

The Role of Opposition in the Interim Constitution-1972 of the Islamic Republic of Pakistan

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ABSTRACT

The provisional constitution was that provisional text took up by the national assembly on April 17, 1972 and enforced on April 21, 1972 which provided the principle for operating the management of the country till August 14, 1972 when the permanent constitution of 1973 turned into operational. The urgent situation declared by Yahya Khan remained persistent and Z. A. Bhutto went into the passageways of supremacy riding on the back of the horse of martial law. Nonetheless, the opinionated opposition could not let him conduct himself overbearingly and tried to rein in his influence. So, a presidential order, National Assembly (Short Session) Order 1972, that stood authoritative the assembly to sketch the pro-tem constitution sooner than the permanent one.

KEYWORDS: Provisional-constitution, Provincial-Assembly, Opposition-members, Constituent-Assembly National-Assembly, Twelve-Point-Accord, Parliamentary-debates, 1970-Elections, 1972-Interim-Constitution.

INTRODUCTION

The first ever general elections in Pakistan were held on December 7, 1970, under the cover of the Legal Framework Order (LFO), issued by the then President and Chief Martial Law Administrator, General Agha Muhammad Yahya Khan (1917-80). This was the first elected Assembly of Pakistan which was based on the adult franchise. As a result of these elections three hundred and thirteen Members were elected to the NA (169 from East Pakistan and 144 from West Pakistan). According to the daily Pakistan Times of April 15, 1972, the Pakistan People's Party (PPP) won 85 seats in the NA from West Pakistan. The remaining seats of West Pakistan were shared by the seven political parties and there were fifteen independent candidates. Qayyum Muslim League [1] (QML) secured nine seats, Con. ML [2] two seats; JI [3] four seats while the JUI [4], JUP [5], NAP [6] and Cou. ML [7] got seven seats each in the NA. The PPP emerged as the single largest party in West Pakistan with majorities in Sindh and the Punjab. The NAP together with their political ally, JUI got clear majorities in Baluchistan and the Khyber Pakhtunkhwa. The religious question of the religious parties played a little role in the elections. [8]

On the other hand the data issued by the Election Commission of Pakistan in the shape of the report on general elections Pakistan 1970, is diverse to the above facts. The results of general elections held in 1970 as shown in the following tables show the seats won by the PPP and other parties.

Table 2: National Assembly Elections Results, 1970

Provinces	Total Seats	PPP	QML	Con. ML	Con. ML	JI	JUI	JUP	NAP	Independents
Punjab	82	62	01	02	07	01	-	04	-	05
Sindh	27	18	01	-	-	02	-	03	-	03
Khyber Pakhtunkhwa	18	01	07	-	-	01	06	-	03	-
FATA	07	-	-	-	-	-	-	-	-	07
Baluchistan	04	-	-	-	-	-	01	-	03	-
Total	138	81	09	02	07	04	07	07	06	15

Source: Election Commission, Report on General Elections Pakistan 1970-71, Islamabad: Government of Pakistan, Vol. I, 204-5

As far as National Assembly elections were concerned, the Pakistan People's Party (PPP) had won 82 seats out of 138 in West Pakistan in the 1970 elections but it enjoyed majority only in Punjab and Sindh. In Khyber Pakhtunkhwa and Baluchistan, NAP and JUI had won majority seats as shown in the above table 2. The PPP had lost the election in Khyber Pakhtunkhwa and Baluchistan, the two provinces where the movement for provincial autonomy had been strong.

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Table 3: Provincial Assembly Elections Results, 1970

Provinces	Total Seats	PPP	QML	Con. ML	Cou. ML	JI	JUI	JUP	NAP	Independents
Punjab	180	113	06	05	16	01	02	04	-	27
Sindh	60	28	05	-	04	01	-	07	-	14
Khyber Pakhtunkhwa	40	03	10	02	01	01	04	-	13	06
Baluchistan	20	-	02	-	-	-	03	-	08	06

Source: Election Commission, *Report on General Elections Pakistan 1970-1971*, Islamabad: Government of Pakistan, Vol. I, 219

