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# Constitution of 1956

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# Constitution of 1956

## Definition:

“A body of fundamental principles or established or precedents according to which a state or other organization to be governed.”

OR

“The composition of something”

## Introduction:

The first constitution was introduced in Pakistan on 23 March 1956. 23<sup>rd</sup> March as you know is an important day in the history of Pakistan. You would recall that on 23<sup>rd</sup> March 1940 The Lahore Resolution was presented for approval in the annual session of ML held at Lahore. So when this constitution was introduced it was decided that it should be introduced on such a day of historical importance. Therefore on 23<sup>rd</sup> March this constitution was introduced. After nine years of efforts, Pakistan was successful in framing a **constitution**. The Constituent Assembly adopted it on 29 February **1956**, and it was enforced on 23 March **1956**, proclaiming Pakistan to be an Islamic republic.

## Details:

The 1956 Constitution of Pakistan had 234 articles and 6 schedules in which the whole constitutional framework and principles for governance and power management have been outlined. This Constitution describes Pakistan as Islamic Republic of Pakistan that is the official title of the Pakistani state. If we look at the provisions of the constitution we will find that there is an impact of Govt of India Act 1935 and the 1<sup>st</sup> Interim constitution of 1947 on this constitution. Some of the articles of the Indian Act of 1935 and the 1<sup>st</sup> Interim constitution have been incorporated in this constitution with some adjustments and modifications here and there and in certain cases language is very similar if not the same. So in a way there is some continuity from the previous document to this document. Although it is different from the previous one in most respects but there is some continuity.

## Features:

And now we will discuss the basic features of The 1956 Constitution, so that you had an idea of what kind of constitutional system came into being with the introduction of the Constitution. What kind of state institutions were created, what kind of relationship

Of different state institutions with each other with the public at large, how the power was distributed and how the power was to be exercised.

## Salient Features of Constitution of 1956

Following are Salient Features of Constitution of 1956

**Written Constitution**

Constitution of was a written and lengthy document. It had 234 Articles and 6 Schedules.

**Rigid Constitution**

The Constitution of 1956 was partly rigid and Party flexible. The method of Amendment was not difficult.

**Objective Resolution**

Objective Resolution was included as Preamble of Constitution of 1956.

**Name of Country**

Constitution of 1956 declared Pakistan as Republic of Pakistan.

**National Language**

Under constitution of 1956, Urdu and Bengali were made national Language.

**State Religion**

Islam was the state religion of Pakistan.

**Islamic Provisions**

Many Islamic Provisions was introduced in constitution of 1956 and decided that no law will be made which against the injunction of Islam.

**Fundamental Right**

Fundamental Rights were given to the people of Pakistan according to constitution of 1956.

### **Rights of Minorities**

Rights of minorities were provided in the constitution of Pakistan 1956. Minorities freely perform own religion festivals.

### **Uni- cameral Legislature**

Constitution of 1956 was provided uni-cameral legislature which was based on just national assembly.

### **Federal System**

Federal system was introduced in the country under the constitution of 1956.

### **Parliamentary Form of Govt**

Constitution of 1956 was introduced parliamentary form of Govt.

### **Freedom of Judiciary**

Freedom of Judiciary was introduced in constitution of 1956. It was decided that supreme court would interpret the constitution.

### **Direct Election**

In the Constitution of 1956 method of direct election was introduced.

### **Single Citizenship**

There was only single citizenship in the constitution of 1956.

### **Directive Principles of the State Policy**

The constitution laid down certain Directive principles of State policy for the Guidance of the Government. They would serve simply as ideals which the state should strive to achieve.

### **Lengthy Constitution**

The constitution of 1956 was a lengthy one. The reason for its being lengthy was that the framer not only framed the fundamental principles but administrative details were also given.

## **Causes of Failure of Parliamentary System under Constitution of 1956**

### **Lack of Leadership**

Lack of Leadership played its role in the failure of the constitution of 1956. For Lack of Leadership, Pakistan never found its way to development of its parliamentary system. So, parliamentary system under first constitution of Pakistan failed.

### **Lack of Political Training**

There was lack of political training in the country. Many political parties made without any political goal. Their fight against another for gain power. So, under these circumstances, development of parliamentary system under this constitution failed.

### **Unicameralism**

The constitution of 1956 was introduced unicameral legislature. Through unicameral legislature create many problems for Pakistan and the result martial law was imposed in country.

### **Delay in Elections**

Every political party try to gain power and no one was interested for elections. So, these circumstances, elections were delayed and such delay caused failure of parliamentary system under first constitution of Pakistan 1956.

### **Non Existence of Economic Equality**

Non existence of economic equality in the country was a cause of failure of constitution. Constitution of 1956 described some principles for economic development of country, yet nepotism and feudalism checked the constitution from implementing those principles. Finally, parliamentary system under this constitution failed.

## **Drawbacks**

- The Bengalis were underrepresented in the National Assembly.
- The provisional autonomy was not given to provinces, and their demands were tried to be crushed by 'One Unit Scheme', while Dr Akhter Hamid Khan always said that the people should be given the right to solve their problems themselves.
- The first step towards institutionalising army into politics was taken by giving the president the right to declare emergency at a time of so-called internal or external danger.

## **ENFORCEMENT OF MARTIAL LAW**

On the night of 7 October 1958, the constitution was suspended by a Presidential proclamation. The ministers were dismissed; the legislatures dissolved and political parties were banned. The Commander in Chief of the Army, General Mohammad Ayub Khan, was appointed Chief Martial Law Administrator. The proclamation dwelt at length on the chaotic state of the country, lack of scruples on the part of parliamentary leaders, widespread corruption, irresponsible conduct of services and disorderly finances. Another announcement stated that the object of this 'take over' was to 'clear the messes' and prepare the country for more practicable form government. Three weeks experience of the new government showed, however, that Iskandar Mirza was still playing and trying to use the same weapons against his new colleagues that he had so successfully used against the politicians. He was made to vacate office on 27 October 1958 and the Chief Martial Law Administrator, Mohammad Ayub Khan, became the President of the country.

## **Conclusion**

To conclude, it can be stated that constitution history of Pakistan reveals that there has been political conflict between head of state and head of government, and such political conflict has often led the country to political anarchy. And Constitution of Pakistan have been either abrogated or suspended in such political anarchy. As far as constitution of 1956 was concerned, it consisted of some positive characteristics, but such political anarchy caused its abrogation.