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Constituting Pakistan's Federation: Provincial Autonomy, Parity, and Central Power in Constituent Assembly Debates, 1947–1956

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Abstract

Why did a political movement which had consistently called for provincial autonomy bring about a constitutional settlement with a relatively powerful center? This article attempts to answer that question by analyzing the debates of the Constituent Assembly of Pakistan (1947-1956) in a qualitative manner. It presents the official debates as the main evidence and attempts to build up the institutional context of these debates from constitutional instruments, committee proposals and the secondary literature. A purposive corpus was coded according to five frames that occurred more than once: provincial autonomy, center-building, inter-wing parity, minority protection, and democratic authorization. There are three interconnected findings identified in the analysis. The first is that the language of provincial autonomy lived on after independence, albeit with a transformation in its meaning: prior to the 1947 independence, it was the language of an effort to protect Muslim-majority provinces from an all-India central authority, whereas after independence, it was the language of a claim made mainly by East Bengal and smaller western provinces to protect themselves against the central institutions of Pakistan. Second, parity between East and West Pakistan was offered as a compromise at the federal level, but was based on the notion of population, which led to administrative amalgamation of West Pakistan. Third, security, refugee rehabilitation, fiscal scarcity, territorial discontinuity provided a longstanding lexicon of centralization. The Constitution of 1956 was consequently not plainly a fulfilment of the Pakistan Movement's promise of 'Federal State' nor was it a mere giving up on that promise. It was a negotiated, but still asymmetric, compact, which allowed for autonomy, parity was institutionalized, and central authority remained the dominant one. The article provides an analysis of arguments, counterarguments, and silences within the Assembly, and not just a narrative of constitutional events, thereby making a contribution to the discourse-centered explanation of Pakistan's first constitutional settlement.

Key Words: parity, provincial autonomy, One Unit, Constitution of 1956, constituent Assembly of Pakistan.

1. Introduction

The concept of federalism had a significant role in the constitutional politics of Muslims prior to the establishment of Pakistan. Typical Muslim League proposals were based on the idea of representative safeguards, less power at

the center and safeguards against permanent majoritarian rule. However, the first constitution which was drafted in Pakistan after nearly nine years of the constitution making process in 1956, was a federal system with a strong center, unicameral legislature, parity between the eastern and western provinces, and administrative amalgamation of the western provinces into One Unit. There is a historical problem that can't be solved by giving constitutional plans a chronological order as they seem to have moved from autonomy-seeking to center-building at some point in history.

This article moves from a constitutional to a parliamentary level of analysis. This examines how the members of the Pakistan Constituent Assembly understood the concept of federation, what political issue their definition aimed to address, and whose interests were represented or subjugated in their definitions. Official debates are particularly valuable since they document not just resolutions but also objections, procedural squabbles, divergent constitutional lexica and assertions of political legitimacy. They show federalism as a dynamic process, not a rigid constitutional model.

The study is guided by three questions:

1. In what terms did the members of the Constituent Assembly discuss the relationship between the center and the provinces between 1947 and 1956?
2. What were the relationship between the principles of population, parity, provincial autonomy and national integration in the constitutional debate?
3. Why did the settlement in the 1956 Constitution retain the language of federalism and enhance central institutions?

The main thesis is that the political role of Muslim federalism changed following independence. Autonomy and safeguards existed as a bargaining tool to be used against the all-India majority and a colonial central power before 1947. Upon independence, this language was re-used in a state that was split in two geographically separated wings, with unequal populations, administrative resources and access to central power. Democracy, as it is practiced by the majority of the people in East Bengal, was a threat to many western elites, whereas parity and One Unit were viewed as ways to neutralize East Bengal's majority. The result of this struggle of two legitimating principles was the constitutional outcome: democratic equality of citizens and federal equality of territorially defined units.

The article has two contributions. Empirically, it focuses the official record of Constituent Assembly on the center stage of the analysis and brings the debates on Objectives Resolution, Basic Principles Committee proposals, provincial autonomy, representation and One Unit together. It categorizes three dimensions that are frequently bundled together under the term federalism: self-rule (provincial autonomy), shared rule (involving in central decisions) and democratic authorization (institutions may legitimately make decisions on the basis of representation). This distinction is an important one to note as part of the explanation for why one concession did not necessarily meet another.

