one currency with two separate reserve banks to prevent inter-Wing flight of capital.

4. The power of taxation and revenue collection shall be vested in the federating units. The Federal Government will receive a share to meet its financial obligations.

5. Economic disparities between the two Wings shall disappear through a series of economic, fiscal, and legal reforms.

6. A militia or paramilitary force must be created in East Pakistan, which at present has no defense of its own.

After the elections of 1970, differences arose between the Government and Awami League on the transfer of power on the basis of this Six-Point Program. -----There ensued a political deadlock with talks ending in failure and postponement of the first session of the National Assembly. The postponement of the National Assembly session triggered a chain of events that eventually led to the separation of East Pakistan.

Martial Law under General Yahya Khan [1969-71]

The Tashkent Declaration signed by the Indian Prime Minister Lal Bahadur Shastri and the Pakistani President Muhammad Ayub Khan was not at all approved by the general public, and was regarded as submission to India and humiliation for the nation. Politicians were already unhappy with Ayub Khan whose Government was celebrating the decade of various reforms. But he fell victim to the then Foreign Minister, Zulfikar Ali Bhutto, who exploited the whole situation. He resigned from office and after forming a party of his own, Pakistan Peoples Party, announced to "defeat the great dictator with the power of the people". As a result, he and others were arrested. -----Ayub Khan tried his best to handle the situation by releasing a number of political prisoners, including the most popular leader of East Pakistan, Sheikh Mujib-ur-Rahman. He held a Round Table Conference in Rawalpindi with all the well-known political leaders in March 1969, but it proved to be a stalemate, with the result that Ayub Khan was forced to hand over power to General Muhammad Yahya Khan, on March 25, 1969. Pakistan was now under the grip of another Martial Law. Being deeply aware of the explosive political situation in the country, General Yahya Khan set in motion moves to transfer power to the elected representatives of the people and announced that the general elections would be held on October 5, 1970.

Legal Framework Order [1970]

After the abrogation of the Constitution of 1962, Yahya Khan needed a legal framework to hold elections. In April and July 1969, he held discussions with prominent political party leaders to learn their point of view. Most of them asked for the revival of the Constitution of 1956 on the ground that its abrogation had been unlawful, and the country should return to the constitutional position prevailing on the eve of the 1958 coup. Yahya Khan initially agreed with this opinion, but had to change his stance due to opposition from the Awami League.

Not being well versed in constitutional affairs, he appointed a team to draft a new constitutional formula. He voiced his ideas about the constitutional issues in his broadcast address to the nation on November 28, 1969. The formula was officially issued on March 30, 1970, and is known as the Legal Framework Order of 1970. According to this order, One Unit was dissolved in West Pakistan and direct ballot replaced the principle of parity. The National Assembly was to consist of 313 seats, including 13 seats reserved for women. Women were also allowed to contest the elections from general seats. The distribution of seats was to be as follows:

East Pakistan: 162 general and 7 reserved seats,

Punjab: 82 general and 3 reserved seats,

Sindh: 27 general and 1 reserved seat,

N. W. F. P.: 18 general and 1 reserved seat,

Baluchistan: 4 general and 1 reserved seat,

Federally Administered Tribal Areas (FATA): 7 general seats

The L. F. O. also defined the qualifications of people who would be allowed to contest in the elections. The Constituent Assembly was to stand dissolved if it was unable to frame the Constitution within 120 days. Actually, the Legal Framework Order was to act as an interim Constitution. The primary function of the L. F. O. was to provide a setup on which elections could be conducted. It was then the duty of the elected Constituent Assembly to draft the Constitution of Pakistan. However, the L. F. O. defined the directive principles of State policy and made it clear that the future Constitution should not violate these basic principles. The directive principles demanded an Islamic way of life, observation of Islamic moral standards, and teaching of the Quran and Sunnah to the Muslims.

The **Legal Framework Order** also urged the Constituent Assembly to frame a Constitution in which Pakistan was to be a Federal Republic and should be named Islamic Republic of Pakistan. It also called for the preservation of Islamic Ideology and democratic values. The Constituent Assembly was also supposed to frame a Constitution in which all citizens of Pakistan were to enjoy fundamental human rights. Judiciary should remain independent from the Executive and provincial autonomy is protected. The President was given the power to reject any Constitution framed by the Constituent Assembly if the document did not fulfill the above-mentioned requirements. The President also had the power to interpret and amend the Constitution, and his decision could not be challenged in a court of law.

General Elections 1970

The political history of Pakistan from 1947 to 1970 witnessed no general elections. Thus, when Yahya's Regime decided to hold the first general elections on the basis of adult franchise at national level, they were not only required to make a new mechanism but were also required to set up a permanent election machinery. A three-member Election Commission was set up and Justice Abdus Sattar was appointed as the first Chief Election Commissioner of Pakistan.

The first task before the Election Commission was to enroll as voters all citizens of Pakistan who were at least 21-years old on October 1, 1969. The electoral rolls were put before the masses for corrections on January 16, 1970, and after necessary amendments, the final list was published on March 17. The total registered voters in the country were 56,941,500 out of which 31,211,220 were from the Eastern Wing, while 25,730,280 from the Western Wing. The Election Commission also marked the constituencies, in accordance with the seats allocated for the National and Provincial Assemblies under Legal Framework Order, 1970.

One hundred and ninety nine Returning Officers were appointed for the National Assembly and 285 Returning Officers were appointed for the Provincial Assemblies. Twenty four political parties participated in the elections. They were allowed to begin their election campaigns from January 1, 1970. The public meetings of Awami League in Bengal and Pakistan Peoples Party in the Punjab and Sindh attracted huge crowds. Awami League mobilized support on the basis of its Six-Points Program, which was the main attraction in the party's manifesto. While Z. A. Bhutto's personality, his socialistic ideas and his slogan of "Rotti, Kapra aur Makan", meaning food, clothing and shelter, were the factors that contributed to the popularity of Pakistan Peoples Party. The rightist parties raised the religious slogans, while the leftists raised slogans based on regional and communistic ideas.

A total 1,957 candidates filed their nomination papers for 300 National Assembly seats. While after scrutiny and withdrawals, 1,579 contested the elections eventually. None of the political parties filed nominations of their candidates on all the seats. Awami League nominated 170 candidates out of which 162 were for the constituencies in East Pakistan. The party that filed second highest number of candidates was Jamaat-i-Islami. It filed 151 candidates. There were only 120 candidates contesting the elections on the ticket of Pakistan Peoples Party, out of which 103 were from the constituencies in the Punjab and Sindh. Pakistan Peoples Party didn't nominate a single candidate from East Pakistan. Convention Muslim League nominated 124 candidates, Council Muslim League 119 and Qayyum Muslim League 133. According to the original schedule, polling for the National Assembly was to be held on October 5 and for the Provincial Assemblies on October 19. However, due to the floods in the East Pakistan, the dates were changed to December 7 and 17, respectively. Elections on nine National Assembly and 18 Provincial Assembly seats, however, could not be held on these dates because of the cyclone that hit a large part of East Pakistan. Elections for these seats were held on January 17, 1971.