In the Provincial Assembly elections (1970), the PPP had won 113 seats out of 180 from Punjab and 28 out of 60 from Sindh, thus forming its majority in Punjab and emerged single largest party in Sindh Provincial Assembly. In Khyber Pakhtunkhwa it got only 3 seats and in Baluchistan it could not get even a single seat. The NAP had not won any seat from Punjab and Sindh but it secured 13 seats out of 40 from Khyber Pakhtunkhwa and 8 out of 20 from Baluchistan and formed coalition governments with JUI in the two provinces which secured four seats in Khyber Pakhtunkhwa and three in Baluchistan Provincial Assembly. [9]

Due to some political differences between the leadership of East and West Pakistan, the province of East Pakistan seceded from the West Pakistan and became a newly state with the name of Bangladesh. The QML and some Independent Members entered into coalition with the PPP and formed the government at centre. The remaining parties like Con. ML, Cou. ML, JUI, JUP, JI and the NAP decided to occupy the opposition [10] benches in the National Assembly of Pakistan. The opposition parties demanded to lift Martial Law, trial of General Yahya Khan, prompt return of the Prisoners of War from India, introduce an Interim Constitution and finally convene the session of the National and Provincial Assemblies. [11]

In former East Pakistan (now Bangladesh), fresh elections were held soon after December 1971 and a Constituent Assembly was elected under the new political situations. While it was very strange on the Part of West Pakistan (now Islamic Republic of Pakistan) not to call for new elections after December 1971 and a truncated Assembly was invigorated into the role of a Constituent Assembly. Bhutto, perhaps, intentionally avoided fresh elections for a new Assembly as he afraid of facing poor results for the role played by him in the East Pakistan debacle. The opposition parties, as a whole, were equally responsible for not demanding fresh elections for a new Assembly. They satisfied themselves with the seats they had won in the 1970 elections. They were not sure of their victory after the hammering they had faced in the general elections of 1970. Here the following points are very important to take account of;

1- Twelve-Point Accord of the Government and Opposition for the Interim Constitution

Zulfikar Ali Bhutto (1928-79) took over the charge as the President and first civil Chief Martial Law Administrator of Pakistan on December 20, 1971. For approving an Interim Constitution, a 12-point agreement was signed on March 6, 1972 by the PPP leadership with the opposition parties. The main points of the agreement were:

1. Summons would be issued to the members on March 23, 1972 to meet on April 14, 1972 for the period not exceeding 3 days to discuss only those matters specified in Para 2, 3 and 4.
2. The Interim Constitution would be framed on the basis of the 1935 Act read with the 1947 Act with consequential amendments. During the three days of the session only party leaders or their nominees shall speak. The parties for this purpose were: PPP, QML, JUI, NAP, JUP, Cou. ML, JI, Con. ML, one representative of the Independent MNAs from the Tribal Areas and one representative of all other Independent members.
3. The Assembly shall pass a vote of confidence in the government and approve and confirm continuation of the Martial Law till August 14, 1972.
4. The Committee report will be prepared on August 1, 1972, and the Assembly would meet on August 14, 1972.
5. The National Assembly should act as a constitution-making as well as a legislative body but the emergency powers of the President are to continue till the end of the state of emergency.
6. The Provincial Assemblies shall meet on April 21, 1972.
7. Both at the centre and the provinces, governments shall be formed by the parties in majority.
8. It was accepted that till the new Constitution was framed, a person elected as a Member of more than one Assembly would be permitted to retain his seat in both the Houses till the Constitution was finally passed. Similarly the President, the Vice-President, Governors, Ministers and Advisors both at Centre and the Provinces will retain their seats in their respective Assemblies.
9. Till a permanent Constitution was framed, the Centre shall have the right to appoint the Governors in the Provinces. However, as a compromise it was agreed that the Governors shall be appointed in Baluchistan and Khyber Pakhtunkhwa in consultation with the Provinces.
10. It was agreed that the NAP-JUI were the majority parties in the Khyber Pakhtunkhwa and Baluchistan.