2. Federalism, Representation, and the Research Gap

A federal system is an arrangement whereby public powers are split between two successive levels of government: a common government and a constituent level of government, each possessing powers from a constitutional order, as opposed to the normal delegation of powers from the other (Elazar, 1987; Watts, 2008). Modern scholarship also highlights that self-rule and shared rule go together: provinces must be given some real autonomy over their affairs, and they must also have a genuine role in central decision making (Burgess, 2006). A third issue in a multicultural or territorially divided society cannot be avoided: should representation follow the criteria of population or territorial equality, or a negotiated combination of the two?

There are ample accounts of constitutional development, civil–military relations, party weakness and the conflict

between the two wings in the literature on Pakistan (Callard, 1957; McGrath, 1996; Newberg, 1995; Talbot, 2012). Comparative federal analysis helps to understand the ability of institutional design to limit or escalate ethnic conflict (Adeney, 2007). It has also been observed from the historical studies that the demand for Pakistan did not take a single and fixed path for the constitution. Jalal (1985) for instance places the Pakistan demand in the context of a negotiation for power at the all-India level, and subsequent research highlights the contingency and regional diversity of Muslim politics.

A more targeted study discusses the demand for autonomy in East Bengal, and the issues arising from bi-cameral design (Ahmad, 2022; Kokab, 2011). All these literatures make the point that population, parity, language, fiscal distribution and provincial power are all important. However, much writing focuses on the debates that took place in Assembly as a repository from which can be drawn illustrative statements, once the constitutional narrative has been decided. There is less focus on the relational aspects of the debates: who answered or raised which objections, the evolution of meaning of the same term over time and the manner in which the process of federal bargaining influenced the substance of the debates.

This article tries to fill that void by the systematic reading of the official debate record. It doesn't say speeches are a clear expression of personal agendas. Parliamentary speech is strategic and is controlled by party position, audience and rules. It does identify however the public arguments used to justify and oppose constitutional decisions. Those reasons were significant because they were what was required for a legitimate federal settlement.

3. Historical and Constitutional Background

A federal discourse and a highly centralized state structure were passed on to Pakistan. The Government of India Act, 1935, provided for provincial autonomy and three legislative lists, but the federation as envisioned by this Act was never implemented. The Act, modified by executive instruments, continued as an interim Constitution in Pakistan at the time of independence. So the new state started not under a compact from its respective provinces, but under a statute that was created for the governance of the late-colonial era.

The pre-1947 genealogy is important, but not to be confused with the main evidence of the article. The Lucknow Pact (1916) brought together two types of representation: communal and negotiated provincial. Jinnah's Fourteen Points (1929) had called for two things: safeguards in the legislatures, and a federal constitution with residuary powers passed to the provinces, along with autonomy for the provinces. The Government of India Act of 1935 increased the powers of the provinces but left other powers and discretion in the hands of the central government. The Lahore Resolution of 1940 shifted the political discourse towards the concept of territorially organized Muslim majority zones and their constituent units as autonomous and sovereign. The Cabinet Mission Plan (1946) advocated for a "limited union", which would exercise authority in the areas of foreign affairs, defense and communications, while reserving strong powers for provinces and groups. These were not the same blueprints but successive attempts to make sense of territorial diversity, communal security and power at the center.

That equation changed radically when partition. East Bengal was in the East while the provinces and territories of the Northwest were in the West, which was separated from East Bengal by Indian Territory. The eastern part, East Bengal, had a larger share of Pakistan's populace, while most of the top civil, military and political leadership was in the west. Emergency mindset governance was encouraged due to refugee rehabilitation, Kashmir issue, financial uncertainty and partitioning of administrative assets. The conditions were never mechanical conditions of centralization, but rather they enabled the building of the center to be made politically convincing.