According to the results of the elections, Awami League emerged as the single largest party in the National Assembly by winning 160 seats. It was also able to win 288 out of 300 seats in the East Pakistan Assembly. However, the party failed to win even a single seat in the four Provincial Assemblies of West Pakistan. Pakistan Peoples Party managed to win 81 out of 138 seats reserved for West Pakistan in the National Assembly. The party also performed well in the Provincial Assembly polls of the Punjab and Sindh Assemblies. The election results showed that the rightist parties were completely routed. The biggest reason for this was the division of votes among several candidates on almost every seat. Qayyum Muslim League, Council Muslim League, Convention Muslim League, Jamiyat-i-Ulema-i-Islam, Jamiyat-i-Ulema-i-Pakistan and Jamaat-i-Islami as a whole could only secure 37 National Assembly seats. National Awami Party and Jamiyat-i-Ulema-i-Islam emerged as the prominent parties in the N. W. F. P and Baluchistan Assemblies.

The Separation of East Pakistan [1971]

The separation of East Pakistan was a great setback to Pakistan. By 1970, sentiments for national unity had weakened in East Pakistan to the extent that constant conflict between the two Wings dramatically erupted into mass civil disorder. This tragically resulted in the brutal and violent amputation of Pakistan's Eastern Wing. The physical separation of a thousand miles between the two wings without a common border, and being surrounded by Indian territory and influences, led to constant political, economic and social conflicts between the two wings; embittering relations bringing the country on the verge of collapse. As a result of the separation of its Eastern Wing, Pakistan's international credit was depleted and the military, being its most powerful institution, suffered a lot. To some, the very concept of Pakistan as the homeland for the Muslims in Southeast Asia no longer appeared

valid.

Trouble started right at the inception of Pakistan in 1947. Almost immediately, East Pakistan claimed that as their population (55 percent as compared to 45 percent in the West) was greater, they were in a majority. Democratically, the Federal Capital, therefore, should have been in Dhaka and not in Karachi. Since Karachi was the seat of the National Government; ministers, government officials and industrialists exerted immense influence on national and regional affairs, which brought them many benefits. But the East Pakistanis were unable to extract the same kind of advantages, as they were a thousand miles away from the Capital. Moreover, the Capital initially attracted wealthy industrialists, businessmen, administrators, doctors and other professionals who had fled from India.

The location of the Capital, it was said, created great economic imbalance, uneven distribution of national wealth and privileges, and better jobs for the people of West Pakistan, because they were able to sway decisions in their own favor.

Secondly, Bengalis resented the vast sums of foreign exchange earned from the sale of jute from East, which were being spent on defense. They questioned how the expenditure for the Kashmir cause would be justified, when it could otherwise have been productively used to build dams and barriers to control floods, eradicate poverty and illiteracy, and supply food and shelter for the ever-growing population in East Pakistan.

Thirdly, the people of the East believed that it was sheer regional prejudice that all white-collar jobs were taken by West Pakistanis. Many mistakes were made early in the short history of Pakistan. There lived in East Pakistan about 15 million Hindus who, with the help of their fellow West Bengali Indians from across the border, were able to exploit East-West differences that emerged as a result of these mistakes. Grievances were exaggerated to foster anti-West Pakistani feelings that eventually created Bengali Nationalism and separatist tendencies. Bengali political leaders went around depicting the Central Government and West Pakistan as hostile exploiters. However, no effective efforts were made by the Government to check these anti-national trends.

Awami League, formed in 1951, was headed by Sheikh Mujib-ur-Rahman. He had always been an ardent Bengali nationalist. He began to attract popular support from Bengalis in East Pakistan. He put forward his Six Points that demanded more autonomy for the Provinces in general, and East Pakistan in particular. He was arrested in April 1966, and soon released, only to be rearrested and imprisoned in June the same year. He languished in prison until February 1969. Being deeply aware of the explosive political situation in the country, the then Chief Martial Law Administrator, Yahya Khan, set in motion moves to transfer power to the elected representatives of the people, and announced that the general elections would be held on October 5, 1970. In all his election speeches, Sheikh Mujib-ur-Rahman reiterated his demand for implementation of his Six Points and provincial autonomy plans.

The 1970 elections were postponed from October to December due to heavy floods that caused immense destruction and havoc in East Pakistan. The sheer enormity of the disaster attracted worldwide attention. This gave Sheikh Mujib-ur-Rahman a golden opportunity to have an international audience for his anti-West Pakistan feelings, which he accused of brutal callousness. The Awami League gained much sympathy and benefit out of this suffering, and Sheikh Mujib-ur-Rahman and his people were portrayed on the international scene as victims of West Pakistan's indifference. In the general elections held in December 1970, the Awami League achieved an overwhelming victory. They captured 167 seats, the highest number in East Pakistan and overall. In the West, the Pakistan Peoples Party had won 85 seats. The way was now open to draw up a new Constitution. The Awami League,

now overwhelmingly victors, stood firm on its Six Points plan and refused to compromise on that issue. The Peoples Party in the West maintained that the Six Points Program did not really permit a genuine federation. It was in fact a unique constitutional proposal that proposed a federation that had power only over defense and foreign policy.

Efforts were made to start a constitutional dialogue and narrow the differences between the two Wings, but all in vain. Mujib-ur-Rahman's adamant stand in support of his Six Points, and his proposal that East Pakistan should have a sovereign status independent of Pakistan, further aggravated the situation. Mujib-ur-Rahman launched a non-cooperation movement. The civil administration was totally paralyzed. All government and educational institutions were closed. People were asked not to pay any taxes. The transport system came to a standstill. Factories and shops were shut. All government activities between both the Wings ceased. The Awami League setup a parallel government. Gangs of local Awami League freedom fighters, known as Mukti Bahini, led violent demonstrations and howled racial and anti-West Pakistan slogans, inciting the people to more violence.

