

OXFORD

FOURTH EDITION

CONSTITUTIONAL
AND POLITICAL
HISTORY
OF PAKISTAN

HAMID KHAN

FOURTH EDITION

CONSTITUTIONAL
AND POLITICAL
HISTORY
OF PAKISTAN

HAMID KHAN

15212

OXFORD
UNIVERSITY PRESS

OXFORD
UNIVERSITY PRESS

Oxford University Press is a department of the University of Oxford.
It furthers the University's objective of excellence in research, scholarship,
and education by publishing worldwide. Oxford is a registered trade mark of
Oxford University Press in the UK and in certain other countries

Published in Pakistan by
Oxford University Press

No. 38, Sector 15, Korangi Industrial Area,
PO Box 8214, Karachi-74900, Pakistan

© Oxford University Press 2001

The moral rights of the author have been asserted

First Paperback Edition published in 2005

Second Paperback Edition published in 2009

Third Paperback Edition published in 2017

Fourth Paperback Edition published in 2023

All rights reserved. No part of this publication may be reproduced, stored in
a retrieval system, or transmitted, in any form or by any means, without the
prior permission in writing of Oxford University Press, or as expressly permitted
by law, by licence, or under terms agreed with the appropriate reprographics
rights organization. Enquiries concerning reproduction outside the scope of the
above should be sent to the Rights Department, Oxford University Press, at the
address above

You must not circulate this work in any other form
and you must impose this same condition on any acquirer

ISBN 978-0-19-906098-6

Typeset in Minion Pro
Printed on 63gsm Offset Paper

Printed by The Times Press (Pvt.) Ltd., Karachi

Contents

<i>Table of Cases</i>	page
<i>Preface to the Fourth Edition</i>	xvii
	xxi

PART ONE

Pre-Partition Constitutional and Political History

1 The State of Undivided India	3
Introduction	3
The Mughals: Founders of Modern Administration	3
British Expansionism in India	4
Legislative Control by the British Parliament	5
The Government of India Act, 1858	6
The Indian Councils Act, 1861	7
Constitutional Developments: 1861-1909	7
The Minto-Morley Reforms, 1909-1919	9
The Indian Councils Act, 1909	10
The Government of India Act, 1919	11
Diarchy in the Provinces	12
Central and Provincial Legislatures and their Powers	12
Political Developments: 1919-1935	13
2 A Colonial Constitution	21
The Government of India Act, 1935	21
The Federal Executive	22
The Federal Legislature	23
The Federal Court	26
Provincial Governments	27
Provincial Legislatures	28
Formation of Ministries in the Provinces	31
Conclusion	32
3 A Countdown to Partition	33
The Pakistan (Lahore) Resolution, 1940	33
The Second World War and Termination of Congress Ministries	35
The Cripps Mission, 1942	35
'Quit India' Movement	36

Elections to Provincial and Central Legislatures, 1945-46	36
The Cabinet Mission Plan, 1946	37
Direct Action Plan and the Interim Government	39
The Constituent Assembly and Attlee's Statement, February 1947	39
The Mountbatten Plan, 3 June 1947	40
The Independence Act, 1947	41
The Princely States of India	42

PART TWO

Constitutional and Political Developments: August 1947 to October 1958

4 Birth of a Nation and Death of Jinnah	47
The Interim Constitution: Adaptation of the Government of India Act, 1935	48
Basic Principles and Other Important Committees	50
Partition of Punjab: The Carnage and Refugee Problem	51
The Kashmir Issue	53
Jinnah's Death, September 1948	53
Jinnah as Governor-General: A Review	55
5 The Objectives Resolution, 1949	59
Proposed Amendments	61
The Debate on Religious Minorities	62
Resolution Adopted	64
Basic Principles Committee and its Interim Report	66
6 Controversies within the Constituent Assembly	66
Report of the Committee on Fundamental Rights and Matters Relating to Minorities	68
The Assassination of Liaquat Ali Khan, October 1951	70
Report of the Basic Principles Committee, 1952	71