The first Constituent Assembly convened in August 1947, for two purposes: legislatively to draft laws for the Dominion, and constitutionally to draft a Constitution. Its composition was drawn from the indirect elections prior to Partition and shifts in membership occurred after the partition. Committees and reports, revisions and further

controversy marked the constitution-making process. The Objectives Resolution was adopted in March 1949, the Basic Principles Committee made proposals in 1950 and a revised report in 1952, the first Assembly was dissolved in 1954, a second Assembly was held in 1955 and the western provinces and states were combined into One Unit and the Constitution was enacted in March 1956. In this sequence institutional procedure became a part of the federal dispute as well, rather than just the question of allocation of powers, the question of legitimacy was repeatedly raised.

4. Methodology

4.1 Research design

The study uses qualitative historical content analysis combined with interpretive parliamentary discourse analysis. Historical content analysis is used to identify the institutional proposal(s) that existed before the Assembly and changes in institutional positions over time. In discourse analysis, the manner in which speakers connected those proposals with other concepts like democracy, national unity, provincial identity, security and minority protection are studied. It is an interpretive rather than statistical approach, that is, it identifies the argumentative frames that are likely to be repeated in an argument and compares their uses in different debates.

4.2 Source corpus and selection

The main sources are the official report of the Constituent Assembly of Pakistan as available in the Digital Debate Archive of the National Assembly of Pakistan. The selection of debates was made purposively as the agenda and searchable text included extended discussions on constitution-making, federal-provincial powers, representation, parity, East Bengal, zonal autonomy, minority rights, or the Establishment of West Pakistan Bill. Constitutional statutes and committee documents were used to establish the institutional choices to which members referred. The historical background was supplied by secondary sources, and was compared to the interpretation that emerged from the debates.

Table 1. Primary-source corpus and analytical purpose

Debate/document	Constitutional issue	Analytical purpose
Constituent Assembly opening proceedings, August 1947	Constituent authority and state-building	Establishes the Assembly's dual legislative and constitution-making role
Objectives Resolution debates, 7–12 March 1949	Sovereignty, representation, federal form, minority protection	Identifies the normative vocabulary of the future constitution
Basic Principles Committee-related debates and constitutional proposals, 1950–1952	Distribution of powers, legislature, representation, parity	Compares population-based and territorially balanced designs
Debates on constitutional proposals, 1953–1954	East Bengal, provincial autonomy, federal legislature	Traces objections to centralization and the political meaning of parity
Establishment of West Pakistan Bill debates, August–September 1955	One Unit, smaller provinces, Punjab's weight, public consent	Tests the democratic and federal justification of territorial consolidation

Debate/document	Constitutional issue	Analytical purpose
Constitution Bill proceedings, 1956 Government of India Act 1935 (adapted), Lahore Resolution 1940, Cabinet Mission Statement 1946, Constitution of Pakistan 1956	Final federal settlement Institutional baselines and alternatives	Assesses which claims entered the constitutional text and which remained unresolved Enables comparison between inherited, proposed, and enacted arrangements

4.3 Coding and interpretation

A coding frame constructed from the federal theory and worked out through close reading was used to read the debates. It was decided to use five main codes:

- **Provincial autonomy:** the concept of residuary powers, provincial jurisdiction, language and cultural autonomy, fiscal autonomy, or opposition to central encroachment.
- **Centre-building:** Center building is a term that includes the following: Defence, external affairs, economic coordination, administrative efficiency, security, refugee rehabilitation, and national integration.
- **Parity and shared rule:** Equal representation of the two wings, equal representation of territory, equal representation of the two houses, and no domination.
- **Minority protection:** religious freedom, fundamental rights, communal safeguards and rights of non-Muslim citizens.
- **Democratic authorization:** population, elections, public consultation, provincial consent and objections to indirect, executive-due constitution making.

Coding was not done based on the single word but based upon its function in context. For instance the word unity was translated to center-building when it was about to centralize power or unite territory. The concept of autonomy was separated out from the constitutional interpretation of provincial autonomy in "autonomy". Different uses of the same word were not eliminated but kept in their original forms.

