

Analyze the constitutional crises in Pakistan between 1947 and 1973. How did competing powers centers delay the establishment of a stable constitutional order?

1) Introduction:-

The period between 1947 and 1973 represents Pakistan's most turbulent constitutional era. Despite gaining independence with high expectations of democratic consolidation, Pakistan struggled for twenty-five years to adopt a stable constitutional framework. That delay was not accidental, rather it emerged from a persistent tug-of-war between competing centers - politicians, bureaucracy, military, provincial elites, ideological groups and external powers. Their conflicting visions of state structure, coupled with institutional imbalance and political instability, perverted the emergence of a coherent,

democratic constitutional order until the promulgation of 1973 constitution. This era exemplifies how struggles over-shadowed nation-building and delayed constitutional maturation.

2) Constitutional crisis between 1947 and 1973 and how did competing powers play role in delaying of constitutional order:

1) Failure of earlier constitution making institutions:

The first constituent assembly failed to produce a constitution due to internal division. Instead of focusing on constitutional drafting, the Assembly became consumed by political controversies and leader struggles.

2) Leadership vacuum after the death of Founders:

The early death of Quaid-e-Azam and assassination of Liaquat

Ali Khan (1951) deprived Pakistan of visionary leadership. Their successors lacked authority and public legitimacy making it difficult to derive consensus on constitutional matters.

3) Dominance of civil bureaucracy in political decision making:

Senior bureaucrats inherited the colonial mindset and sought to retain centralized control. Actions like Gulam Muhammad's dismissal of the constitutional Assembly (1954) directly derailed constitutional progress.

4) Judicial validations of extra-constitutional actions:

The judiciary, instead of protecting the Supremacy of legislature, legitimized unconstitutional actions. In the *Muhammad Ali Jinnah case* (1955), the Supreme court upheld the Governor-General's dismissal of the assembly.

5) Ideological ambiguity about the role of Islam:

There was no clarity about the secular or Islamic nature of the constitution. Ulema demanded an Islamic state with Shariah supremacy. Liberal elites preferred a modern democratic system. The objective Resolution (1949) provided the direction but did not resolve the ideological divide.

6) Failure of constitutional experiments - 1956 & 1962

The 1956 constitution was reached after long delays and lasted only for 2.5 years. The 1962 constitution introduced by Ayub Khan, centralized power, excluding political parties, and lacked legitimacy. So, due to repeated abrogation, it prevented the making of a highly ordered constitution.

3) The Role of powers in Constitutional delaying:-

i) Rise and Consolidation of military powers:

The presence of weak political governments and crisis in Kashmir and Afghanistan increased reliance on the military. By this military became most organized institution overshadowing civilian authority. Martial law of 1958 suspended the constitution, creating a long constitution hiatus.

ii) Provincial power struggle played role in delaying Constitution:

a) East-west Pakistan divide: East Pakistan formed the majority population, but political and bureaucratic dominance remained with west Pakistan. Disputes over one-unit Scheme (1955), representation in legislature, language controversy, economic disparity all led to east

Day: _____

Date: _____

Pakistan Separation.

b) Provincial versus Federal Tensions

Provinces demanded autonomy, center insisted on strong federal control. While on the other hand, repeated constitutional drafts contested over distribution of powers.

iii) External powers and cold war politics:

Pakistan's alliances with SEATO and CENTO emboldened non-democratic institutions, especially the military. External funding and strategic partnerships strengthened centralized governance rather than democratic governance. Constitutional development became secondary to security-driven policy-making.

iv) Governor general's excessive powers led to serious constitutional crisis:

The Government of India Act 1935 (adapted as interim constitution) gave sweeping powers to Governor General. Instead of working as a ceremonial head the office became a political actor.

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4) Conclusion:

In conclusion it is clearly stated that between 1947 and 1973, Pakistan's constitutional journey was repeatedly disrupted by competing power centers. This rivalry produced frequent government changes, constitutional breakdown, military takeover and deep civil-military imbalance. Only after the separation of East Pakistan and the decline of authoritarian centers did consensus emerge. And finally a truly democratic constitution of 1973 came into existence.