

Discuss the major issues of the constitutional making processes in Pakistan in 1956, 1962 and 1973.

Introduction:

Pakistan was established on August 14, 1947, to provide Indian Muslims with a homeland where they could live according to Islamic principles. However, the new state faced serious challenges including refugee crises, food and water shortages, health issues, and weak political leadership. These differences led to delays in constitution by up to 9 years, resulting in term political instability. A major reason for the delay was the lack of consensus between East and West Pakistan. West Pakistan leaders favored a unitary government with a unicameral legislature while East Pakistan demanded a federal system with bicameral legislature. Dispute also arose over the parliamentary vs

presidential system the role of Islam and language issues. Despite these issues.

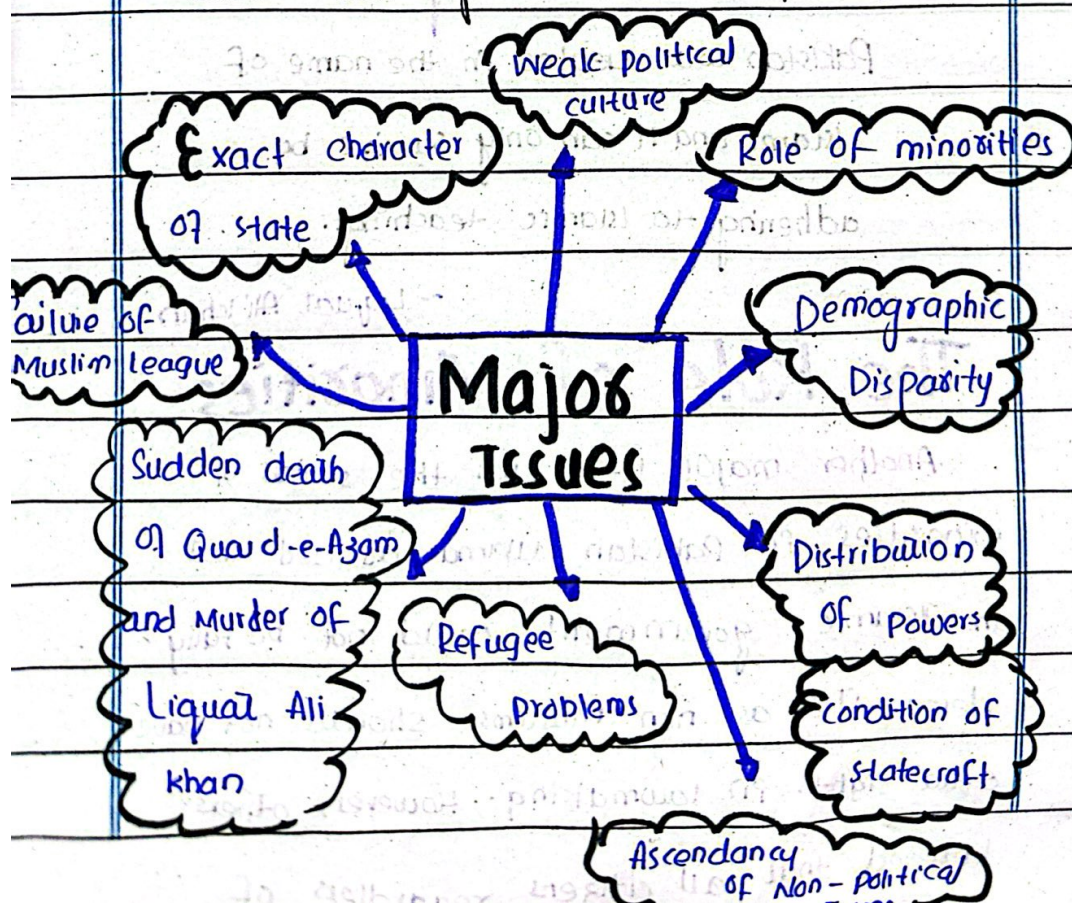
Muhammad Ali Jinnah on 11 August 1947 address to the constituent Assembly.

"The constitution of Pakistan has yet to be formed by the Pakistan constituent Assembly. I do not know what the ultimate shape of this constitution is going to be, but I am sure that it will be of democratic type embodying the essential principles of Islam."

Issues in Constitution making

The Government of India Act 1935 was modified and promulgated in the newly state of Pakistan. The constituent Assembly was given the task of framing the constitution. The elected members in the 1946 elections made first Constituent Assembly that grievous circumstances. The first

meeting of the constituent Assembly was held on August 11, 1947 at Karachi. The process began with the passing of the Objective Resolution in which the Islamic and democratic values were adopted as grounds for the future constitution. The Basic principles committee (BPC) consisting of 24 Members was made to work for the constitutional powers. The various sub-committees on Federal and provincial powers franchise judiciary and fundamental rights stated working.