The analysis was done in three steps. First, each debate was described in terms of the issues and principal claims and counterclaims along with institutional remedies proposed. Secondly, claims were contrasted between the Eastern and Western representatives and between different time periods. Third, the enacted provisions of 1956 were read against the alternatives offered as discussed in the debates. This process stops short of creating an audit trail from primary speech to interpretation but doesn't prevent the incompleteness of digitization, lack of participation, or strategic parliamentary language.

4.4 Scope and limitations

The article is not a study of public opinion, but of the federal argument in the Constituent Assembly. There was no perfect representation of the post-Partition electorate in the assembly, and women were under-represented; moreover, outside the chamber, political voices of the provincial assemblies, parties, newspapers, and movements could have an impact, without being directly in the corpus. Nor is it assumed that there was a "Bengali" or "Punjabi" or "Muslim League" stance where there is disagreement in the debate. Its findings relate to the constitution of public constitutional argument.

5. Analysis: Five Contested Frames of Federation:

5.1 Constituent authority: who could make up the federal compact?

The first acts set Assembly as a legislature and a constitution-maker. This duality led to a permanent tension. It was a legislature, and as such it had to react quickly to displacement, financial upheaval, security and

administrative breakdown. It was expected as a people's body to set permanent boundaries on exactly the same state institutions that were in such dire need. The need for the temporary may thus become the constitutional design of the permanent.

Substantive federal issues became the stuff of debate over procedure. Questions over the definition of a province were raised by calls for a consultation to be held with provinces, fresh electoral authorizations or time to consider proposals from within the committees. Opponents of Assembly authority, on the other hand, interpreted delay as a threat to state unification. "Constitution making" and "state survival" were not two distinct conversations: the latter time and again determined the allowable parameters of the other.

The problem manifested itself particularly when institutional proposals were declared as accomplished realities. Often, members of the opposition to central measures did not oppose Pakistan or coordination at the center, but rather the manner in which consent was taken. The contrast was being authorized by provincial publics versus the central Assembly as it existed. Federalism was therefore challenged as a way of constitutional decision making as well as a way of distributing the subject of legislation.

5.2 The Objectives Resolution: federal promise and normative ambiguity

During the debates on the Objectives Resolution in March 1949, a normative vocabulary for constitution making was provided. The Resolution was added to popular representation, Islamic principles, federalism, fundamental rights, minority freedom and judicial independence. In this mix is its significance for federal evaluation: it guaranteed independence of the units, and it granted a sovereign state represented by elected officials.

The debates indicate that there was no consensus on the following issues: where residuary powers should be located, the power of the central executive, the type of legislature, and the fiscal powers of the states. Federalism was a kind of super consensus term in which institutional preferences might clash. Membership could be on the side of the Resolution and envision various compromises between unity and autonomy.

Minority members' concerns also revealed the boundaries of a spatial narrative. A federal structure can be used to safeguard the security of communities that are concentrated in a specific territory, but the security of dispersed religious minorities should be ensured through the enactment of enforceable rights and through the federal and territorial power structure. The Assembly's discussion then, therefore, connected vertical power-sharing with citizenship. This was important because prior to Partition Muslim claims had included a territorial autonomy along with communal protections. Post-1947, the representatives had to determine if those safeguards would be converted to general constitutional rights or be subject to majority assurances.

The Resolution established a lasting commitment, but did not define its institutional measure. "Autonomy" might be provincial governments elected under broad national aims or central powers listed in the Constitution with a guaranteed provincial remainder. When that difference did not get straightened out, later proposals for centralization could be presented as being in line with the same text that had been attacked by their critics.

5.3 Population versus parity: the design of shared rule

The most challenging representational issue was due to the majority of the population in East Bengal and the two-wing geographical structure of the state. In contrast to the existing power structure, the people themselves had a rule in common: voters' votes should have approximately equal weight. Parity was the idea of providing a federal counter-rule: neither of the two wings should be able to dominate the other. It was not a "west versus east" affair. It was about the nature of Pakistan as a political unit, one nation, a treaty between two wings or a federation of several historical provinces.