Amidst these disturbances, General Yahya decided to convene the National Assembly in March 1971. But Sheikh Mujib-ur-Rahman unexpectedly put forward other demands such as the immediate lifting of Martial Law and power transfer to the elected representatives of the people, prior to the National Assembly session. Unfortunately, on March 23, the Republic Day of Pakistan, the Awami League declared "Resistance Day" and Bangladesh flags flew all over the Province. There was a great massacre. East Pakistan had reached a point of no return. To quash the armed rebellion of Awami League militants, the Pakistan Army struck its first blow on March 27, 1971. Yahya Khan chose to use force to bring law and order in the country.

In the meantime, India exploited Pakistan's dilemma to the full. It sought to wring full propaganda and strategic value for itself out of the Bengali suffering and misery. India launched an attack on East Pakistan on November 22, 1971. The use of modern Soviet missiles, geographical separation by a thousand miles lying across the hostile Indian territory, and the collusion of Mukti Bahini and the Indian Army, made Pakistan's military defeat in the East almost certain. On December 10, 1971, the first feeler for surrender in East Pakistan was conveyed to the United Nations. On December 17, 1971, a formal surrender was submitted and accepted. Forty five thousand troops and an almost equal number of civilians of West Pakistan were taken as prisoners of war. The text of the Instrument of Surrender document was as follows:

"INSTRUMENT OF SURRENDER"

The PAKISTAN Eastern Command agree to surrender all PAKISTAN Armed Forces in BANGLADESH to Lieutenant-General JAGJIT SINGH AURORA, General Officer Commanding in Chief of the Indian and BANGLADESH forces in the Eastern Theatre. This surrender includes all PAKISTAN land, air and naval forces as also all para-military forces and civil armed forces. These forces will lay down their arms and surrender at the places where they are currently located to the nearest regular troops under the command of Lieutenant-General JAGJIT SINGH AURORA. The PAKISTAN Eastern Command shall come under the orders of Lieutenant-General JAGJIT SINGH AURORA as soon as this instrument has been signed. Disobedience of orders will be regarded as a breach of the surrender terms and will be dealt with in accordance with the accepted laws and usages of war. The decision of Lieutenant-General JAGJIT SINGH AURORA will be final, should any doubt arise as to the meaning or interpretation of the surrender terms.

Lieutenant-General JAGJIT SINGH AURORA gives a solemn assurance that personnel who surrender will be treated with dignity and respect that soldiers are entitled to in accordance

with the provisions of the GENEVA Convention and guarantees the safety and well-being of all PAKISTAN military and para-military forces who surrender. Protection will be provided to foreign nationals, ethnic minorities and personnel of WEST PAKISTAN origin by the forces under the command of Lieutenant- General JAGJIT SINGH AURORA.

Signed: (JAGJIT SINGH AURORA) Lieutenant-General General Officer Commanding in Chief Indian and BANGLA DESH Forces in the Eastern Theatre. **(AMIR ABDULLAH KHAN NIAZI)** Lieutenant-General Martial Law Administrator Zone B and Commander Eastern Command (PAKISTAN) 16 December 1971" The surrender led to the disintegration of East and West Pakistan and the establishment of Bangladesh. After 25 years, the East Pakistanis declared themselves independent and renamed their Province as Bangladesh. Pakistan finally recognized Bangladesh at the Islamic Conference in Lahore on February 22, 1974.

Zulfikar Ali Bhutto becomes President [1971]

After the disastrous war with India that ingloriously concluded in December 1971, Pakistan had to face its greatest crisis since Independence. The dismembered Pakistan was left only with the four Provinces of West Pakistan; Punjab, Sindh, N. W. F. P. and Baluchistan. East Pakistan was now independent. Pakistan had lost a whole province of 70 million, 56 percent of the total population, and over 54,501 sq. miles of territory. There were 93,000 prisoners of war in India and Bangladesh. Pakistan's international credit was depleted.

President Yahya tried to act in a militaristic manner to impose law and order but the people's patience had been exhausted by this time. Military leadership had been discredited. Disillusionment, uncertainty and pessimism prevailed. People were no longer prepared to tolerate misgovernment. The public severely criticized and accused President Yahya and his Government for ineptness and inability that culminated with the 1971 national debacle. Faced with these difficulties, President Yahya ceded power to Zulfikar Ali Bhutto, Chairman of the Pakistan Peoples Party that had won the majority votes in the 1970 elections in West Pakistan. On the request of Zulfikar Ali Bhutto, on December 6, 1971, Yahya Khan installed a civilian setup at the Centre and Nurul Amin, a prominent Bengali politician who was against Mujib-ur-Rahman, was made the Prime Minister. Z. A. Bhutto was made Deputy Prime Minister on the same day. Nurul Amin remained Prime Minister till December 20, 1971, the day when Bhutto took over as the civilian Chief Marshal Law Administrator.

A Pakistan International Airline flight was sent to fetch Bhutto from New York, who at that time was pleading Pakistan's case before the United Nations Security Council on the East Pakistan Crises. Bhutto returned home on December 18, 1971. On December 20, he was taken to the President House in Rawalpindi where he took over two positions from Yahya Khan, one as President and the other as Chief Martial Law Administrator. Thus he was the first civilian Chief Martial Law Administrator of the dismembered Pakistan.

The new President inherited a disturbed and desperate nation sobbing and suffering from an intangible loss of confidence. In this dismal hour, he addressed the nation and promised to fight back. He vowed to build a new Pakistan. Bhutto's intentions to restore national confidence were in several shapes. He spoke about democracy, a new Constitution, and a modified federal and parliamentary system. He took steps to stabilize the situation by successfully negotiating the return of the 93,000 prisoners of war and a peaceful settlement with India. He took steps to ameliorate poverty and to revitalize the economy, industry and agriculture. He gave the third Constitution to the country and established civilian authority over the armed forces in the political setup. In early 1972, Bhutto nationalized ten categories of major industries and withdrew Pakistan from the Commonwealth of Nations

and S. E. A. T. O. On March 1, he introduced extensive land reforms. On July 2, 1972, he signed the Simla Agreement with India for exchange of the occupied territories and release of Prisoners of War.

After the 1973 Constitution was promulgated, Bhutto was elected by the House as the Prime Minister of Pakistan. He was sworn-in on August 14, 1973.

The Hamood-ur-Rahman Commission Report [1971]

In December 1971, within a week of replacing General Yahya as the President, Bhutto formed a commission headed by the Chief Justice of the Supreme Court, Justice Hamood-ur-Rahman. The Commission's responsibility was to ascertain the facts of the 1971 debacle. The commission interviewed 213 persons including General Yahya, Z. A. Bhutto, Chief of Air Force, Chief of Navy, senior commanders, and various political leaders. It submitted its first report in July 1972.