11. The PPP proposed that local bodies' elections be held as early as possible after the Provincial Assemblies meeting and also that those be held in all the four provinces on the same date.
12. The President would announce today that the Martial Law would be lifted on August 14, 1972. [12]

Mawlana Shah Ahmad Noorani, on the behalf of opposition parties, described the agreement for the Interim Constitution as a step towards restoration of democracy. He said it was also a victory of the masses and completion of a long awaited demand of the people. [13]

As a first step to constitution-making the Bhutto government, presented a draft Interim Constitution on April 11, 1972. The first session of the NA was held on April 14, 1972. One hundred and forty four Members, elected to the general seats in the 1970 general elections including six reserved seats for women, took the oath collectively and signed the Roll of Members in the National Assembly of Pakistan. Six more seats were reserved for the minorities of Pakistan. Apart from that Nurul Amin (1893-1974) and Major Raja Tridiv Roy, elected from East Pakistan, chose to join the National Assembly of West Pakistan. The National Assembly had been summoned under the Article 6 (2) of the NA (Short Session) Order, 1972 (P.O. No. 11 of 1972) [14]. Nurul Amin was nominated as Chairman of the Assembly under the same Order. He took the oath from all the Members present at the floor of the Assembly. Zulfikar Ali Bhutto, being a majority party leader at the floor of the Assembly was nominated as the President and Chief Martial Law Administrator. Nurul Amin was nominated as the Vice-President of Pakistan. Presidential Council of Ministers consisted of eleven Members. This number increased to sixteen when the Martial Law was lifted.

Prior to the first session of the National Assembly of Pakistan on April 14, the opposition parties' leaders were reluctant to express their confidence in Zulfikar Ali Bhutto unless he lifted Martial Law from the country. Mawlana Shah Ahmad Noorani (1926-2003) from JUP, in a press conference, announced that the opposition parties had decided to vote against the constitution of Martial Law and the Interim Constitution. They also decided to work for the introduction of an Islamic constitution and the supremacy of democracy. As soon as the President of Pakistan, Zulfikar Ali Bhutto announced to lift Martial Law from the Country, Mawlana Noorani of JUP on April 14, 1972, addressing the inaugural session of the National Assembly welcomed his decision. He urged the President to prepare a permanent constitution for Pakistan, based on the teachings of the Quran and *Sunnah* and on the twenty-two points of the *ulama*. At this very happy occasion the opposition members congratulated and announced to stand by the President in each and every legal and democratic matter faced by him.[15]

Zulfikar Ali Bhutto was elected as the President of the National Assembly of Pakistan getting 104 votes against Sardar Sher Baz Khan Mazari (b.1930), an Independent Candidate and head of the independent group in the National Assembly, who got 38 votes from the Members of the National Assembly present [16]. The opposition Members from various parties like Abdul Wali Khan (1917-2006) from National Awami Party (NAP), Mufti Mahmud (1919-80) from JUI, Mawlana Shah Ahmad Noorani from JUP and Sardar Sher Baz Khan Mazari (Independent), felicitated Zulfikar Ali Bhutto as the President of the National Assembly.[17]

2- ENACTMENT & ENDORSEMENT OF THE INTERIM CONSTITUTION 1972 AND THE ROLE OF OPPOSITION

The opposition leader, Abdul Wali Khan, demanded that President Bhutto should immediately formulate an interim constitution with the representatives of other political parties to enable the National and Provincial Assemblies to function without the cover of Martial Law. [18]

Mufti Mahmud, General Secretary, JUI, said that under the tripartite PPP-NAP-JUI agreement the new constitution would be passed with approval of all three parties. He told that it had been decided that the Constitution, the Interim as well as the permanent one, would not only be democratic but also Islamic.[19] Other opposition members also assured Bhutto of their cooperation to him and expressed the hope that the opposition benches would receive just treatment and fair rulings from him. They also hoped that the House, under the leadership of Bhutto would be able to perform its main responsibility to frame a constitution in accordance with the wishes of the people and would maintain the best traditions of democracy. [20] After taking unanimous vote of confidence from the National Assembly and good hopes from the opposition members, Bhutto presented the Interim Constitution on April 14, which the National Assembly approved on April 17. A twenty-five-member committee [21] was entrusted with the task of preparing the draft of the permanent constitution.