For the advocates of population, the conversion of the majority of the eastern wing into a constitutional minority was done. The advocates of population had reduced East Bengal to equality with the western wing and a demographic majority was transformed into a constitutional one. They used to be able to have protection from

being dominated and not have to take the permanent elimination of populations. Simple majoritarianism could have turned the center into a weapon in the hands of one of the wings of the defense of parity. The equality of the wings was offered up as a national partnership, not as a mathematical equality.

Bicameralism could have incorporated these ideas: in one house citizens were to be represented in proportion to their numbers, in the other in proportion or in various proportions. But the constitutional process was unable to reach a consensus on what the territorial units were to be. Was the region of West Pakistan, one or several provinces? Could East Bengal be equated with a province like Punjab, Sindh, NWFP and Baluchistan or one of two national wings? The answer would determine the impact of the upper chamber.

This is the reason why there is no way to measure parity without One Unit. After the unification of the western provinces, equality between two units could be shown to be parity between East and West. However, the amalgamation also made the constitutional role of Sindh, North-West Frontier Province, Baluchistan and the princely states unconstitutionally invisible. This device was designed to compensate for the imbalance of the east and created another imbalance in the west.

5.4 Provincial autonomy: continuity of language, reversal of position

The term provincial autonomy was one of the most persistent in the debates and its political carriers alternated. Prior to Partition, Muslim majority provinces and Muslim League had been opposing the establishment of an all India center that might be in the permanent majority hands. Following Partition, a spirit of coordination and unity was invoked by central leaders and autonomy was often relied upon by East Bengal and smaller western provinces to oppose concentration at Karachi.

This was no trick to the previous demand. It highlights one of the fundamental aspects of federal politics: preferences with respect to central and provincial power have relational characteristics. Decentralization can be preferred when a party is not involved in the center and central capacity when it is involved in central institutions. This was enhanced by institutional inheritance. Pakistan was left with administrative methods and emergency powers of the Government of India Act 1935, while the political machinery which could coordinate the federation was reduced after the departure of Muhammad Ali Jinnah and the assassination of Liaquat Ali Khan.

In debates, however, autonomy demands encompass several different demands. Some had concerns about legislative jurisdiction and residuary authority, others had concerns about fiscal distribution, language, services or protection from dismissal and executive interference. It's confusing to think of all of these as one slogan, because you don't know how the dissatisfaction works. A province may have formal legislative subjects but be subject to the central government for revenue, planning, personnel, or emergency approval. As a result, meaningful self-rule had to be accompanied by institutional capacity and a constitutional list.

Other scales of autonomy emerge in the debate record, too. The representatives of East Bengal had the authority to represent a majority of the population of East Bengal in Pakistan and seek protection for it from the central institutions. The smaller western provinces were afraid of the center and the demography-administrative potential of Punjab. They therefore did not need to have the two-wing type of federation as their preferred type. To them, the 'central' design that would promise them 'balance' between the East and West could seem like losing their province hood.

5.5 Security and administrative necessity as a language of centralization

The arguments advanced for the establishment of centers were influenced by the Pakistani situation which included territorial separation, conflict with India, settlement of Pakistani refugees, conflicting boundaries and borders, division of assets, and inadequate administration. Central roles were recognized and generally agreed to be Defense, foreign affairs, communications, currency and economic coordination. The question that arose was the scope of the logic of emergency in the normal governance.

The debating illustrates a common argumentative technique. Institutional unity was presented as a specific coordination problem, and institutional unity was then treated as requiring administrative concentration. However, the initial problem was not always denied by critics. They wondered if the proposed concentration was needed, constitutionally restricted, or democratically endorsed. This distinction is important because there is no logical reason why a strong federal government and strong provinces cannot co-exist. Central capacity is based on clearly defined functions and revenues, while centralization moves decision making away from constituent units. Early on in Pakistan's history, fragmentation was seen as the main threat. Provincial assertion could then be redefined as 'provincialism', a political-moral accusation of being loyal to one's province. Central measures were seen as a form of bureaucratic control on the other side. Such labels reduced institutional negotiating room. When autonomy meant disloyalty, and central coordination meant domination, it became more difficult to find a compromise.