Originally there were 12 copies of the Report. These were all destroyed; except the one that was handed over to Z. A. Bhutto. Neither Bhutto, nor the Army which took over in 1977, made the Report public. Though the Report remained classified, its contents were presumably learned from various writings and memoirs of the military officers narrating their side of the story of what the Hamood-ur-Rahman Inquiry Commission had to say. The report recommended public trials of the concerned officers responsible for the 1971 debacle.

The inquiry was reopened in 1974. The Commission again interviewed 73 bureaucrats and top military officers and submitted its supplementary report in November 1974. It was this supplementary report that was presumably published by an Indian magazine in August 2000, and afterwards allowed to be published in the Pakistani press. Publicizing of the Report by the Indian media was not a surprise since it had come out at a time when there was international pressure mounting on India to resolve the Kashmir dispute. Immense human rights violations were being reported by international organizations such as Amnesty International and Asia Watch with reference to the role of Indian Security Forces in the Indian-held Kashmir. The publication of the Report was seen in Pakistan as an attempt by India to divert the world attention from its inhumane and unjustified actions in Kashmir.

Volume I of the main report dealt with political background, international relations, and military aspects of the events of 1971. Volume I of the supplementary report discussed political events of 1971, military aspect, surrender in East Pakistan and the moral aspect.

A large number of West Pakistanis and Biharis who were able to escape from East Pakistan told the Commission awful tales of the atrocities at the hands of the Awami League militants. It was revealed that many families of West Pakistani Officers and other ranks serving with East Bengal Units were subjected to inhuman treatment. Their erstwhile Bengali colleagues had butchered a large number of West Pakistani Officers.

As the tales of slaughter reached West Pakistani soldiers of other Units, they reacted violently, and in the process of restoring the authority of the Central Government, committed severe excesses on the local Bengali population. The Report's findings accuse the Army of carrying out senseless and wanton arson, killings in the countryside, killing of intellectuals and professionals and burying them in mass graves, killing of Bengali Officers and soldiers on the pretence of quelling their rebellion, killing East Pakistani civilian officers, businessmen and industrialists, raping a large number of East Pakistani women as a deliberate act of revenge, retaliation and torture, and deliberate killing of members of the Hindu minority.

Having dealt with the claim of General Niazi that he had no legal option but to surrender, the Commission proceeded to consider whether it was necessary for General Niazi to surrender, and whether he was justified in surrendering at that particular juncture, for most of the messages that emanated from the General Head Quarters were studiously ambiguous and designed. Secondly, General Farman Ali had suggested to him that instead of ordering surrender en masse, he should leave it to each Divisional Commander to surrender or not, according to his own circumstances. It was pointed out in the Report, that despite the assurances given by the Chief of Staff of the Indian Army and the terms of surrender, the killing of loyal East Pakistani population, West Pakistani civilians, and civil armed forces by the Mukti Bahini started in full swing soon after Army's surrender.

It was maintained in the Report that the defeat suffered by the armed forces was not a result of military factors alone, but had been brought about as the cumulative result of political, international, moral and military factors. The political developments that took place between 1947 and 1971, including the effects of the two Martial Law periods, hastened the process of political and emotional isolation of East Pakistan from West Pakistan.

The dismemberment of Pakistan was also accelerated by the role played by the two major political parties, Awami League and the Pakistan Peoples Party, in bringing about a situation that resulted in postponement of the National Assembly session, scheduled to be held at Dhaka on the March 3, 1971. The events occurring between March 1 and 25, 1971, when the Awami League had seized power from the Government, resulting in the military action of March 25, 1971, were deplorable. The Commission also touched upon the negotiations, which General Yahya Khan was pretending to hold during this period with Sheikh Mujib-ur-Rahman on the one hand, and political leaders from West Pakistan on the other. Although he never formally declared these negotiations to have failed, yet he secretly left Dhaka on the evening of March 25, 1971, leaving instructions behind for military action to be initiated as soon his plane landed at Karachi.

The Commission declared that military action could not have been substitute for a political settlement, which was feasible once law and order had been restored within a matter of few weeks after the military action. No serious effort was made to start a political dialogue with the elected representatives of the people of East Pakistan. Instead fraudulent and useless measures were adopted. The use of excessive force during the military action had only served to alienate the sympathies of the people of East Pakistan. The arbitrary methods adopted by the Martial Law Administration in dealing with respectable citizens of East Pakistan and their sudden disappearances made the situation worse. The attitude of the Army authorities towards the Hindu minority also resulted in a large-scale exodus to India.

Although General Yahya Khan was not totally unaware of the avowed intention of India to dismember Pakistan, he didn't realize the need for early political settlement with the political leaders of East Pakistan. There was wastage of considerable time during which the Indians mounted their training program for the Mukti Bahini and freely started guerillas raids into the Pakistan territory. Pakistan Army was almost unable to prevent infiltration of Mukti Bahini and Indian agents all along the borders of East Pakistan. In the presence of these two factors, the Pakistan Army was obviously fighting a losing battle from the very start.

There had been a large exodus of people from East Pakistan to India, as a result of the military action. The results of Indian efforts to propagate this refugee problem on an international level cannot be undermined. The Indian propaganda was so forceful that all endeavors made by the military regime in Pakistan to defuse the situation proved to be

futile and left the world unimpressed. The mutual assistance treaty signed between India and the U. S. S. R. in August 1971 further aggravated the situation.

No rational explanation was available as to why General Yahya did not take the dispute to the Security Council immediately after the Indian invasion of East Pakistan on November 21, 1971. Nor was it possible to explain his refusal to accept the first Russian resolution, if indeed the situation in East Pakistan had become so critical that surrender was inevitable. The Army High Command did not carry out any in-depth study of the effect of these new factors, nor did it pay any attention to the growing disparity in war preparedness and capability between the armed forces of Pakistan and India as a result of the Indo-Soviet Treaty of August 1971.

The traditional concept of defense adopted by the Pakistan Army that the defense of East Pakistan lays in West Pakistan was never implemented in a determined and effective manner. The concept remained valid, and if ever there was need to invoke this concept, it was on November 21, 1971, when Indian troops crossed the East Pakistan borders in naked aggression. Unfortunately, the delay in opening the Western front and the half-hearted and hesitant manner in which it was ultimately opened only helped in precipitating the catastrophe in East Pakistan. Besides, the detailed narrative of events, as given in the supplementary report, clearly shows that the planning was hopelessly defective. There was neither any plan at all for the defense of Dhaka, nor any concerted effort to stem the enemy onslaught with a Division or a Brigade battle at any stage. It was only when the General found himself gradually being surrounded by the enemy which had successfully reached Faridpur, Khulna, Daudkandi and Chandpur (the shortest route to Dhaka), that he began to make frantic efforts to get the troops back for the defense of Dhaka.