Anti-Ahmadiyya Movement, Martial Law, and Dismissal of Nazimuddin's Government	74	Noon's Ministry, December 1957–October 1958	
The Munir Report, 1954	75	Political Commotion	120
The Muhammad Ali Bogra Formula	76	Delay in General Elections and Declaration of Martial Law	120
Controversy over Provincial Autonomy and a Strong Centre	78		121
The Issue of National Language	79	PART THREE	
Other Provisions	80	The Ayub Regime: October 1958 to March 1969	
Elections in East Pakistan	80	Ouster of President Iskandar Mirza	
Amending Acts of 1954	81		
Dissolution of the Constituent Assembly and Proclamation of a State of Emergency	82		
7 An Era of Legal Battles	85	10 Ayub's Basic Democracies	
Maulvi Tamizuddin Khan Case	85	The Dosso Case	125
Usif Patel Case	89	Mehdi Ali Khan Case	126
Governor General's Reference to the Federal Court	90	Action against Government Servants	127
Doctrine of the Law of Necessity	92	Action against Politicians	127
The Impact of Constitutional Cases	93	Land Reforms, 1959	128
The Second Constituent Assembly	93	Basic Democracies Order, 1959	128
West Pakistan Established as One Unit	96	Referendum/Presidential Elections	129
Framing the Constitution	97		131
Political Reaction to the Draft Constitution	98	11 The Constitution Commission and its Report	
Final Approval by the Constituent Assembly	98	Failure of the Parliamentary System	133
8 The Constitution of 1956	100	Presidential Form of Government	133
Fundamental Rights	100	Recommended	134
Directive Principles of State Policy	102	Legislatures: Unicameral or Bicameral?	135
Parliamentary Form of Government	103	The President and his Powers	135
The President and the Cabinet	104	Federal Form of Government	
Functions and Powers of the President	105	Recommended	135
The Federal Government	106	Recommendations Relating to the Electoralates	136
The Federal Legislature (The Parliament)	108	Recommendations Regarding Revival of Political Parties	137
Provincial Governments and Legislatures	109	Recommendations Relating to Islamic Provisions	137
Distribution of Powers between the Centre and the Provinces	110	Recommendations Regarding the Judiciary	138
The Judiciary	111	Fundamental Rights and Directive Principles of Policy	139
Islamic Provisions	112	Note of Dissent	139
Emergency Provisions	113	Conclusion	139
9 The First Martial Law, October 1958	117	12 The Constitution of 1962	141
End of Chaudhri Mohammad Ali's Ministry	117	Presidential Form of Government	142
Suhrawardy's Ministry, September 1956– October 1957	118	Powers of the President	142
Chundrigar's Ministry, October–December 1957	119	Presidential Powers and the Legislature	145
		A Centralized Federal System	148
		A Unicameral Central Legislature	148
		Governors and Provincial Legislatures	149

Relations between the Centre and the Provinces	150	16 The Fall of Ayub	193
Distribution of Financial Resources between the Centre and the Provinces	150	Student Protests and Political Agitation in West Pakistan	194
An Independent Judiciary	151	Repression and Breakdown	194
Elections through the Electoral College	152	The Opposition Organizes Itself	196
Islamic Character of the Constitution	153	Ayub Decides to Retire	196
Conclusion	154	Parleys with the Opposition Fail	197
		The 'Benevolent Dictator' in Retrospect	199
13 Ayub's Civilian Face	156		
Political Situation at the time of the 1962 Constitution	156	PART FOUR	
Political Parties Act, 1962	158	The Yahya Regime: March 1969 to December 1971	
Revival of the Political Parties and Political Activity	158	17 Yahya's Martial Law	203
Franchise Commission and its Report	159	Provisional Constitution Order	203
The First Amendment	160	Action against Senior Civil Servants	204
The Second Amendment	161	Curtailment of Jurisdiction of Courts	204
Supreme Court's Judgment in Maudoodi Case: Jamaat-e-Islami Banned	161	The Mir Hassan Case	205
		Constitutional Changes: Dissolution of One Unit	206
14 Presidential Elections, 1965	164	Legal Framework Order, 1970	207
The Opposition Announces its Candidate	164	Political Alliances and Free Electioneering	208
Elections to the Electoral College	165	General Elections, December 1970, and its Results	210
Opposition's Crisis of Confidence	166		
Election Campaign and Results	168	18 Constitutional Breakdown	212
Factors Responsible for Ayub's Victory	169	Postponement of the National Assembly Session	213
Election Results Disputed	171	The Awami League in Revolt	214
Aftermath of the Presidential Election	171	Hijacking of an Indian Aircraft	216
		Negotiations for Political Settlement	217
15 War with India and Rifts within	175	Political Impasse between the Centre and the Eastern Wing	219
Third, Fourth, and Fifth Amendments to the Constitution	175	Yahya-Bhutto Understanding	221
Indo-Pakistan War, 1965	176	Six-Points and West Pakistan	222
The Tashkent Declaration and Student Protests	177	Who Lost East Pakistan?	224
Reaction of Politicians to the Tashkent Declaration	179		
Sixth and Seventh Amendments of 1966	180	19 The Birth of Bangladesh	226
Political Developments in East Pakistan: February 1966–November 1968	182	Military Action in East Pakistan	226
Mujib's Six-Points	184	Reaction in West Pakistan	227
The Agartala Conspiracy Case	185	Attempts at Reconciliation	227
Political Developments in West Pakistan: February 1966–November 1968	187	The Draft Constitution	229
The Power of Twenty-two Families	189	International Responses	229
The Dominance of Bureaucrats	189	Indo-Pak War and the Fall of Dhaka	230
Leading Constitutional Cases	190	Role of the United Nations	231
		Role of Yahya in Secession of East Pakistan	232
		Was Mujib a Secessionist?	232

