

Constitution became  
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CONSTITUTION OF 1956 research paper "Origins In 1947, Pakistan became independent from British rule, but since it had no constitution of its own Pakistan was considered as a British dominion. As per Indian Independence Act, 1947, the Government of India Act 1935, was implemented as constitution of Pakistan, but the drafting of new constitution through elected legislators of the people and a complete independence held much significance for the citizens of a sovereign state. Hence, a constituent assembly was made, which had two separate functions: To draft a Constitution for the Pakistan, and To establish a Federal Legislative Assembly or Parliament until that Constitution was framed and implemented The Constituent Assembly was conferred of the objectives of the central legislature under the Government of India Act. The Constituent Assembly holds the right to ameliorate the Indian Independence Act, 1947 or the Government of India Act, 1935 and any decision taken by the British Parliament would not come into effect to Pakistan until a legislation is passed by the Constituent Assembly. Originally, the number of members in first Constituent Assembly were 69 which later increased to 79. 12 March 1949- This day has a major significance in the history of Pakistan as the first major step in the framing the constitution for Pakistan was undertaken by the Constituent Assembly, which is known as Objectives Resolution. It provided the basic framework of the constitution and showed the outline of its foundation. The resolution was carried out by Liaquat Ali Khan, the first Prime Minister of Pakistan during which he is known to have said " Sir, I consider this to be a most important occasion in the life of this country, next in importance only to the achievement of independence, because by

achieving independence we only won an opportunity of building up a country and its polity in accordance with our ideals.

I would like to remind the house that the Father of the Nation, Quaid-e-Azam, gave expression of his feelings on this matter on many occasions, and his views were endorsed by the nation in unmistakable terms, Pakistan Provisions Pakistan's was no longer considered as a dominion after the framework of constitution. Now Pakistan held its reputation as Islamic republic in the international world. The Constituent Assembly of Pakistan came to be known as interim National Assembly and Iskander Mirza, former governor general, became the first President of Pakistan. The Constitution of 1956 was much detailed as compared to the other constitutions of Pakistan.

A standard of equality between East and West Pakistan was provided for federal system by the constitution in which the Federal Legislature had to perform same roles as of the British Parliament. The Constitution of 1956 comprised of 234 articles that were divided into 13 parts and 6 schedules. The constitution was very detailed so some salient features are provided below. Islamic Provisions in the Constitution. The foundation of Pakistan was laid out on the basis of Islam. Since Objective Resolution acknowledged sovereignty of God so, Muslims to act on the teachings of Quran and Sunnah in their lives was recognised as an initiative. It was mandatory that the president of Pakistan should be of age 40 or above and had to be a Muslim. Non-Muslims were protected and considered as equal members of the society.

The directive principles of the state policy contained the Islamic provisions. Along with other Islamic provisions in the Constitution, the president aimed to establish a Islamic research organization with a motive of creating an efficient Islamic society. The president was granted an administrative authority in the federation by the constitution.

There were three legislative lists Provincial, Federal and Concurrent. The number of subjects enumerated in Provincial List was 94, the Federal 30 and in the Concurrent 19 only. The Provincial and central legislatures had the power to frame laws of important subjects. Central law was to be used in case of conflict. The provinces were entrusted with all the residuary powers and this paved way for authority decentralization to meet the requirements of provincial autonomy. The chief justice of Pakistan would have to involve if any conflict arose between provinces and the center. The President was given the power to make the appointment of the Chairman along with members of the Election, Delimitation and Public Service Commissions as well as power to appoint the Prime Minister from amongst the members of the National Assembly.

However, after two months of presidents appointment, a vote of confidence from the assembly would lead his appointee to be elected. The President could bring Prime minister down from power if the majority of National Assembly members lost their confidence in him. Parliamentary system of Government. The constitution included the implementation of parliamentary form of government. The ministers could only maintain their position in the parliament if they had majority's confidence in the National Assembly. They were collectively and individually answerable to the National Assembly and <https://assignbuster.com/constitution-became-independent-from-british-rule-but/>

had to get involved in its decisions and measures in order to guide legislation. The Assembly had the power to vote “ no confidence” against the ministry. The President was considered as Head of State and the Prime Minister as Head of Government.

Unicameral Legislature- also referred to as the National Assembly. It consisted of 300 members, elected on parity basis from East and west Pakistan for 5 years. Apart from this, 10 seats were also reserved for women for 10 years. Any person with age of 25 or above could become its member.

Every Pakistani with age 21 or above had right to vote. The post of presiding officers was to be undertaken by the Speaker and Deputy Speaker. The Assembly had to have at least 2 sessions on yearly basis. Basic Human Rights. Right to Independence, possessions, and protection, freedom of speech, expression, thought and action, right of movement, right to privacy and many other human rights were included in the constitution, which were further emphasized by the Supreme Court. The government proceedings and administrative laws that violate the basic rights of humans can be dealt by filing a lawsuit as per the right granted by the constitution. There was no discrimination between Muslims and Hindus over these rights.

Official Language of Pakistan. As the selection of official language of Pakistan had to involve the agreement of East and west Pakistan, Urdu and Bengali gained recognition as official languages of Pakistan. Nevertheless, english was used for professional use. Abrogation of the constitution  
Absence Of Islamic Provisions. Though Pakistan was considered as a Islamic state but the constitution did not contained many provisions that facilitated or promoted

Islamic culture. Economic Inequality. The Inequality in the economy was one of the reasons that lead us towards making another one.

The principles for economic development of country were described by the constitution of 1956 but nepotism and feudalism failed the implementation of those principles. This was one of the measure reason which lead towards failure of parliamentary system under this constitution. Inefficiency in Parliamentary System. Constitution of 1956 laid the principles for the parliament to abide by, but the principles were inconvenient for advancement of parliamentary system, which lead to the failure parliamentary system.

After the constitution of 1956 came into effect, the president was given the power as of a dictator. Though the president has the right to know about the parliamentary affairs but the unneeded interference with political parties and ministers swayed Pakistan from political development, and thus contributed to the failure of parliamentary system. In efficient training in political institutions.

The country witnessed an Inefficiency in terms of political training. Many political entities undertook decisive measures without any desired political motif. Each fought against the other to achieve an upper hand. This resulted in failure of the formation of efficient political system. The constitution Of Pakistan 1956 was the first constitution of Pakistan which had changed Pakistan from a dominion to a Islamic republic. This had brought many benefits to Pakistan, politically and socially and helped gain our country much respect in international world. Despite many efforts the constitution

had a couple of drawbacks which held their own significance. Iskander Mirza, first President of Pakistan, abrogated the constitution on 7 October 1958 initiated a military coup.

He brought military rule(martial law) in pakistan for the first time and made Ayub Khan as chief martial law administrator.