The Report maintained that there was no actual order to surrender. In view of the desperate picture painted by the Commander Eastern Command, higher authorities gave him permission to surrender if he, in his judgment, thought it necessary. General Niazi could have opted not to surrender if he thought that he had the capability of defending Dhaka. On his own estimate, he had 26,400 men to hold out for another two weeks. The enemy would have taken a week to build up its forces and another week to reduce the fortress of Dhaka. But evidence showed that he had already lost the will to fight after December 7, 1971, when his major fortresses at Jessore and Brahmanbari had fallen. Detailed accounts of witnesses given to the Commission indicate that Lt-General Niazi had suffered a complete moral collapse during the closing phases of the war.

It had been concluded that apart from the political, international and military factors, an important cause for defeat of the Pakistan Army was the lack of moral character and courage in the senior Army Commanders. The process of moral degeneration among the senior ranks of the armed forces was set in motion by their involvement in Martial Law duties in 1958. These tendencies were intensified when General Yahya Khan imposed Martial Law in the country once again in March 1969. A large number of senior army officers had not only indulged in large-scale acquisition of lands and houses and other commercial activities, but had also adopted highly immoral and lewd ways of life, which seriously affected their professional capabilities and their qualities of leadership. It appears that they had lost the will to fight and the ability to take vital and critical decisions required for the successful prosecution of the war. These remarks particularly applied to General Yahya Khan, his close associates, General Abdul Hamid Khan, Major General Khuda Dad Khan and Lt-General A. A. K. Niazi, apart from certain other officers. The Commission recommended that these grave allegations be dealt with seriously.

The surrender in East Pakistan had been a tragic blow to the nation and had caused, not only dismemberment of Pakistan, but also shattered the image of Pakistan Army as an efficient and excellent fighting force. In the end it was hoped in the Report that the Nation would learn the necessary lessons from these tragic events, and that effective and early action will be taken in the light of the conclusions reached.

The Hamood-ur-Rahman Commission Report is a valuable document. It was prepared with the explicit purpose of not repeating the various mistakes committed by the Army, General Yahya Khan and Z. A. Bhutto, which resulted in the separation of East Pakistan. Writings and memoirs disclose that apart from its inquiry into the 1971 crisis, it also makes thoughtful recommendations about the defense of the country as a whole.

The Simla Agreement [1972]

After the 1971 war, India held prisoner around 93,000 Pakistani troops and civilians. In Pakistan there was a growing demand to get these prisoners released with the result that a Summit Conference between Pakistani President, Zulfikar Ali Bhutto and the Indian leader, Mrs. Gandhi, was held at Simla from June 28 to July 2, 1972. The two countries reached an agreement on July 2. The agreement contained the elements of an earlier Indian draft, but the wording was considerably modified. In particular the clause referring to the ceasefire line in Kashmir was rephrased as to make it acceptable to Pakistan.

The broad features of this pact included that the principle and purpose of the charter of United Nations would govern the relations between the two countries. The two countries resolved to settle their differences by peaceful means through bilateral negotiations. The foremost conditions for understanding, good neighborly relations, and stable and lasting peace were laid that no country would interfere with the other country's internal matters on the basis of mutual respect for peace, security, territorial sovereignty, mutual friendship and equality.

It was reiterated again in the agreement that efforts would be made to put an end, as far as possible, to all such disputes and differences that have been the cause of dissension between the two countries for the last 25 years. Both governments also agreed to take all steps within their power to prevent hostile propaganda directed against each other.

In order to progressively restore and normalize relations between the two countries, it was agreed that steps would be taken to resume communications, postal service, and promote and facilitate travel by sea, land and air. Trade and cooperation in economic and other agreed fields would also be resumed.

In order to initiate the process of durable peace, both the governments agreed that Indian and Pakistani forces would be withdrawn to their sides of the international border. The control line between Jammu and Kashmir would be the same as was on December 17, 1971. Both the countries would respect the international border and the withdrawal of the armies would be completed within 30 days of the implementation of the agreement.

Leaders of both the countries agreed at Simla to meet again at a mutually agreed time so that representatives of both the countries could discuss more arrangements for durable peace, including matters relating to prisoners of war, local prisoners, final settlement of Jammu and Kashmir dispute and diplomatic relations. As a consequence of the clauses pertaining to the withdrawal of forces, Indian troops withdrew from the 5,139 sq. miles of Pakistani territory in Punjab and Sindh it had occupied during the war. Similarly, Pakistani

troops withdrew from 69 sq. miles of territory in Punjab and Rajasthan. In Kashmir, India retained 480 sq. miles and Pakistan 52 sq. miles.

Pakistan ratified the Simla Agreement on July 15 and India on August 3, after which the agreement came into effect on August 4, 1972.

The Constitution of 1973

The Bhutto Government's first achievement was the preparation of a Constitution for the country. The most prominent characteristic of this Constitution was that it accommodated proposals from the opposition parties and hence almost all the major political parties of the country accepted it. The National Assembly approved the 1973 Constitution on April 10, 1973, and it came into effect on August 14. Bhutto took over as the Prime Minister of Pakistan from this date and Fazal Ilahi Chaudhry was appointed as the President of Pakistan.

The Constitution of 1973 opens with a Preamble. This is the preliminary part of the Constitution in which broad features of the Constitution have been explained. The first Article of the Constitution declares Pakistan as a Federal Republic to be known as the Islamic Republic of Pakistan. Islam was declared as the State religion of Pakistan. Pakistan was to be a Federation of four federating Units, Punjab, Sindh, N. W. F. P. and Baluchistan.

The Constitution was parliamentary in nature. Article 41 of the Constitution lay down that the President was to be the Head of the State. The President was to be a Muslim above 45 years of age and was to be elected by a joint sitting of members of the Parliament for 5 years. He could be re-elected but could not hold office for more than two terms. The President was to act on the advice of the Prime Minister of Pakistan. The President could be removed on the grounds of physical or mental incapacity or impeached on charges of violating the Constitution or gross misconduct. The President was authorized to appoint the Attorney General, Judges of Supreme Court and High Courts, and the Chief Election Commissioners. In the Provincial Government, each province was to have a Governor appointed by the President. The appointment of Federal Ministers and Ministers of the State from amongst the members of the Parliament was at the Prime Minister's disposal.

