

QUANTUM OF POLITICAL LATITUDE IN PAKISTAN (1958-70)

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ABSTRACT

Healthy and strong political culture represents political participation of masses but recurrent authoritarianism has sapped the vitality of democratic culture in Pakistan. Conversely, in a condition where the political institutions fail to deliver stability in the country, military acquires ascendancy and Pakistan is test case of this conundrum. This study critically reviews the genesis of the civil-military grasp on the state apparatus in Pakistan which ultimately narrowed down the space for above-board political activities. This paper attempts to analyze the attitude of military establishment toward the political activities during the two martial laws of 1958 and 1969.

INTRODUCTION

Military as an institution in the third world countries has been well structured, educated, disciplined and modern organization. After few years of its birth, politicians could not prove their ability to run the country successfully and Pakistan had to face its first martial law. Military took advantage of this flaw and came into the state affairs. It is not only the military that proved itself the most eligible institution to run the state system, but also the civil bureaucracy demonstrated its credentials. Military and civil bureaucracy formed either alliances with the government or ditched the politicians and slowly gained control of the state system. In these circumstances, the politicians could not evolve national consensus on the most critical issues and even did not try to improve themselves to compete with the civil military oligarchy. This paper attempts to elaborate on the political leeway between the two martial law periods.

DURING MARTIAL LAW OF 1958

On October 7, 1958, President Iskandar Mirza declared Martial Law and held the Constitution of 1956 in abeyance. He justified his act by saying that there was a widespread lawlessness and corruption, and at the same time called off the planned elections. General Ayub Khan was appointed as Martial Law Administrator. Soon after the imposition of martial law, conflict started between Ayub Khan and

Iskandar Mirza; Ayub Khan being in more powerful position won the power struggle and within 20 days of this power politics outclassed Iskandar Mirza and compelled him for exile in Britain (Faruqui 2003:23). After the military coup in 1958, Ayub Khan announced that the “main object of the military rule was to return the country to sanity” (Cheema 2003:136). General Muhammad Ayub Khan was the first commander-in-chief as well as the first military chief who imposed first martial law in the country. He had a strong say in politics and was the chief architect of Pakistan’s policy alliance when the US military pacts signed in 1954 and 1955 (Shahab 1986:350). However, he was not satisfied with the politicians of the country and the contemporary democracy and its role and thus performed a new experiment in the country by the introduction of presidential form of government in favour of strong centre.

Martial law further eroded whatever stability political party structure had survived till October 1958. The political parties were banned and several leaders were disqualified from contesting the elections. It is necessary for any constitutional and political system for the smooth functioning that well-organized, strong and disciplined political parties are essential. Political parties provide capable, honest and motivated leadership to the country. These are the political parties which ensure the continuity of the political process at every level, i.e., at national, provincial and local levels. Strong political parties which penetrate all segments of the country could ensure stability in the political process, so political parties were revived with several restrictions imposed under the “Political Parties Act” 1962 (Khan 2008:550). Ayub Khan ruled out the formation and inter-play of the political parties and thus when the elections to the national assembly and provincial legislatures were conducted and there was a little excitement and very little balloting.

In the atmosphere of forced detention of political figures under the Security of Pakistan Act, the indirect process of elections and suspending of fundamental rights, a bill providing for the formation and regulation of the political parties was drafted by the government and referred to a select committee of the assembly on 4 July 1962. The bill was put up to a vote on 14th July and was passed unmodified, whereas the President gave his assent on 16th July and the Political Parties Act was enforced. But as a true dictator, Ayub did not allow the political participation, instead on 2nd September 1959, Ayub Khan announced the Basic Democracy Order as: “The scheme of basic

Democracies has been evolved by us after a careful study of the experience of the countries and of the special conditions prevailing in our own land, and there is no need for us to intimidate blindly the type of democracies to be formed in other countries. We have to work according to the requirements of our own nation and genius of our own people (Chaudhry 1967:559-60).

