

QUESTION

Critically Evaluate the causes of dissolution of the first Constituent Assembly of Pakistan and its impact of subsequent history?

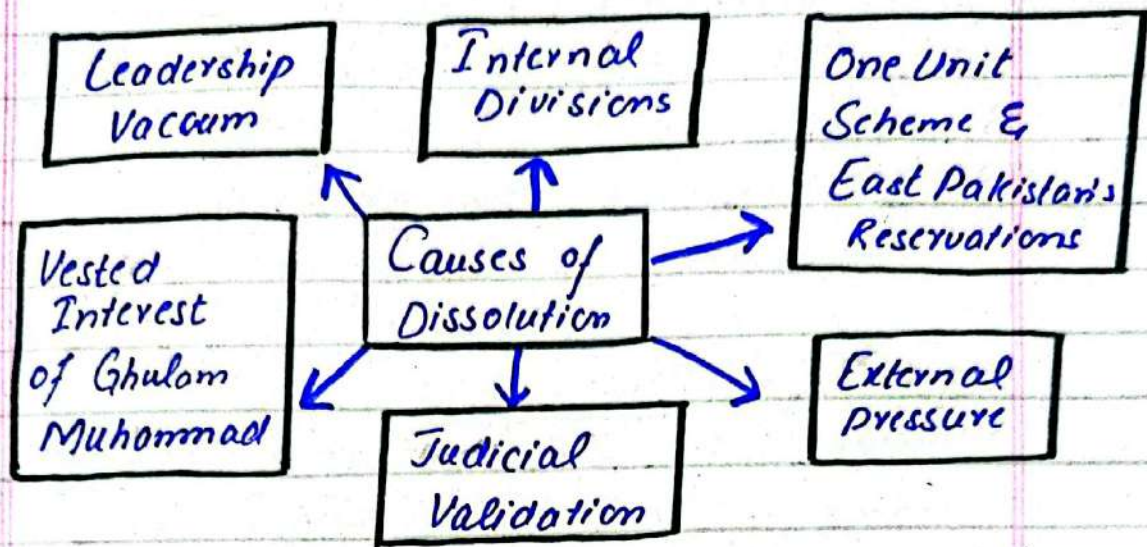
① INTRODUCTION:

The dissolution of the first constituent assembly on 24 October 1954 by Governor General Ghulam Muhammad was a turning point in the history of Pakistan. It set a dangerous precedent of executive intervention and dominance over the legislature. The dissolution of the Constituent Assembly impacted the subsequent history, legitimizing military interventions, weakening democratic institutions and political instability in the country. These events increased the divide between the East and West Pakistan, eventually leading to its secession 1971.

② CAUSES OF THE DISSOLUTION OF THE FIRST CONSTITUENT ASSEMBLY OF PAKISTAN:

The first constituent assembly of Pakistan was dissolved on 24 October 1954 by the Governor General Ghulam Muhammad. Following

reasons led to its dissolution.



(2.1) Leadership Vacuum and Internal Division :

The sudden death of Quaid-e-Azam and the assassination of Liaquat Ali Khan left a leadership vacuum which was exploited by the stronger executive. Moreover, the lack of unity among politicians made it easier for the executive to dissolve the Assembly.

(2.2) Delay in Constitution making and Political Deadlock :

The Constituent Assembly was formed in 1947 but failed to draft a constitution for seven years. Major disagreements led to political deadlock.

Major disagreements included:

- ↳ Representation of East and West Pakistan in the Assembly
- ↳ Role of Islam in governance
- ↳ Provincial autonomy Vs. central powers

• Critical Perspective:

The failure to draft a constitution created a vacuum, allowing the bureaucracy and military to gain power and to justify unconstitutional actions.

(2.3) Ghulam Muhammad's Vested Interest and Power Struggle With the Assembly:

Ghulam Muhammad sought a stronger executive. When Prime Minister Khawaja Nazimuddin tried to assert parliamentary supremacy, he was dismissed in 1953 by Ghulam Muhammad. Similarly, Muhammad Ali Bogra tried to curtail the powers of the Governor General prompting the dissolution.

• Critical Perspective:

This event weakened democracy by proving that executive could dismiss elected leaders without resistance.

(2.4) One-Unit Scheme and East Pakistan's Concern:

The one unit scheme merged West Pakistan into a single province to counterbalance East Pakistan's numerical majority. The Constituent Assembly was about to challenge the one-unit Plan leading to its dissolution.

• Critical Perspective:

The move deepened the East-West divide, sowing the seed for the secession of East Pakistan in 1971.