Breakup of Pakistan: A Constitutional Analysis	234
—introduction	239
Military Action: A Collective Suicide	241
Events after Surrender in Dhaka	243
Conclusion	

PART FIVE

The Bhutto Government: December 1971 to July 1977

20 Civilian Martial Law	247
Bangladesh Government Established in Dhaka	247
Bhutto Takes Over	248
Civilian Martial Law and Bhutto's Reforms	250
Release of Mujib	250
Nationalization of Basic Industries:	
Economic Reforms Order, 1972	250
Land Reforms	251
Colleges and Schools Taken Over	252
Screening of Government Servants	252
Political Manoeuvres till the Interim Constitution	253
The Asma Jilani Case	253
21 The Interim Constitution of 1972	256
Salient Features	256
The Simla Agreement	259
The Ziaur Rahman Case	259
Dismissal of the Provincial Government in Balochistan and Resignation of the Provincial Government in NWFP	261
The Language Crisis in Sindh	263
Bhutto's Repression of Opposition Politicians	266
Constitutional Amendments	266
Constitution-making:	
The Initial Difficulties	267
Constitutional Accord	268
Permanent Constitution Adopted	269
Presidential Reference on Bangladesh	271
22 The Constitution of 1973	273
Fundamental Rights	274
Directive Principles of State Policy	275
Parliamentary Form of Government	276
The President and the Cabinet	277
The Federal Government	278
The Federal Legislature (The Parliament)	279

Provincial Governments and Legislatures	281
Distribution of Powers and Relations between the Centre and the Provinces	282
The Judiciary	282
Islamic Provisions	284
Emergency Provisions	284
23 Bhutto's Democracy	288
Elections to the Senate and the Offices of the President and the Prime Minister	288
Constitution Enforced on 14 August 1973	288
Administrative Reforms	289
First Amendment:	
Recognition of Bangladesh	291
Second Amendment: Ahmadiis Declared Non-Muslims	292
An Aborted Coup Attempt and F.B. Ali Case	294
Third Amendment: Victimization of Political Opponents	294
Fourth Amendment: Jurisdiction of Courts Curtailed	295
National Awami Party (NAP) Banned and the Supreme Court Judgment	296
Fifth Amendment:	
Chastizing the Judiciary	299
Nationalization of Banks and Small Industries	302
Sixth Amendment, 1973	303
Further Land Reforms	303
Important Constitutional Cases	304
Preventive Detentions and the Courts	305
Preparations for General Elections	306
24 General Elections, March 1977	309
Allegations of Rigging the Polls	310
Partial Martial Law and the Lahore High Court Verdict	313
Seventh Amendment to the Constitution	314
Parleys for Political Settlement	315
Political Impasse and Imposition of Martial Law	317
Fall of Bhutto: An Assessment	318