At the same time, along with this Order, the civil bureaucracy was activated to get firm control and marginalized the politicians. Civil bureaucracy controlled the whole system (Saeed 1961:252-53). The system of Basic Democracies was designed to fulfil the multiple tasks of the military rulers. First, it provided legitimacy to the military regime with a recognized form of modern governance. Secondly, it served as an institution by which the military government could get enough public support, which in the long run would be used against the political parties. And, thirdly, "it was expected that mobilization and participation would be limited, controlled and guided, however, so as not to put an unbearable pressure on the new bureaucratically dominated political system" (Kukreja 1985:79). Subsequently, 80,000 Basic Democrats elected on non-party basis helped Ayub Khan in securing 95.6% in the referendum for the authority to frame the constitution of his own choice.

UNDER THE CONSTITUTION OF 1962

Ayub Khan's views about the political system of Pakistan can be grasped from the document entitled *A Short Appreciation of the President and Future Problems of Pakistan* published in 1960. In this document Ayub Khan strongly opposed the parliamentary form of government and averred that there must be strong polity with a strong head, dealing with the federal and provincial affairs with enough powers and an indirectly elected legislature with limited powers. With this approach, eleven members Constitution Commission headed by Justice Shahabuddin was appointed with the aims to find out the causes of failure of parliamentary form of government in Pakistan. The Commission reported that interference in the working of parliament by head of states and center in the affairs of the provinces were some of the causes that lead to the abrogation of the constitution of 1956. It further added that Pakistan needed a federal system headed by a powerful president and a vice president to avoid the political and constitutional breakdown in future.

Ayub Khan did not approve of this report and sent this report to the Sub-Committee to revise the recommendation, or in other words to make this report according to the wishes of the President. After receiving the new and revised version of the report, Ayub Khan announced the new constitution on 1 March, 1962. He called it “a blending of democracy with disciplines—the two pre-requisites to running a free society with stable government and sound administration” (Ayub Khan 1967:95). The most prominent feature of the constitution was the central position of the President. He enjoyed the legislative as well as the executive powers. Although the Constitution provided with the federal system, yet the character of the Governors as well as of the provincial government was not more than a puppet show of the central government i.e. the president.

In January 1965 the first presidential election was held under the 1962 Constitution. Ayub Khan defended his political system and cautioned the people that if the opposition parties candidates succeeded, the country would once again plunge into political chaos similar to that of the 1958 period. The opposition parties formed an alliance called Combined Opposition Party and nominated Miss Fatima Jinnah as their presidential candidate. The Basic Democrats supported Ayub Khan as they perceived the survival of the B.D system in his victory. Also, support from the military- bureaucratic oligarchy, the basic democrats as well as the lack of trust among the opposition leaders contributed a lot in the success of Ayub Khan.

RESULTS OF THE PRESIDENTIAL ELECTION 1965

	East Pakistan	West Pakistan	Total
Ayub Khan	21012	28,939	49,951
Miss Fatima Jinnah	18434	10,257	28,691

Source: Khan (2008:550)

National and international analysts unanimously criticized that there was rigging in the polls on large scale in the favour of Ayub Khan. These elections also proved that it was another attempt by the military to legitimize itself.

AFTERMATH OF TASHKENT DECLARATION

A full-fledged war was started between India and Pakistan in the Runn of Kutch. In a fit of frustration, the Indian Forces crossed the Pakistani border on 6 September 1965 and a full-fledge war

ensued between India and Pakistan. It continued till 23rd September 1965 and came to an end when UN Security Council passed a resolution for cease-fire. Soviet Prime Minister Alexie Kosygin invited the Prime Minister of India and the President Ayub Khan of Pakistan in Tashkent in January 1966, for a peace agreement, which was later called 'Tashkent Declaration. In this Declaration both countries agreed upon the normalization of bilateral relations between the two countries, return of the troops and captured territory as well as to resolve the Kashmir issue.

The news about Tashkent Declaration was heard in shock, as Pakistanis had a different perspective about war. To them, Pakistan army was victorious in the war. This news created only surprise and dismay. Pakistanis considered that owing to military's triumph on the battle field, Pakistan's position on Kashmir issue would strengthen. Besides, a high increase in the military budget by 17% during the year of 1965-66 creating a heavy burden on already declined economy of the country sensitized the general public. Also, decrease in the industrial production, abrupt rise in inflation and shortage of food increased the gulf of misunderstanding and alienation between the two wings of Pakistan. In this scenario, Ayub Khan faced the real opposition, which gained full momentum after Tashkent Declaration in 1966 (Burki, 1998:43). In short, in 1969, Ayub Khan was "forced out by the military which now considered him a liability rather than an asset."