6. One Unit: Federal Balance without Provincial Consent?

Clearly the frames were competing in 1955 as a result of the debates of the Establishment of West Pakistan Bill. The process of amalgamation of the western provinces and states was introduced as a way of achieving administrative economy, development and equality between the regions and equality with East Pakistan. One Unit seemed to have made representation easier and eliminated the provincial divide by establishing two wings with equal constitutional status.

Its empirical premises and its democratic legitimation were opposed. Concern about the demographic weight of Punjab is directly related to the proposed western province, and concern about the security of smaller regional interests is also found in the debate record. Speakers asked about the opportunity of those populations to consent. So the question was not just if integration could bring administrative advantages, but if a federal unit could be created from the top down without a participatory constituent process.

One Unit addressed one design issue while resolving another. One Unit resolved one design problem while solving another. It institutionalized East–West parity but did so by merging several western units into one province. It was preceded by a question – "How can the two wings be balanced?" And preceded by a question "Which territorial communities possess constituent standing?" That was an ordering with a consequence. When it lost its status as a constituent, then, smaller provinces' claims were to be considered administrative issues and not federal negotiations between units.

The difference between equality and symmetry is also revealed in the One Unit debates. A symmetrical federation gives equal constitutional recognition to units; political equality can still be achieved if the units are vastly different in terms of size of population, size of territory, or vulnerability. Pakistan on the other hand, went for symmetry between two wings and asymmetry within the western wing. The result was a compromise settlement at one extreme and a non-compromise settlement at the other.

7. The 1956 Settlement: Compromise and Unresolved Contradictions;

In the Constitution of 1956, Pakistan was declared a federal republic and parliamentary system was brought in. It declared East and West Pakistan as two provinces and implemented parity in unicameral National Assembly. It shared the power of legislation with a strong central capacity in a federal, provincial and concurrent system of government. The long-awaited constitution was formally, a constitutional order that was not adopted from abroad, but rather was established and written by the people of the country.

The settlement was a true compromise. Constitutional recognition of provincial government by the advocates of a federal form, parity's supporters thwarted unilateral rule of more populous wing, parliamentary government linked executive to the legislature, and fundamental rights provided a national citizenship structure. But the settlement also perpetuated the dilemmas that emerged in debate.

First of all, parity destroyed the principle of the people without establishing a second house where territorial equality was cleansed from popular representation. Second, One Unit was achieved by the reduction of the smaller western provinces' constituent identity with One Unit. Thirdly, the center maintained powers and administrative benefits that hindered the actual implementation of provincial autonomy. Fourth, the delay in drawing up the Constitution for such a long period and the breakdown of the first Constituent Assembly caused the final compact to be less democratic.

This federation was not just a 'centralized' or 'decentralized' one. It came in a variety of shapes in the three dimensions discussed in this article. It provided autonomy via provincial institutions, with important constraints from the central government. It provided for shared rule by parity, not by a second chamber of a plural territorial membership. It was a democratic authorization that was tainted by indirect representation, institutional interruption and limitations in consultation regarding territorial reorganization.

Table 2. Transformation of the federal claim

Period/issue	Dominant problem	political	Principal federal claim	Institutional implication
1929–1940 constitutional bargaining	Permanent majority at the center	communal all-India	Provincial residuary powers, communal safeguards	A limited center and protected Muslim-majority provinces
1940–1946 alternatives to partition	Status of Muslim-majority zones and an all-India union		Autonomous/sovereign units; later a limited three-tier union	Confederative or highly decentralized possibilities
1947–1949 state formation	Survival, legitimacy, rights, and constitutional purpose		Federal state with autonomous units and representative government	Normative consensus without a settled division of power
1950–1954 representation debate	East Bengal's majority versus inter-wing balance		Population, parity, bicameral alternatives, provincial autonomy	Conflict over whether citizens, wings, or provinces were the basic units
1955 One Unit	Parity and administrative consolidation	western	Two-wing equality versus consent of smaller provinces	Balance between wings at the cost of western provincial plurality
1956 Constitution	Need for an agreed constitutional order	agreed	Federal parliamentary republic with parity	A negotiated but center-weighted and territorially compressed federation

Note: The categories summarize the author's qualitative interpretation of the primary documents; they are not frequency counts.