PART SIX

The Zia Regime: July 1977 to August 1988

25 Zia's 'Operation Fairplay'	323	28 The Provisional Constitution Order, 1981	358
Constitution Suspended and Laws		Judiciary Humiliated	359
(Continuance in Force) Order, 1977,		The Provisional Constitution Order	
Promulgated	323	(PCO) Upheld	360
Zia's Differences with Bhutto	324	PCO-II—Reinstatement Orders of	
Election Campaign and Postponement of		Civil Servants Nullified	361
Elections	325	The Federal Council (Majlis-e-Shoora)	361
Withdrawal of the Fifth and Sixth		The Office of the Ombudsman	
Amendments	326	(Wafaqi Mohtasib)	362
The Nusrat Bhutto Case	326	Zia's Constitutional Plan	363
		The Referendum, December 1984	364
		General Elections, February 1985	365
		Constitutional Amendments during	
		Zia's Rule	365
		Curb on the Religious Activities	
		of Ahmadis	366
		Islamization of the Law of Evidence	367
		Introduction to Islamic Banking	367
26 Bhutto's Trial and Execution	333		
The Background	333	29 The Eighth Amendment	369
Detention and Cancellation of Bail for		Revival of the Constitution Order (RCO):	
Bhutto	334	Main Features	369
The Trial of Bhutto	335	Civilian Government formed under	
Was the Trial Fair?	335	Martial Law	373
The Judgment of the High Court	336	Eighth Amendment: Compromising	
Appeal before the Supreme Court	336	the Constitution	374
Retirement of Members of the Bench	338	Longest Ever Martial Law Lifted	376
The Judgment in Appeal	339		
Review Application and its Dismissal	339	30 Partial Democracy and the Death of Zia	377
Controversy over the		Benazir Bhutto Returns, April 1986	377
Supreme Court Verdict	340	The Afghan War Settlement	377
The Execution of Bhutto	340	Benazir Bhutto Case—Requirement for	
Zulfikar Ali Bhutto: A Political Legacy	340	Registration Waived	378
Partnership between the Military and the		Mustafa Khar Case and Validation Clause	
Judiciary	341	under the Eighth Amendment	381
Aftermath of the		Conflict between Civilian and	
Nusrat Bhutto Case	343	Military Authorities	382
All Political Activity Banned	343	Dissolution of Assemblies and the	
Zia Backs Out of Holding Elections	345	Dismissal of Junejo Government	383
Constitutional Amendments	346	Performance of Junejo Government	
		Reviewed	384
		Caretaker Government without a	
		Prime Minister	385
27 Hounding the Judiciary	349	The Shariah Ordinance, 1988	385
Introduction of Separate Electorates	350	Zia's Death, August 1988, and	
Military Courts Established under the		a Review of his Regime	386
Constitution	351	Order of Dissolution of National Assembly	389
Challenge to the Amendment	352	Challenge before the Lahore High Court	389
Exorcizing the Judiciary	353	Appeal before the Supreme Court	390
The Hamid Baloch Case	353		
The Federal Shariat Court	355		
Creation of Permanent Benches of the			
High Courts	355		
Movement for the Restoration of			
Democracy (MRD)	356		

Law Denying Election Symbols to Political Parties Struck Down	390
Party-based General Elections, 1988	391

PART SEVEN

The Post-Zia Civilian Governments: August 1988 to October 1999

31 Benazir's First Term: A Divided House	395
Benazir Nominated Prime Minister	395
Ishaq Elected President	396
Provincial Governments Formed	396
Dissolution of the Balochistan Provincial Assembly	397
The Haji Saifullah Case	397
Motion of 'No-Confidence' against Benazir	398
Conflict over Division of Powers between the President and the Prime Minister	399
Conflict over Appointment of Judges	400
Dissolution of National Assembly	400
Dissolution of Provincial Assemblies	401
Benazir's First Term Reviewed	401
The Caretaker Government of Jatoi	402
Order of Dissolution of National Assembly Challenged and Court Verdicts	402
Challenge before Sindh High Court	403
Appeal before the Supreme Court	404
Dissolution of Provincial Assemblies Challenged and Court Verdicts	405
Verdict of the Supreme Court	405
Dissolution of Sindh Provincial Assembly, Challenge before the Sindh High Court	406
General Elections, October 1990	406
32 First Nawaz Government: Dismissed and Restored	409
Provincial Governments Formed	409
Legislations Concerning Economic Reforms	409
Denationalization and Privatization	410
Presidential References	411
The Twelfth Amendment	411
Legislation Regarding the Separation of Judiciary from the Executive	413
Differences between the President and the Prime Minister	414
Dissolution of the National Assembly	414
The Caretaker Government	417
Constitutional Duel over the Punjab	418