AFTER THE MARTIAL LAW OF 1969

Yahya Khan abrogated the constitution and imposed martial law on 25th March 1969. He dissolved all the provincial and national assemblies and prohibited all political parties, politicians and political activities. Ayub's substitution by Yahya did not impart any policy change rather it increased the military's quest for more institutional self interests. In his first address to the nation, he like his predecessor gave reasons for the imposition of martial law, and reiterated about the holding of elections on the basis of adult franchise. About the future constitution of the country, he was of the view that it would be the responsibility on the shoulders of the representatives to frame the workable constitution (Nawaz 2008:249). LFO was released on 30th March 1970 containing the fundamental principles of the constitution to be framed by the elected assembly. However, Yahya did not pay much attention to the prevailing political chaos and social, economic

and regional centrifugal forces. The situation became worse due to the use of force with parleys for the settlement of the issues which ultimately led to the disintegration of the country. The President kept the powers in his hands for the authentication of constitution. Although politicians were unhappy on the issue of time period for the framing of the constitution, yet they decided to work with LFO so that the ruling military elite could not find the way for the delay of the elections (Rizvi 2000:125).

Military regime announced the scheduled for the first general elections to be held on October 5, 1970. Full political activities were restored from 1st January 1970 and politicians were allowed to propagate their manifestos. From both wings of Pakistan, about 22 political parties entered into the election arena, of which two were the major political parties i.e. PPP and the Awami League based on Islamic Socialism and Six Points respectively.

RESULTS OF THE ELECTIONS

Parties	East Pakistan	Punjab	Sindh	NWFP	Balo-chistan	Total
Awami League	151(153)	- (2)	- (21)	- (2)	- (1)	151 (160)
Pakistan People's party	- (-)	62 (77)	18 (25)	1 (16)	- (1)	81 (119)
Council Muslim League	- (50)	7 (50)	- (12)	- (5)	- (2)	7 (119)
Ahle Sunnat	- (-)	4 (39)	3 (8)	- (-)	- (1)	7 (48)
Jamaat-i-Islami	- (69)	1 (43)	2 (19)	1 (15)	- (2)	4 (148)
Qayyum Muslim League	- (65)	1 (34)	1 (12)	7 (15)	- (4)	9 (132)
Convention Muslim League	- (93)	2 (24)	- (6)	- (1)	- (-)	2 (124)
Pakistan Democratic Party	1 (81)	- (21)	- (3)	- (2)	- (1)	1 (108)
National Awami Party(Wali Group)	- (39)	- (-)	- (6)	3 (16)	3 (3)	6 (64)
Jamiatul Ulema-i-Pakistan (Hazarvi Group)	- (13)	- (47)	- (20)	6 (19)	1 (4)	7 (103)
Independents	1 (109)	5 (114)	3 (46)	7 (45)	- (5)	16 (319)
	153	82	27	25	4	291

Note: The figures in parentheses indicate the number of candidates put by the party.

The Awami League of East Pakistan emerged as the largest, while the PPP of West Pakistan secured the second highest number of seats. But, both political leaders could not arrive at consensus on the future constitutional framework of the country. Z. A. Bhutto declared, "If power is to be transferred to the people before any constitutional settlement as demanded by Mujib, it should be transferred to the majority party in East and the majority party here in West Pakistan (Chaudhry 1974:31). Both political leaders were inflexible on their ends and Yahya, on the other hand, had its own interests of power sharing. This serious turmoil culminated in the military operation in the East Pakistan resulting in the break-up of Pakistan.

CONCLUSION

It is writ large that military rule in Pakistan took coercive method to control all the protests and banned all the political and civil agitation. Regardless of this justification, a few politicians who came out into the political arena became the client and ambassador of establishment. The coercive actions resulted in the firm control of military over the politicians and did not allow them to change the policies of the military. The supreme law of the land was completely changed and discretionary powers of the head of state were enhanced out of the bounds of the system of checks and balances.

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