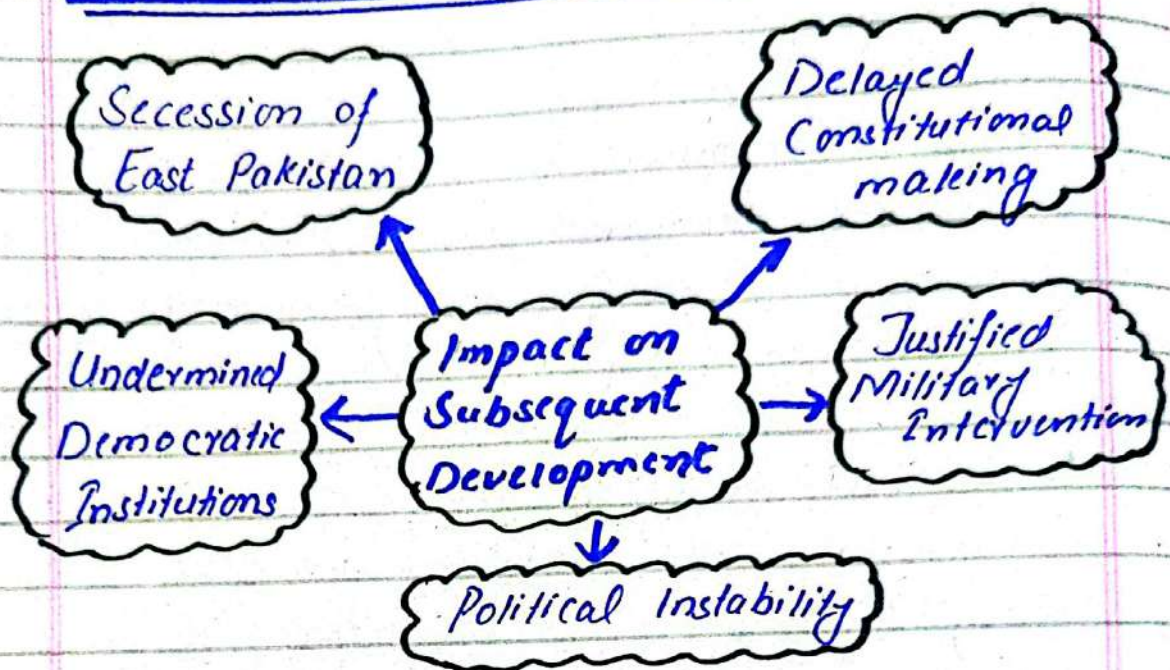
(2.5) Judicial Legitimization of the Dissolution:

Moulvi Tamizuddin, the Speaker of the Assembly challenged the dissolution in court. The Sindh High Court ruled in his favor, but the Federal Court upheld Ghulam Muhammad's action, using the "doctrine of necessity".

• Critical Perspective:

Justice Munir's ruling was later used to justify martial law leading to a cycle of political instability.

③ IMPACT ON SUBSEQUENT HISTORY OF PAKISTAN:



(3.1) Strengthening of Bureaucracy and Military Rule:

The 1958 military coup by General Ayub Khan followed the pattern set in 1954 - dismissing civilian governments through unconstitutional means.

(3.2) Repeated Executive Dismissal and Political Instability:

The 1954 precedent led to a cycle of dissolving assemblies and dismissing prime ministers

1954-1958	Four prime ministers removed in 2 years
1977	Dismissed Z.A Bhutto's Govt
1990-1999	Frequent dismissal of Govt

(3.3) Deepening of East-West Divide Leading to Secession in 1971:

The dismissal of the Constituent Assembly alienated East Pakistan, as most of its representatives were in favor of parliamentary supremacy. Moreover, the refusal to transfer power in 1970 to Awami League led to the secession in 1971.

(3.4) Judicial Complicity in Undermining Democracy:

The Doctrine of Necessity was used to legitimize authoritarian rule and the overthrow of elected representatives.

1958	Justified Ayub Khan's martial law
1977	Validated Zia-ul-Haq's Coup
1999	Approved Pervez Musharraf's takeover

The judiciary failed to act as a guardian of the constitution and allowed the cycle of authoritarianism to continue.

(3.5) Hindered Constitutional and Democratic Development:

The dissolution delayed Pakistan's first constitution. Unlike India, which stabilized under democratic rule, Pakistan remained stuck in a cycle of constitutional crisis.

④ CRITICAL ANALYSIS:

The dissolution of the Constituent Assembly was the first step in undermining democratic principles and consolidating executive and military authority in the political arena. In the words

of Hussain Shaheed Suhrawardy,

"The dissolution of the Assembly was the first step in burying democracy in Pakistan"

The Doctrine of Necessity gave judicial cover to dismiss civilian government under the guise of necessity

"Necessity knows no law"

(Justice Munir)

This had led Pakistan down the pathway of political instability, weakened its democratic institutions and strengthened bureaucratic and military role in politics

⑤ CONCLUSION:

The dissolution of the first Constituent Assembly in 1954 was not just an isolated event, it set a pattern that continued to shape Pakistan's political trajectory for decades. This decision weakened parliamentary democracy, created legal justification for unconstitutional actions and delayed the development of the constitution and democratic institutions causing long term instability.
