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Assignment

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Section:- B

Department:- Law

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Darsi Notes

Date

The Second Constitution of Pakistan (1962)

→ Introduction:-

Pakistan has had three constitution in its history:

1- 1956 constitution
2- 1962 constitution
3- 1973 constitution

The second Constitution, also known as the **1962** Constitution, was enacted during the rule of President General **Ayub Khan**. This constitution is important because it introduced a new political system and changed Pakistan from a parliamentary democracy into a strong presidential system.

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→ Background:-

After General Ayub Khan took power through a military coup in **1958**, he abolished the 1956 constitution. He then formed a Constitution Commission in **1960** to prepare a new constitution that matched his political ideas.

The 1962 Constitution was officially enforced on **June 8, 1962**.

Key Features of Constitution:-

A- Presidential System:-

Pakistan changed from a parliamentary system to a presidential system. The President had maximum power. The President could:

- Appoint ministers
- Dismiss the National Assembly.

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was created.

→ Structure of Government:-

1- Executive (President):-

Most powerful branch.
Head of state + Head of government
Appointed governors, ministers, armed forces chiefs.

2- Legislature (National Assembly):-

156 members elected by Basic Democrats.
Could make laws but the President could veto them.

3- Judiciary:-

- Supreme Court (highest)
- High Courts
- Lower Courts.

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B- Indirect Elections:-

The President was not elected directly by the people.
Instead, 80,000 Basic Democrats (local council members) voted for the President and National Assembly.
This system increased Ayub Khan's control.

C- Unicameral legislature:-

There was only one house of parliament called the **National** Assembly.
No Senate existed.

D- Islamic Provisions:-

Although Ayub Khan was more secular in approach, the constitution still kept many islamic features:

- Islam was declared the state religion.
- Advisory Islamic Research Council

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Introduced the first presidential system in Pakistan. Shifted power from parliament to the president. Gave Ayub Khan strong political control. Played a major role in shaping Pakistan's political history. Its failure showed that democracy cannot survive without public participation.

Conclusion:-

The **1962** Constitution of Pakistan is remembered as a major attempt to change the country's political structure. Although it centralized power in the Presidency and reduced democratic participation, it remains an important chapter in Pakistan's constitutional development.