Attempt to Impose Federal Government Rule in the Punjab	419
Dissolution of the NWFP Provincial Assembly, 1993	419
Exit of the President and the Prime Minister	420
Performance of the Nawaz Government, 1990-93	420
The Caretaker Government	421
General Elections, October 1993	422
33 Benazir's Second Term: The Judicial Crisis	
The Sabir Shah Case	425
Public Hangings Banned	425
Implementation of Decision to Separate the Judiciary from the Executive	427
The Local Bodies Case	427
Wattoo Government Sacked: Lahore High Court Verdict	428
Confrontation with the Judiciary	429
PPP's Rough Handling of Superior Courts	430
The Judges' Judgment	432
Leghari-Benazir Rift: President's Reference No. 2	433
Dismissal of Benazir's Government	435
Order of Dissolution	436
Benazir's Second Term Reviewed	437
34 Under the Shadow of the Eighth Amendment	440
Law of Accountability	440
Election Laws Amended	441
Leghari-Nawaz Secret Pact: Justice Fakharuddin Resigns	442
Dissolution of National Assembly Upheld	442
Eighth Amendment Held Valid: Mahmood Achakzai Case	445
General Elections, February 1997	446
35 Second Nawaz Government: Storming the Supreme Court	448
Thirteenth Amendment: End of Eighth Amendment	448
Fourteenth Amendment: Defection Clause	449
New Accountability Law	450
Confrontation with the Judiciary	450
Fall of Justice Sajjad Ali Shah	452
Storming the Supreme Court	454

A Divided Judiciary	455
Asad Ali Case	456
Role of Leghari as President	457
Tarar Elected President	457
Important Constitutional Cases	458
Thirteenth Amendment Upheld	459
Supreme Court Verdict on the Fourteenth Amendment	459
Supreme Court Strikes Down Anti-Terrorist Law	461
Lahore High Court Upholds Ehtesab Act	462
Nuclear Tests: Declaration of Emergency	462
Supreme Court Judgment on Proclamation of Emergency	463
Courts' Decision on Freezing of Foreign Currency Accounts	464
Supreme Court Declares Military Courts Unconstitutional	465
Constitution (Fifteenth Amendment) Bill	466
Supreme Court Storming Case Decided	467
Sixteenth Amendment	468
Kargil Crisis: Confrontation with Military	468
The Military Takes Over	469
Performance of Second Nawaz Government	470

PART EIGHT

The Musharraf Regime: October 1999 to August 2008

36 Musharraf and the Legal Framework Order	475
Military Government Confronts Judiciary	475
Trial of Nawaz for Hijacking	476
Supreme Court Upholds Military Takeover	476
Removal of President Tarar	478
Musharraf and 9/11	479
Irshad Appointed Chief Election Commissioner	479
Referendum, 30 April 2002	479
Local Government Reforms	480
Legal Framework Order, 2002	481
37 Musharraf's Democracy: The Seventeenth Amendment	485
General Elections, 2002	485
Jamali Elected Prime Minister	486
The Seventeenth Amendment: Musharraf and the Parliament	486

Vote of Confidence for Musharraf	489
Accountability under the Military Government	490
National Security Council Act, 2004	491
Prime Ministerial Parade	492
Musharraf and the Issue of the Uniform Seventeenth Amendment upheld by the Supreme Court	493
Hisba Bill and Reference to the Supreme Court	494
Local Government Elections, 2005	497
The Steel Mills Case	498
Other Scandals	499
38 Musharraf and the Judiciary	501
Dividing the Judiciary	501
General Elections and the Lahore High Court	502
Judges Rewarded:	502
Extension in Retirement Age	503
Confrontation with the Bar	503
Struggle of the Bar against LFO	503
Nazim Siddiqui becomes the Chief Justice	504
Chief Justice	505
Iftikhar Muhammad Chaudhry	505
Suspension of the Chief Justice—Events of 9 March: The Army House Events	505
President's Orders	506
Convening of Supreme Judicial Council	506
President's Reference	506
Treatment of Chief Justice after Leaving Army House	506
Order of 15 March	507
Supreme Judicial Council Proceedings	507
Proceedings before the Supreme Court	508
Chief Justice Restored	509
Reaction to these Events by the Public and the Legal Profession	510
Nationwide Protests	511
The Media	512
Judicial Orders and Proceedings Flouted	512
Dual Office Case	513
Wajihuddin Case	513
Musharraf's Election	514
Musharraf's Coup against Judiciary:	514
Emergency and the PCO	515
Judges Oathed Out	516
Restraining Order of 3 November 2007	516