3- PROMINENT FEATURES OF THE INTERIM CONSTITUTION 1972

3.1- The President of Pakistan

The Interim Constitution stood for a presidential form of government. The President was the head of the State and government at the same time. The President would be a Muslim, having 40 years of age, and otherwise eligible to be elected as a member of the National Assembly. The tenure of the office of the President was fixed at five years. There was no feature about the method of election to the office of the President. At the vacation of the office of the President,

the next President was to be elected by the National Assembly in the manner provided under the third schedule of the Interim Constitution. The President was the Supreme Commander of the Defence Services of Pakistan and had the authority to appoint Chiefs of the Staff of the Armed Forces. The President had also the power to issue ordinances when the National Assembly was not in session. [22]

3.2- The Vice-President of Pakistan

Under the Interim Constitution, the qualification for the office of the Vice-President was the same as for the office of the President. The Vice-President was to be elected by the National Assembly according to the procedure provided under the third schedule. The term of the Vice-President's office was five years. In the absence of the President, he was to act as President and, at the death of the President; he was to take over his responsibilities until a new President was elected. The Vice-President was a member of the Council of Ministers of the President.

3.3- The Legislature

The Interim Constitution provided for a unicameral legislature. That legislature was named as the National Assembly having power to legislate on all subjects provided in the Federal and Concurrent Legislative lists mentioned under the fourth schedule. The National Assembly could also legislate for a province on the subjects enumerated in the Provincial Legislative List during the proclamation of Emergency by the President. The President could withhold assent from any bill passed by the National Assembly and could return it for review with his recommendations for amendments. The National Assembly, after review, could pass the bill once again without any amendment and the President was bound to give his assent, provided the number of members voting for such a bill, on review was not less than seventy-five. The President, as the head of the government, had to work with the help and advice of the Council of Ministers. A minister had to be a member of the National Assembly. [23]

3.4- The Form of Government

The parliamentary form of government was introduced by the Interim Constitution at the provincial level. Governors were appointed by the President and were responsible to him. Governor was the executive authority at a province. For the administration of provincial affairs, there was to be a council of ministers, headed by the Chief Minister, to help and advise the Governor in the exercise of his functions. The Governor was to appoint a person as Chief Minister who had the confidence of the majority of the total members of the Provincial Assembly. The Council of Ministers was collectively responsible to the provincial Assembly and the ministers could be appointed and removed from office by the Governor on the advice of the Chief Minister. The chief Minister held the office during the pleasure of the Governor who could not remove him until he was satisfied that the Chief Minister did not have the majority of the total number of the members of the Provincial Assembly, to ascertain which, the Governor could ask the Chief Minister to get a vote of confidence from the Provincial Assembly. [24] The Provincial Assemblies elected in 1970 elections became the Provincial Assemblies under the Interim Constitution 1972 and that was a key to the compromise between the government and the opposition. The opposition had the majority in two Provincial Assemblies of Baluchistan and Khyber Pakhtunkhwa. In exchange, the opposition was not to demand fresh elections for the Constituent Assembly.

3.5- Relations between the Centre and the Provinces

Administrative relations between the centre and the provinces were regulated by provisions similar to those of the 1962 Constitution. A National Economic Council was to be constituted to review the overall economic position of Pakistan and formulate economic policies for its economic development. The President could appoint a Commission to resolve a dispute over the distribution of water supplies between the provinces. He could also establish a council for inter-provincial coordination for resolving disputes between the centre and a province or between the provinces, to discuss subjects of common interest, and to make recommendations for the better coordination and uniformity of policy.

3.6- The Judiciary

The Interim Constitution was having the similarity with the 1962 Constitution regarding the judicature, except that all provisions regarding the Supreme Court and the High Courts were given together under one part of the Constitution. New provisions relating to the judicature in the Interim Constitution, as different from the 1962 Constitution, were:

- (a) the permanent seat of the Supreme Court was to be in Islamabad;
- (b) a common High Court for Sindh and Baluchistan was to be established under the Constitution;
- (c) the minimum age for a judge of a High Court was fixed at 40 years for the first time; and
- (d) the age of retirement for a judge of a High Court was raised from 60 to 62 years.