The 1973 Constitution set up a bicameral legislature at the Center consisting of two Houses, the National Assembly and the Senate. The National Assembly consisted of 200 seats elected directly for duration of five years. The President on the advice of the Prime Minister could dissolve the National Assembly. The Senate was to consist of 63 members; each province was to elect 14 members. In the Provincial Government, each province will have a Governor appointed by the President. The Provincial Assembly for each province consisted of 240 seats for the Punjab, 100 seats for Sindh, 80 seats for N. W. F. P., and 40 seats for Baluchistan.

The 1973 Constitution provided a free and independent Judiciary. The Constitution guaranteed a right to the citizens; to be protected by law, and imposed two duties on them, loyalty to the Republic and obedience to the law. Any person who was found to abrogate or attempt or conspire to abrogate or subvert the Constitution was to be treated guilty of high treason. The Constitution conferred several kinds of fundamental rights to the people such as the right to life, liberty, equality and freedom of speech, trade and association. The Constitution also declared the laws inconsistent with or in derogatory to fundamental rights as null and void.

In light of the previous experience, the Constitution of 1973 was more Islamic in character than the previous ones. Emphasis was made to establish a real Islamic system in all aspects of social life. Keeping this objective in mind, more Islamic provisions were laid down in the Constitution of 1973. The Constitution recognized Islam as the religion of the country and enjoined upon the State to serve the cause of Islam and to bring all existing laws in conformity with Islam. The Islamic Advisory Council was set up to recommend ways and means to bring existing laws of the country in conformity with the Islamic principles.

The Constitution of 1973 remained in force for nearly four years. It was, however, suspended by General Muhammad Zia-ul-Haq, who imposed Martial Law in the country on July 5, 1979. However, General Muhammad Zia-ul-Haq who ran the country with Martial Law passed the Eighth Amendment in the Constitution in 1985. This Amendment empowered the President to dissolve the National Assembly under Article 58(2) b. This Article was later repealed by the Parliament during Nawaz Sharif's era through Thirteenth Amendment introduced on April 1, 1997. The Thirteenth Amendment was in turn repealed by the Legal Framework Order of 2002, which effectively restored the discretionary powers of the President enacted by the Eighth Amendment.

Zulfikar Ali Bhutto becomes Prime Minister [1973]

After the promulgation of the 1973 Constitution, the elections for the President, Prime Minister, Chairman of Senate, Speaker and Deputy Speaker of the National Assembly were to be undertaken. The 1973 Constitution had adopted a federal parliamentary system for the country in which the President was only a figurehead and the real power lay with the Prime Minister.

Z. A. Bhutto was sworn in as the Prime Minister of the country on August 14, 1973, after he had secured 108 votes in a house of 146 members. Fazal Ilahi Chaudhry was elected as the President under the new Constitution.

During his period, six amendments were carried out in the 1973 Constitution. The First Amendment led to Pakistan's recognition of Bangladesh. The Second Amendment in the constitution declared the Ahmadis as non-Muslims. The rights of the detained were limited under the Third Amendment while the powers and jurisdiction of the courts for providing relief to political opponents were curtailed under the Fourth Amendment. The Fifth Amendment passed on September 15, 1976, focused on curtailing the power and jurisdiction of the Judiciary. This amendment was highly criticized by lawyers and political leaders. The main provision of the Sixth Amendment extended the term of the Chief Justices of the Supreme Court and the High Courts beyond the age of retirement. This Amendment was made in the Constitution to favor the then Chief Justice of the Supreme Court who was supposed to be a friend of Bhutto.

The Bhutto Government carried out a number of reforms in the industrial sector. His reforms were twofold; nationalization, and the improvement of workers' rights. In the first phase, basic industries like steel, chemical and cement were nationalized. This was done in 1972. The next major step in nationalization took place on January 1, 1974, when Bhutto nationalized all banks. The last step in the series was the most shocking; it was the nationalization of all flour, rice and cotton mills throughout the country.

This nationalization process was not as successful as Bhutto expected. Most of the nationalized units were small businesses that could not be described as industrial units, hence making no sense for the step that was taken. Consequently, a considerable number of small businessmen and traders were ruined, displaced or rendered unemployed.

In the concluding analysis, nationalization caused colossal loss not only to the national treasury but also to the people of Pakistan. During his period as the Prime Minister, a number of land reforms were also introduced. The important land reforms included the reduction of land ceilings and introducing the security of tenancy to tenant farmers. The land ceiling was fixed to 150 acres of irrigated land and 300 acres of non-irrigated land. Another step that Bhutto took was to democratize Pakistan's Civil services.

Foreign Policy

Pakistan emerged on the map of the world on 14th August 1947 and it inherited the foreign policy from British India. After independence, Pakistan made some changes in British policy according to the ideology and the objectives of Pakistan Movement.

Definition of Foreign Policy

The foreign policy is to establish and develop relations with other countries to watch the national interests by taking appropriate steps at international level.

PRINCIPLES OF FOREIGN POLICY

Every country established its foreign policy according to own ideological, historical, political and geographical circumstances. Foreign Policy of Pakistan was established by Quaid-e-Azam himself. Foreign policy of Pakistan is based on the following basic principles:

1. Peaceful Co-existence

Pakistan believes in peaceful co-existence and respects the liberty, freedom and sovereignty of other countries, and expects the same from others. Pakistan is always disinterested in the internal affairs of others, and opposes imperialism and aggression of every type.

2. Non-Alignment

Pakistan has adopted the policy of non-alignment by making changes in its foreign policy. Pakistan has not shown alignment with any bloc, and has established good relationship with all the countries. Therefore, now Pakistan is trying to establish good relationship with Russia, United State, China, United Kingdom France and other countries and expects the same from others of significant importance. At present Pakistan is also a regular member of Non-aligned Movement (NAM).

3. Unite Nations Charter

Pakistan wants to develop its relations with all countries on the basis of bilateralism. Pakistan also wants to solve its conflicts with neighboring countries on the basis of bilateralism. Therefore, Pakistan has invited India many times to solve the Kashmir dispute by negotiation.

4. United Nations Charter

Pakistan is a member of United Nations and follows its charter strictly. Therefore, Pakistan has supported every action of the United Nations and provided military assistance to implement its decisions.

5. Support to Right of Self-Determination

Pakistan supports the right of self-determination of all the suppressed nations. Pakistan believes that every nation must have the right of self-determination. Therefore, Pakistan has supported the demand of abolishing the colonialism and every movement for the exercise of the right of self-determination in Europe, Africa and Asia. Pakistan has played very important role in the struggle of independence of Kashmir, Palestine, Bosnia, Namibia and Vietnam. It has also opposed the occupation of Afghanistan by Russia, and helped the Afghanis to get the liberation from foreign rule.