Crackdown on Lawyers and the Lawyers' Movement	517
Musharraf's Emergency Rule	518
Musharraf Quits as COAS and Emergency Lifted	518
Law of Legal Practitioners Amended	519
PCO Supreme Court Upholds PCO	519
General Elections: Whether or not to Boycott	520
Assassination of Benazir	521
39 Fall of Musharraf and Election of Zardari	525
Elections of 18 February 2008	525
Formation of Federal Government	525
Provincial Governments Formed	526
Restoration of Judiciary and Murree Declaration	526
The Long March	528
Proposed Constitutional Amendments	529
Resignation of Musharraf	530
Analysis of the Musharraf Regime	531
PPP Reneges Again on Restoration of Judiciary	534
Election of Zardari as President	535

PART NINE

The Zardari Government: September 2008 to September 2013

40 Judiciary Restored: Historic Judgments after Restoration (2008-2009)	541
Governor Rule in Punjab	542
Second Long March and Restoration	543
Sindh High Court Bar Association Case	546
Analysis of the Judgment in the Case of Sindh High Court Bar Association (PLD 2009 SC 789)	548
Review Petitions Dismissed	549
Dissenting Opinion of Justice Sardar Muhammad Raza	551
National Reconciliation Ordinance (NRO) Declared Unconstitutional	551
Political Impact of NRO Decision	552
Conviction of Nawaz Set Aside	553
Nawaz Declared Qualified to Contest Election	554
Terrorism: The Swat Operation	555

41 The Eighteenth, Nineteenth, and Twentieth Amendments to the Constitution, 2010-2011	
Judicial Crises	56
The Eighteenth Amendment	56
Eighteenth Amendment Analysed	56
Eighteenth Amendment Challenged	56
Nineteenth Amendment	56
Twentieth Amendment	56
Kayani's Term of Office Extended	56
Important Constitutional Cases Decided During This Period	57
Other Important Cases Decided by the Supreme Court	57
Political Developments During this Period	57
42 Prime Minister Removed, Judicial Activism at its Height, and Pakistan Peoples Party defeat in General Elections, 2012-2013	578
Prime Minister Sentenced for Contempt of Court	578
Contempt Proceedings against Gillani	579
Prime Minister Gillani Removed	581
Reaction to the Removal of Prime Minister	581
New Prime Minister Elected	582
New Contempt of Court Law Declared Unconstitutional	582
Memogate Scandal and Court Proceedings	584
Corruption in Rental Power Plants	585
Mehran Bank Scandal	586
Presidential Reference regarding Appointment of Judges of Islamabad High Court	588
Corruption in Pakistan Steel Mills	588
Dual Nationality Cases	588
Judicial Appointments	589
Reforming Elections	590
Cases of Misgovernance	591
Preparation of New Electoral Rolls Ordered	592
Ephedrine Quota Scandal	592
Contempt Notice to Altaf Hussain (Crl.O.P.No.106/2012)	593
Appointment of Chairman, NAB Declared Void	593
Arsalan Case	594
Political Developments (2012-13)	595
National Commission for Human Rights	597
General Elections	598
Analysis of General Elections, 2013	602

Mamnoon Hussain Elected as President of Pakistan	602
Presidency of Asif Ali Zardari	603

PART TEN

The Government of PML (N) May 2013 to August 2018

43 Nawaz Government Formed: Disputed Election Results	607
Federal Government formed under Nawaz	607
Provincial Governments formed	607
Imran Disputes Results of General Election 2013	607
Contempt Proceedings against Imran	608
Azadi March: August to December 2014	608
Peshawar School Attack, 16 Dec. 2014	609
Operation Zarb-e-Azb	610
National Action Plan	610
Military Courts challenged	612
Inquiry Commission and its Report	615
44 Panama Papers Scandal: Nawaz removed as Prime Minister, 2015-17	619
Supreme Court directs use of Urdu as national language	619
Mustafa Impex case	619
Mumtaz Qadri case	620
Twenty-Second Amendment	621
Panama Papers Scandal	622
Panama Papers Leaks: Political Reaction in Pakistan	622
Dawn Leaks Scandal	624
The Panama Papers Court Case	626
Judgments in Panama Papers Cases	627
Quetta Blast: Lawyers' killed	630
Inquiry Commission's Report	631
Twenty-third Amendment	633
Muhammad Hanif Abbasi v. Imran Khan Niazi	633
Acts of Terrorism during this period	634
45 Shahid Khakan Abbasi, New Prime Minister, 2017-18 and General Elections, July 2018	637
Nawaz leads protest against his removal	637
Sit-in (Dharna) at Faizabad	637
Supreme Court Judgment on Faizabad Dharna	638