3.7- The Martial Law Regulations and Orders

All existing laws were continued in force with necessary adaptations. All Martial Law Regulations and Martial Law Orders, except those specified in the seventh schedule [25], stood repealed with effect from the commencing day of the Interim Constitution. The specified Martial Law Regulations and Martial Law Orders were deemed to have become Acts of the appropriate legislature and with the necessary adaptations, had effect as such. All proclamations, President's orders, Martial Law Regulations (MLRs), Martial Law Orders (MLOs) and all other laws made as from the March 25, 1969, were declared valid notwithstanding any judgment of any court and were not called in question in any court. All orders made, proceedings taken, and acts done by any authority or person under any of the above mentioned laws were deemed to have been validly made, taken or done and no suit or other legal proceedings would lie in any court against any such authority or person. [26]

On April 15, 1972, Mawlana Noorani from JUP alleged that all the provisions of the Martial Law Regulations [27] were present in the interim constitution. Referring to its Islamic provisions, he observed that no time limit had been laid down for the elimination of un-Islamic provisions. He criticized the government for not banning liquor, music, dancing, nightclubs and gambling. Mawlana Noorani observed that the Interim Constitution would be acceptable to the opposition only if its un-Islamic provisions were omitted. [28]

The government formed seventeen Standing Committees within the National Assembly of Pakistan in pursuance of the Rules of Procedure and Conduct of Business in the National Assembly of Pakistan (Legislature) 1972. Members of the opposition parties were also representing these Standing Committees. [29]

The opposition parties' members actively participated in the discussions of the Constitution-making committee. They presented many amendments (those are given in the text of the entire chapters) in the Interim Constitution 1972 as well as in the draft constitution of 1973. [30]

CONCLUSION

Keeping in view the above study, it can be concluded that the first general elections of 1970, based on adult franchise, being fair and impartial, gave way to the smaller parties to sit on the opposition benches with great dignity and honor. After the secession of East Pakistan from the West Pakistan the Pakistan People's Party was strong enough at the centre while the opposition parties of JUI and NAP got stronger position at the provinces of NWFP (Khyber Pakhtunkhwa) and Baluchistan. The opposition was again triumphant to compel the government to lift Martial Law from the country and as such democratic standard was restored. The foremost task before the government and the opposition was to frame a democratic and parliamentary constitution for Pakistan. It was a success on the part of opposition and for the government as well to sign a twelve-point agreement to adopt an interim constitution till a permanent constitution was framed for Pakistan. The opposition did not spare the Treasury benches to run the affairs of the state with some thwarted articles of the Interim Constitution of 1972.

REFERENCES

- [1] The QML was one of the splinter groups of the PML. A senior leader of the PML, Abdul Qayyum Khan, established his own faction during the course of the anti-Ayub agitation (1968-69). The QML manifesto for the 1970 elections was: nationalization of heavy industries; a truly democratic constitution; providing safeguards against any violation of its provisions and ensuring complete democracy and its continuity; provision of basic necessities of life, i.e., food, clothes, shelter, medical facilities and education to all Pakistanis; rationalization of the structure and management of public sector enterprises; check on the multiplication of ownership in the industrial sector; review of land ceilings; compulsory education; ban on the use of alcohol by Muslims; and giving due share to minorities; etc. When the PPP assumed power in December 1971, Qayyum Khan joined Bhutto's cabinet as the Interior Minister. For details see Safdar Mahmud's *Pakistan: Political Roots and Development 1947-1999* (Karachi: Oxford University Press, 2007), p.124.
- [2] Choudhry Khaleeq-uz-Zaman, who was appointed chief organizer of the Con.ML, organized the party throughout the country. By the time it was formally organized, Ayub Khan assumed its president-ship in 1963 and held that office till December 1970. The Con. ML was actually his handmaiden and revolved around his personality and policies. After Ayub Khan's exit from power in 1969, many of its leaders and workers left the party. Under the president-ship of Fazlul Qadir Choudhry, a former Bengali federal minister and Speaker of the NA, the party participated in 1970 general elections. The salient features of its manifesto were: a federal system of government with defence, currency, foreign affairs, foreign trade and inter-wing communications as the central subjects; decentralization of economic and provincial autonomy; nationalization of basic industries, banks, and insurance companies; and fixation of ceiling on landholding at 250 acres. In West Pakistan the party stayed with the opposition till it was merged with the Cou. ML to form a broader party. Ibid, pp.121-23.

