

## Lecture 10

# HUM113 IDEOLOGY AND CONSTITUTION OF PAKISTAN



COMSATS University  
Islamabad

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## Lecture 10 Dilemma of Constitution Making in Pakistan

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# Introduction

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- The Constituent Assembly (1947-54)
- Objective Resolution(1949)
- Features of the Objectives Resolution
- Importance of Objective Resolution
- Objections Raised
  - i. By Non Muslims
  - ii. Constitutional Issues
- Basic Principle Committee Reports
- Muhammad Ali Bogra Formula
- Reaction to Bogra Formula
- Criticism on BPC Reports

# Introduction



- Dissolution of First Constituent Assembly
- Second Constituent Assembly (1947-54)
- One Unit Scheme, Oct 1955
- 1956 Constitution
- Dissolution of 1956 CA

# Objective Resolution (1949)



- The first constitutional document that proved to be the ‘foundation’ of the constitutional developments in Pakistan.
- It provided parameters and sublime principles to the legislators
- It was Moved by Liaquat Ali Khan, the then Prime Minister of Pakistan

# Features of Objective Resolution

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- Sovereignty belongs to Almighty Allah alone
- Authority delegated by Him through the People to be exercised within the limits permitted
- Constitution is to be framed for Sovereign Independent Pakistan
- Power will be exercised through elected Representatives of People.
- Democracy, freedom, equality, tolerance and Social justice will be as dictated by Islam.
- Enabling Muslims to live in accordance with the teachings of Islam.
- Minorities will have total freedom to profess and practice their religion and develop their culture
- Safeguarding the legitimate interests of minorities, backward and depressed classes.

# Continued...



- Pakistan shall be a Federation with autonomous units. State's sovereignty and territorial integrity will be protected.
- People of Pakistan should prosper and attain their rightful place in the comity of nations and make contribution towards international peace and progress and happiness of humanity

# Importance of Objective Resolution

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- Sovereignty of Allah was declared as distinctive political philosophy
- Unlike Western democracy where sovereignty lies with people
- The limits were provided to exercise powers are to be the ones given by God
- Minorities were given their due rights and respect in the benign society of Pakistan.
- Provided a framework for future constitutions of Pakistan
- It embraced the centrality of Islam in the constitutional framework
- It remained the preamble of all constitutions of Pakistan



# Objections Raised



## **By Non Muslims:**

- Government trying to mix religion with politics and was against the spirit of democracy
- Sovereignty of Allah will promote inequality in the society
- They viewed Sharia was not in conformity with modern time
- Will encourage the establishment of a theocratic state

# Constitutional Issues



1. Federalism
2. Representation
3. Separate or Joint Electorate
4. National Language Issue
5. Parliamentary or Presidential system
6. Islamic or Secular State

# Federalism



There was consensus on federalism but yet there were many issues to be settled. Pakistan consisted of two parts

- Division of power was the most difficult part between two wings and also among the provinces
- Provinces were demanding more Autonomy and Provincial Rights
- Strong Centre tradition continued in 1956 as well.

# Sources

- Most of the text for these slides have been taken from [www.vulms.vu.edu.pk](http://www.vulms.vu.edu.pk) and [www.studyguide.com](http://www.studyguide.com)