8. Discussion

The results confirm three prevalent narratives. The first is a linear history of Pakistan's constitutional development from Muslim demands for Federalism to the realization of the Muslims' demand for an independent federation. The first view is that Pakistan's constitutional history is a straight line from the demand for Federalism by Muslims to the actual realization of the demand. Rather the debates reveal discontinuities in the object and function of autonomy. There was no automatic extension of a claim against colonial and all-India centers to a claim against Pakistan's center.

The second story is that constitutional centralization is strictly a crisis-driven process. There was a sense of security and administrative pressure, but these were read politically. There were possibilities for alternative institutional solutions, such as bicameralism, enhanced provincial consent, differentiated arrangements, and improved fiscal federalism. Crisis does not provide the means to account for the power of centralizing arguments, but it does not

give the reasons for why any given arrangement did or did not succeed.

The third story is an act of charity by the East Bengal people, or it is just a simple western conspiracy against democracy. A more accurate conclusion can be drawn from the parliamentary analysis. Parity responded to a real fear of domination by the federal government, but combined territorial and popular representation in a single chamber. The remedy redistributed political vulnerability, since the identity of territorial units was redone in One Unit as well.

This is also a contribution to comparative federalism. Federal design needs to differentiate between majority rule at the popular level and unit participation at the territorial level where there is one territorially concentrated demographic majority in a state. These principles are usually bifurcated in bicameral systems. They were squeezed into parity in Pakistan by the design of 1956 and introduced into the country by the reduction in their compensating value due to executive and fiscal centralization. The problem was not diversity per se, but the absence of institutions to represent various types of diversity at various levels.

The debates also show the importance of process for constitutional durability. A federation is more than a schedule of powers. It's a deal on who can change the status of units, who gets to vote in central decisions and what constitutes consent. If procedural objections are seen as obstruction, then winners in the constitution may get their bill passed but not achieve ownership among affected communities.

9. Conclusion

The federal terminology of the freedom movement has been altered in the first decade of the constitution making process in Pakistan. The political context of independence shifted and provincial autonomy remained a strong public demand. Central leaders faced critical issues of state formation and supported institutional centralization using the terms of security, coordination and unity. East Bengal challenged parity-based limitations and autonomy, while smaller provinces in the west challenged the manufacture of a two-wing federation using One Unit.

History of the debates in the Constituent Assembly reveals that it was not a battle between federalism and anti-federalism that made the show. It was one of the competing federalisms. One wanted to see a competent center and equality between two wings, another wanted to see population and meaningful autonomy for East Bengal, another wanted to see the constitutional status of the western provinces and a rights centrist position insisted that territorial arrangements were not to be a substitute for equal citizenship and minority protection.

Reconciliation of these principles was not attempted in the 1956 Constitution, which merged aspects of both roles. It created a federal parliamentary republic but parity brought about a change in population, One Unit did so in territorial plurality and central government was still large. It must not be regarded as a 'failed document' because of its brief existence. It is more clearly a sign of an incomplete compact; a constitution that has been made before a consensus is reached about which units should be represented, what form of representation should take, and the boundaries of "emergency-minded" center-building.

In future, the analysis can be extended by making a comparative study of coded Constituent Assembly debates with the proceedings of provincial assembly and the vernacular press especially Bengali, Sindhi, Pashtu and Urdu. This kind of activity would be an examination of the extent to which parliamentary frames reflected or filtered political claims beyond the parliamentary walls. In the context of the present discussion, the official debates are clear and certain about the cause of Pakistan's early federal crisis is not that the country lacked constitutional thoughts, rather, there was a failure to resolve the competing visions of democratic, territorial, and state-building ideas.

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