- [3] Jama'at-i Islami was a religious party founded in the Indo-Pak Subcontinent in 1941 by Mawlana Syed Abul Ala Mawdudi (1903–79). The party was established to reform society in accordance with the faith and drew its inspiration from the model of the prophet's original Muslim society. It called for moral reform and political action but was not concerned with questions of nationalism or national boundaries because Islam is a universal religion. The Jama'at-i Islami's aim was to bring about changes in the moral, political, economic and social system of the entire world and was designed to create an elite community of educated and devout Muslim leaders that would direct the way toward the revival of Islam. Although a religious party, the Jama'at has not remained apart from political activity in Pakistan. Mawdudi had opposed an independent Pakistan but, yielding to political reality, he focused his, and the party's, attention on Pakistan in 1947 until his retirement in 1972. In 1953, the Jama'at led a violent campaign against the Ahmadiyya sect that led to 2,000 deaths. For much of the next two decades, the party remained the voice of the Ulama and was active in opposition politics although it did support the wars with India in 1965 and 1971. After the overthrow of Zulfikar Ali Bhutto in 1977, the Jama'at supported General Zia ul-Haq's Islamization programme. Its manifesto described the Quran and the Sunnah as the basic sources of law. Other themes of the manifesto were provincial autonomy, separation of the judiciary from the executive, complete religious freedom for the minorities, foreign policy to conform to Pakistan's ideological needs, opposition to all kinds of imperialism and closer establish friendly relations with the Muslim world. It advocated for economic equality and justice for all. (See Kunal Mukherjee, "Islamic Revivalism and Politics in Contemporary Pakistan," *Journal of Developing Studies*, (2010): pp.329-53.
- [4] JUI is a Deobandi organization, part of the Deobandi Muslim movement. The JUI formed when members broke from the Jami'yyat Ulama-i-Hind in 1945 after that organization backed the Indian National Congress against the Muslim League's lobby for a separate Pakistan. The first president of the JUI was Allama Shabbir Ahmad Usmani. The JUI remained a predominantly religious organization with limited political activity until it was revived by Mawlana Mufti Mahmud as a vehicle to oppose the modernization policies of then President of Pakistan, General Ayub Khan. Following the collapse of the Khan regime in the late 1960s, the JUI participated in Pakistan's first general elections in 1970. JUI is working continuously to convert the law of country according to their terminology of Islam. Ideologically, JUI is regarded as uncompromisingly rigid, insisting on strict enforcement of traditional Islamic law. JUI helped establish thousands of Madaris in Pakistan, more than any other religious movement. (See Safdar Mahmud's *Pakistan: Political Roots and Development 1947-1999*, pp.156-59.
- [5] JUP was founded by the Ulama of the Barelvi school of thought in 1948. Mawlana Abdul Hamid Badayuni was its first president. JUP wanted an Islamic system for Pakistan. It enjoyed the support of Pirs and Mashaikh and some landlords. For the first time it took part in the elections in 1970 where it won a few seats. During 1972-75, its leader Mawlana Shah Ahmad Noorani advocated legislation in accordance with the teachings of Islam. During the 1977 elections, JUP joined Pakistan National Alliance (PNA). It introduced the slogan of Nizam-i-Mustafa (Islamic system), a slogan which became popular in the agitation against the Government of Zulfikar Ali Bhutto. See Mazher Hussain, "Religio-Political Discourse and Jam'iyyat'Ulama-i-Pakistan (JUP): A Careful Study of Different Narratives (1970-2003)," *International Journal of Social Science Studies*, Vol.4, No. 6 (June 2016): pp.24-36.
- [6] The National Awami Party (NAP) was established on July 25, 1957 as a result of a rift in the Awami League. Mawlana Abdul Hamid Bhashani, the East Pakistan's chief of the Awami League differed with the President of the Party, Hussain Shaheed Suhrawardy, and left the party along with his supporters. In a democratic convention held in Dhaka in July 1957, the NAP was formally launched with Bhashani as the head of its organizing committee. The West Pakistan-based Pakistan National Party (PNP) merged into NAP. The PNP was a merger of six minor parties i.e., Azad Pakistan Party, Red Shirts, Sindh Awami Mahaaz, Sindh Haari Committee, Wrori Pakhtun and Ustaman Gal. The NAP's main policies were to break up the 'One Unit' in West Pakistan, introduction of land reforms, regional autonomy, and abrogation of defence pacts with the West and adoption of an independent foreign policy. Prominent leaders of NAP were Khan Abdul Ghaffar Khan, Abd-us-Samad Achakzai, Prince Abdul Karim, G.M. Syed and Mawlana Bhashani. (M. Rashiduzzaman, "The National Awami Party of Pakistan: Leftist Politics in Crisis," *Pacific Affairs*, Vol. 43, No. 3 (autumn, 1970): pp.394-409.
- [7] Cou. ML came into being in 1962 at Dhaka and Khwaja Nazim-ud-Din, former Prime Minister, was elected its president who led the party till his death in October 1964. Sayyid Muhammad Afzal, a Leaguer from East Pakistan, succeeded him in that office. Mian Mumtaz Daulatana took over as president in 1967. The party manifesto for the 1970 general elections advocated enforcement of the 1956 Constitution with a bicameral legislature at the Centre; maximum provincial autonomy with parity between the two wings; social and economic justice based on Islamic principles; nationalization of banks, insurance institutions, and basic industries such as iron and steel, machine tools, chemical, and fertilizers; fixation of land ceiling at 250 acres irrigated and 500 acres non-irrigated; enforcement of Quranic laws; independent foreign policy; etc. *ibid.*, p.123.
- [8] Abd-us-Sattar Ghazali, *Islamic Pakistan: Illusions and Reality* (Islamabad: National Book Club, 1999), p.99.
- [9] Somia Tasneem, "Working Relationship between Central and Provincial Governments in Pakistan (1971-77)," *International Journal of Humanities and Social sciences*, Vol. 3, No. 17 (2013): p.197.