Exact Character of State:

One of the biggest challenges in constitution making was deciding what kind of state Pakistan should be. The demand for Pakistan had united diverse Muslim groups, but their visions were different. Some saw Pakistan as a way to escape Hindu dominance, while others wanted it to be a pure Islamic state. Religious scholars (Ulama) while modernist leaders preferred a system that aligned Islamic principles with democracy.

Pakistan was created in the name of Islam, and it can only survive by adhering to Islamic teachings.

~ Liaquat Ali Khan

The Role of Minorities

Another major issue was the status of minorities in Pakistan. Ulama argued that an Islamic government could not be fully democratic as non-Muslims should not have equal rights in lawmaking. However, others believed that all citizens regardless of

of religion should have equal rights

'Minorities are the sacred trust of

Pakistan." ~ Muhammad Ali Jinnah

Demographic Disparity

Pakistan faced a unique challenge due to its geographical and demographic divide. East Pakistan and West Pakistan were separated by over 1,000 miles with distinct ethnic, linguistic and economic differences.

East Pakistan

had a larger population but West Pakistan had 52.2% but covered only more territory but one-seventh of total land.

a smaller population

Bengali dominated in East and Urdu was common

East Pakistan had a larger language

non-Muslim minority 23.2%.

These differences made it difficult to

create a federal structure that fairly

represented both regions.

"A state without justice and fair representation cannot hold together for long" ~ Sheikh Mujibur Rahman

Distribution of Power

A key challenge in constitution-making was the distribution of power between the federal and provincial governments. While most agreed on a federal system, conflict arose between those who wanted strong provincial autonomy with a weak center and those who favored a powerful central government. Many politicians prioritized regional interests over national unity. Leaders from both East and West Pakistan argued that, due to geographical separation, the provinces should hold more power, leaving only limited authority for the center.

A strong nation is built on a balanced distribution of power. - Liaqat Ali Khan.

Refugees Problem.

The newly established Pakistan faced a severe refugee crisis with 15 million people displaced and about 1 million killed in the violence. Millions needed shelter, food and medical aid.

while thousands were separated from families. The government's focus shifted to managing this humanitarian disaster delaying the constitution-making process.

"No power on earth can undo Pakistan,

but we must build it with unity and

strength" ~ Muhammad Ali Jinnah

Sudden Death of Quaid-e-Azam and Murder of Liaquat Ali Khan:

The sudden death of Quaid-e-Azam Muhammad Ali Jinnah on Sep 11, 1948, created a leadership void. As the "father of the Nation", his authority and vision were unmatched. In his August 11 Speech, he outlined Pakistan's state principles. After his passing, Liaquat Ali Khan tried to build consensus for a constitution but was assassinated on October 16, 1951. His death led to political instability, as self-serving leaders were with short-sighted policies took control, delaying the constitution until 1956.

Condition of Statecraft

At independence, Pakistan faced severe challenges. Unlike India, it had to build its government from scratch, lacking experienced administrators and financial resources. The arrival of over a million refugees and tensions with India worsened the situation. With urgent state building needs, constitution making was delayed, and Pakistan continued using the Government of India Act 1935 with modification.

Weak Political Culture

The death of Quaid-e-Azam Ali Jinnah (1948) and Liaquat Ali Khan (1951) created a leadership vacuum that weakened Pakistan's political culture. Their successors, though honest, lacked experience in governance, which led to the erosion of parliamentary processes and delayed democratic development.

A nation without strong leadership struggles to find its direction.

Failure of Muslim League:

The Muslim League failed to transition from a freedom movement into a functional political party. Unlike other post colonial states, where ruling parties provided stable leadership, the Muslim League struggled with internal conflicts, corruption allegations, and a lack of democratic practices. It did not hold a single annual convention for nine years, weakening its credibility and ability to lead Pakistan towards constitutional democracy.

Ascendancy of Non-Political Forces

with weak political culture, civil and military bureaucracy began to dominate Pakistan's governance. The Governor General's office played a key role in undermining democracy by imposing governor rule and dismissing elected governments, even those with a majority

This interference delayed the constitution making process, as political stability took a backseat.

Conclusion:

Pakistan's constitutional development was delayed due to political instability, power struggle, and disagreements over federalism and the role of Islam. The failure to create an early constitution resulted in regional tensions, weak national unity, and military intervention in politics. These challenges continued to influence Pakistan's political landscape even after the 1952, 1962, 1973 constitution.