6. Unity of Islamic World

Pakistan is the supporter of the unity of Islamic world, and is following the policy to establish good relations with Muslim countries. Pakistan has always tried to solve the conflicts of Islamic world and played very important role in Iran – Iraq war, Palestine's and Afghanistan's liberation. Pakistan is an active member of the Organization of Islamic Conference (OIC). Pakistan has provided a platform for Muslim countries of Central Asia to solve their economic problems by establishing Economic Cooperation Organization (ECO).

7. De-weaponisation

Pakistan is the main supporter of de-weaponisation and supported all international efforts to de-weaponise the world. Therefore, Pakistan is not in the race of weaponisation. Pakistan uses atomic energy for peaceful purposes. Pakistan tries to avoid the danger of nuclear war. In the world Pakistan has repeatedly suggested for the de-weaponisation of South Asia, but India has not responded accordingly.

8. Elimination of Racial Discrimination

Pakistan wants to eliminate the racial discrimination throughout the world. Pakistan has protested over racial discrimination in South Africa, Namibia and Rhodesia. There is no racial discrimination in Pakistan and all the minorities in Pakistan have equal rights.

9. Establishment of Peace

Pakistan wants establishment of peace throughout the world. Pakistan has also protested against aggressive powers desires, and supported the oppressed nations for getting the peace. Pakistan has repeatedly invited India to negotiate peace in South Asia but it has rejected every move.

10. Good Relations with Neighbors

Pakistan wants good relationship with all neighbors including India. Pakistan also wants to solve all the issues with neighboring countries including Kashmir issue with India peacefully. Therefore, Pakistan has invited India for talks at any time, at every level and at every place.

11. International and Regional Cooperation

Pakistan is an active member of international and regional organization i.e. United Nations, Non-Aligned Movement (NAM), Organization of Islamic Conference (OIC), Economic Cooperation Organization (ECO) and SAARC. Pakistan always cooperates with all these organizations for the security of world peace.

OBJECTIVES AND DETERMINANTS OF FOREIGN POLICY OF PAKISTAN

According to Lord Parmesan:

"In the International Relations, There is no any permanent friend and enemy but the preference is given only to the national interest any state form its foreign policy on the base of National Security & Interest."

The main objectives of the foreign policy of Pakistan are as under:-

1. National Security

The main objective of foreign policy of Pakistan is its national security or independence. Pakistan was a new born state, and there was a need to make arrangements for its security. So Pakistan formulated its foreign policy on the basis of national security. It gave due importance to the national security, while establishing external relationships with other countries. Pakistan respects the national integrity and the political independence of other countries, and expect from others the same.

2. Economic Development

Pakistan is a developing country and inspires for its economic development. It 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 benefits. Pakistan has made changes in its foreign policy keeping in view the new economic trends. It has adopted particularly free trade, free economic policy, and policy of privatization.

3. Protection of Ideology of Pakistan

Pakistan is an ideological state and its foreign policy is based upon the ideology of Pakistan or Islam. The foreign policy is meant to protect the ideology. The stability of Pakistan is also dependent upon ideology.

4. Better Relations with Islamic Countries

Pakistan can protect its ideology by developing good relationship with Muslim countries. All the constitutions of Pakistan emphasized on establishing good relations with Muslim countries.

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DETERMINANTS OF THE FOREIGN POLICY OF PAKISTAN

The following are the determinants of the foreign policy of Pakistan:-

1. Administrative Troika

Administrative Troika comprises the President of Pakistan, the Prime Minister and Chief of Army Staff. It plays very important role in formulating foreign policy. It can approve or disapprove the foreign policy of Pakistan or can make any change in it. However, it is very difficult to deviate from the previous foreign commitments made by Troika.

2. Ministry of Foreign Affairs

The ministry can play very important role in formulating the foreign policy. It comprises the specialists and experts of foreign policy and the bureaucrats of high level. They prepare foreign policy, keeping in view the basic objectives and principles of the policy. They formulate the policy, plans and programmers regarding the priorities of foreign policy, and fully cooperate with Troika for its preparation. In accordance with new constitutional amendment, the Troika has been replaced by the National Security Council.

3. Intelligence Agencies

Pakistan's intelligence agencies also play very effective role in the formulation of foreign policy by providing full information about the objectives of other countries foreign policies. Keeping in view these information's, Pakistan formulates its foreign policy.

4. Political Parties and Pressure Groups

The political parties and pressure groups have deep impacts on the formulation of foreign policy. The political parties include the priorities of foreign policy in their manifestoes, and after their success in the election, they force the government to change the priorities of foreign policy according to the changing scenario in the light of their view points. Likewise the pressure groups can also influence the foreign policy.

5. Parliament

The Ministry of Foreign Affairs usually prepares the foreign policy according to the directions of executive and puts it before the Parliament for approval. After discussion and debate the parliament gives approval to it or suggests some change in it.

Contemporary Pakistan Economic issues

Islamic Republic of Pakistan was established in 1947, a country of 170 million people, full of natural resources and more than 60 years of independence but still not respected in the world community. In less than 30 years of independence, it's one wing gets separated (Bangladesh). Remaining part till today is living on IMF, World Bank and foreign donations. Majority of the population is living in rural areas without basic necessities of life. It is a country where financial gap between rich and poor is widening day by day. From the last 10 years, extremism is increasing. What ever happens in the world it is almost understood even before investigations that it will have a link with Pakistan. Almost every kind of problem exists in Pakistan, including electricity load-shedding, bad economy, less educational facilities, less hospitals, inflation and no pure water in many parts. These problems exist in Pakistan right from its independence which as mentioned above was more than sixty years ago.

Despite it being rich on raw resources thus far Pakistan is a developing country with limited development in every era due to the problems it faces. In the following text we will shed some light on some of the major problems faced today by Pakistan as a country.

1. POVERTY:

According to an analysis conducted by the government of Pakistan and published at hec.gov.pk (the higher education commission of Pakistan) shows that the poverty has increased roughly from 30% to 40% during the past decade. Consider that if 40% of a country's population is earning their life below the poverty-line in which the people are deprived of basic necessities of life such as clothing, shelter, food, education and medication, such families and their children will be forced to think of their survival only.

2. ILLITERACY :

Literacy is defined as persons aged 15 or above who can "read" and "write". According to this definition, Pakistanis officially reported to have 50% literacy rate. Which means half of its population is illiterate. With such family backgrounds, inflation, poverty and child labor this rate is expected to increase in future. Even for those who are termed as "Literate" are only able to read and write, which in today's technology oriented world is still considered as illiteracy. Majority of the people forming the top controlling tier is almost unaware of technologies and technical mindset. Thus, causing the country to adopt the new technologies at a snail's speed.