- [10] See Appendix A for the names of opposition members in the National Assembly of Pakistan, elected by the adult franchise, party-wise, which took oath and signed the Roll of Members on April 14, 1972. [*The Pakistan Times (Rawalpindi)*]. April 15, 1972), p.5.
- [11] Mujeeb Ahmad, Jam'iyat '*Ulama-i-Pakistan 1948-1979* (Islamabad: National Institute of Historical and Cultural Research, 1993), p.92.
- [12] *The Pakistan Times* (Rawalpindi), March 7, 1972.
- [13] *Mashriq* (Peshawar), March 7, 1972.
- [14] Ibid., p.62
- [15] Ibid., p.94.
- [16] Ibid., p.24.
- [17] Ibid., pp.54-80.
- [18] *The Pakistan Times* (Rawalpindi), February 11, 1972.
- [19] Ibid., March 13, 1972.
- [20] Ibid., April 16, 1972.
- [21] See Appendix B for other members of the Committee preparing the draft of the Permanent Constitution of Pakistan.
- [22] Hamid Khan, *Constitutional and Political History of Pakistan* (Karachi: Oxford University Press, 2001), p.255.
- [23] Ibid., p.255.
- [24] *The Pakistan Times* (Rawalpindi), May 5, 1972.
- [25] The Martial Law Regulations specified in the seventh schedule were mostly those which were made by Bhutto during the Civilian Martial Law, including Land Reforms Regulation, Removal from Service Regulation, Schools and College (Taking Over) Regulation.
- [26] Hamid Khan, *Constitutional and Political History of Pakistan*, pp.256-57.
- [27] Three days after the imposition of martial law by Ayub Khan, Martial Law Regulations Order was promulgated on October 10, 1958. The general effect of this Order was the validation of laws, other than the late constitution of 1956 that were in force before the promulgation of October 7. It was ordered that no writ would be issued against the Chief Martial Law Administrator or any person exercising powers or jurisdiction under his authority. No person or Court should call or permit to be called in question (i) the proclamation of October 7 (ii) any order made in pursuance of the proclamation or any Martial Law Order (iii) any finding, judgment or order of a Special Military Court. See G. W. Choudhury, *Constitutional Development in Pakistan* (London: Longman Group Ltd., 1969), pp.135-36.
- [28] Ahmad, Jam'iyat '*Ulama-i-Pakistan*, p.94.
- [29] See the seventeen Standing Committees carrying the names of the Members of the National Assembly of Pakistan including the names of the Members of opposition parties.
- [30] Ahmad, Jam'iyat '*Ulama-i-Pakistan*, pp.98.