Constitutional Amendments passed	638
Twenty-Fourth Amendment: Seats of the National Assembly adjusted according to Census of 2017	639
Twenty-Fifth Amendment: Merger of FATA in KPK	639
Twenty-Sixth Amendment: Seats of FATA assigned to KPK	639
Treason Case against Musharraf	640
Nawaz removed as Party Head	642
Nawaz and daughter Maryam given prison sentences	643
Acts of terrorism during this period	643
General Elections held on 25 July 2018	643
Pre-poll rigging and political engineering alleged	644
National Assembly Results: Parties Position	645
Imran forms Federal Government	645
Provincial Governments Formed	646
Arif Alvi elected as President of Pakistan	648
Electoral system	648
Electoral College	649
Results	649

PART ELEVEN

Constitutional and Political Issues in Pakistan

46 Constitutional and Political Issues	653
1. Introduction	655
2. Weak Political Parties	
Major Political Parties: Their History and Performance	655
Concluding Remarks	661
3. Debate Over Form of Government	663
Parliamentary v. Presidential Forms of Government	663
4. Role of Legislatures: Sovereign or Subordinate?	668
Causes of weakness of Legislatures in Pakistan	670
5. Role of the Judiciary: Independent or Subordinate?	671
Judiciary in initial years	671
Judiciary under attack from military regimes	673
Charter of Democracy	676
Accountability of Judiciary	678
Judicialization of Politics in Pakistan	680

6. Role of the Military: Master or Servant of the State?	682	10. Religion and the State	712
Military indulging in Politics	682	Concept of separation of religion and State in the West	712
Factors behind politicization of military	684	Separation of Religion and State in Islam	714
7. Role of Establishment in politics of Pakistan	687	Pakistani model and experience	716
What is meant by Establishment?	687	11. Joint or Separate Electorates?	720
Formation of Establishment in Pakistan	687	12. Partisan Conduct of Elections	721
Formation of Military Establishment in Pakistan	688	Rigged Elections	721
Formation of Civil Bureaucratic Establishment in Pakistan	688	Causes of Rigging	723
Formation of Civil/Military Establishment	691	13. Minorities: Secure or Scared?	724
Military Take Over of October 1958	691	Rights of Minorities Undermined	724
The Ayub Regime's Establishment	692	Minorities subjected to Discrimination and Terrorism	726
Establishment and Yahya Khan: Breakup of Pakistan	693	14. Fundamental Rights and Civil Liberties Infringed	727
Establishment and the Bhutto Government	694	15. Corruption and Coercion in the Corridors of Power	729
Ziaul Haq and the Establishment	694	Corruption in Politics	729
Post Zia period	696	Dictatorial Regimes	730
The Musharraf Regime	696	Horse trading during Civilian Governments	732
The Establishment and the PML(N) government	697	16. Baluchistan: A Neglected Province	733
<i>Dawn</i> Leaks	698	17. Terrorism: A Grave Threat to the Integrity of Pakistan	735
General Elections of 2018	699	Growth of Religious Extremism and Fanaticism	735
Hybrid Regimes	700	Zia Regime's Role	736
Conclusions	700	Operation <i>Zarb-e-Azb</i>	738
8. Role of the Bureaucracy: Master or Servant of the People?	703	18. Hold of the Elite in Pakistan	739
History of Bureaucracy in India	703	Politico-Socio-economic problems facing Pakistan	740
Bureaucracy after Independence	704	19. Pakistan at Crossroads	741
Bureaucratic Reforms in 1973	705		
9. The Issue of Provincial Autonomy	707	<i>Bibliography</i>	749
Provincial Autonomy Demand until 1971	707	<i>Index</i>	753
Provincial Autonomy after Breakup of Pakistan	710		