3. Energy Crisis:

Electricity is the major Problem Pakistan facing today. Electricity in Pakistan is generated, transmitted, distributed and retail supplied by two vertically integrated public sector

utilities: Water and Power Development Authority (WAPDA) for all of Pakistan (except Karachi), and the Karachi Electric Supply Corporation (KESC) for the City of Karachi and its surrounding areas. There are around 16 independent power producers that contributes significantly in electricity generation in Pakistan.

For years, the matter of balancing Pakistan's supply against the demand for electricity has remained a largely unresolved matter. Pakistan faces a significant challenge in revamping its network responsible for the supply of electricity.

Contrary to Pakistani government and expatriate claims, Pakistan suffers from a massive electricity shortage. Electricity generation in Pakistan has shrunk by 50% in recent years due to an overreliance on hydroelectric power. In 2008, availability of power in Pakistan falls short of the population's needs by 15% Pakistan was hit by its worst power crisis in 2007, after the assassination of Benazir Bhutto and the following riots. Production fell by 6000 Megawatts and massive blackouts followed suit. The blame was laid on the then president, Pervez Musharraf, and was instrumental in his defeat. Load Shedding (deliberate blackouts) and power blackouts have become severe in Pakistan in recent years. The main problem with Pakistan's poor power generation is rising political instability, together with rising demands for power and lack of efficiency.

Installed capacity

Electricity - total installed capacity: 19,505 MW (2007)[12]

Electricity - Sources (2007)

fossil fuel - 12,580 MW - 65% of total

hydro - 6,463 MW - 33% of total

nuclear - 462 MW - 2% of total

Electricity production

Electricity - production: 88.42 TWh (2005)

Electricity - production by source (2003)

fossil fuel: 63.7% of total

hydro: 33.9% of total

nuclear: 2.4% of total

4. Corruption and Political Instability

Pakistan is suffering from a fatal problem known as "Establishment". Every vital department in Pakistan is controlled by the so called "Establishment". Establishment is a network of key positions in almost all the departments in the country. This network provides support and safe backing to their "touts" to ensure that they remain in control. The roots of this establishment may very well be deep inside underworld and secret agencies of the dominating nations.

It is interesting to note that due to the international interference and manipulation the very same people that we label as corrupt just sometime ago, blame and rebuke, come back to govern us after a couple of years again and people welcome them with open arms. A common English saying goes as "fool me once, shame on you, fool me twice, shame on me".

This is probably also the main reason why the political process in Pakistan is not let to prosper. Soon after its inception the sincere and loyal politicians were removed from the main stream and only dummy agents and rubber stamps are put in place, while all the

decisions are made outside the country.

5. INTERNATIONAL INTERFERENCE

India is typically termed as a conventional enemy to Pakistan. As mentioned before the people of Pakistan need to be trained to think positively about their surroundings. We should learn a lesson from US and Canada's cross border collaboration to improve their affairs and provide backing, why can't Pakistan and India enter into such strengthening relationship?

Pakistan can never move forward with its proxy war politics with India and its involvement in the so-called US War on terrorism. It has to strike peace with India and other neighboring countries soon so that it can use its resources for its own people's welfare and focus on its collective objectives.

Pakistan has more potential to be a developed country earlier than India. It has the resources and talent yet it seems to sink lower by the day. India with a billion plus population has a million problems to handle. Yet the focus of India has been right and it shows in its 8% economic growth. Its time Pakistan learns this lesson and corrects its focus.

6. Terrorism:

Terrorism in Pakistan has become a major and highly destructive phenomenon in recent years. The whole world looks at Pakistan, as a land of terrorists. Main reason being an exploitation through the religious leaders and reaction of the military operations both internally as well as externally.

The post-9/11 War on Terrorism in Pakistan has had two principal elements: the government's battle with jihad groups banned after the attacks in New York, and the U.S. pursuit of Al-Qaeda, usually (but not always) in co-operation with Pakistani forces.

In 2004, the Pakistani army launched a pursuit of Al-Qaeda members in the mountainous area of Waziristan on the Afghan border, although sceptics question the sincerity of this pursuit. Clashes there erupted into a low-level conflict with Islamic militants and local tribesmen, sparking the Waziristan War. A short-lived truce known as the Waziristan accord was brokered in September 2006, which indicated Pakistan's reluctance to fight Islamic militia. Terrorist attacks staged in Pakistan have killed over 35,000 people, 5,000 of which are law enforcement personnel, and caused material damage to the Pakistani economy totalling \$67 billion.

8. Overpopulation, Inflation, Unemployment

According to official news Pakistani has an estimated 2% growth rate which for a country of official population of 160 Million turns out to be roughly around 3.2 Million every year. This alarming growth rate is causing immense pressure on head of the families who are to support them.

Given that about 40% of the population is already living under poverty line and 5.6% (official figures) of the population is unemployed, the ever growing population of Pakistan is just adding to the problems of the already under pressure nation.

9. Economy Crisis:

In 1947, Pakistan had 30 million people with per capita income of 100\$. Agriculture accounted for almost 50% of economic output with hardly any manufacturing, as all industries were located in India. Therefore, it was unable to feed 30 million people and was dependent on PL-480 imports from the USA. From thereon, Pakistan has come a long way.

Today with 170 million people, our per capita income in 2008 was 1000\$ which was ten times more. Out of every hundred rupees of our national income, we consume 85 rupees and save only 15 rupees, which means that the amount of money which is available to invest for economic growth and advancement is too little. Because to grow by 6%, you need at least 24-25% investment rate. In 1990, Pakistan's share was 0.2% of the world trade. After 20 years it has come down to 0.12% in a very buoyant world economy.

10. Health Issues:

Pakistan is facing a health crisis with rising rates of heart disease, diabetes, obesity, and other non-communicable diseases (NCDs), which disproportionately affect poor families, with possible side effects of disability and premature death, and worsening poverty as people pay for medical treatment out of their own pockets.

the World Health Organization (WHO) reported 4 million cases of diarrhea, pneumonia, malaria, and skin conditions that had largely resulted from the flood conditions. Cholera outbreaks have also been reported from flood-affected areas. From Oct. 15 to 22, WHO reported about 258,000 consultations for pneumonia, diarrhea, and suspected malaria. Furthermore, dreaded diseases such as dengue and Crimean Congo hemorrhagic fevers have been reported from the field, along with measles encephalitis and neonatal tetanus