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Preliminary Challenges for Democracy in Pakistan: 1947-1958

Abstract

Pakistan came into being through a democratic process. The elections of 1945-46 were held on the basis of separate electoral system which led towards the separation of sub-continent. But, since inception the democratic system in Pakistan faced many hurdles. The success of parliamentary democracy was limited because of continuous power struggle between elected and non-elected institutions, frequent dissolution of democratic governments and imbalance of powers between the institutions. Throughout the decade (1947-58) institutions remained in conflict with each other in order to acquire power. In democracy institutions have to support each other in performing their functions which remained missing in this era. This article seeks the reasons due to which democracy remained instable in the said era. The emphasis of the study is upon uncovering the factors that created bottlenecks in the democratic process and premature dissolution of the governments. The focus is on working relationship between elected and non-elected institutions as well as functioning of the elected institutions.

Key Words: *Democracy, Martial Law, Military, Judiciary, Bureaucracy, Law and order*

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Introduction

Pakistan became an independent state in August, 1947 on the premise that it will be governed on democratic principles. Since inception the elected institutions were unable to play their proper role in politics and decision making. The elected institutions did not get the opportunity to establish a stable political system due to supremacy and interference of hierarchical institutions. In order to find the answer of the research question (What were the reasons of instable democracy in Pakistan from 1947-58?) the framework of study will include following variables:

- The elected institutions (the Parliament, Provincial Assemblies and Federal/Provincial Governments),
- The non-elected institutions (Military, Bureaucracy and Judiciary),
- Working relationship between elected and non-elected institutions,
- Law and order situation as an indicator of status of democracy.

From Inception to Martial Law (August 1947-October 1958)

The aspiration of the Muslims of India for a separate homeland 'Pakistan' was obsessed on August 14, 1947. The country preferred the parliamentary form of government as envisioned in the Indian Independence Act of 1947¹ which was based on the Government of India Act 1935. The Act provided interim arrangement² and was to be replaced by a new constitution to be framed by the Constituent Assembly.³ In the Interim arrangement the Governor-General had substantive powers, including appointment of high officials (politics, judiciary and military), dismissal of the Federal Legislature, and imposition of emergency in the country. The Council of Ministers was constituted to advise the Governor-General on important issues.⁴ The Constituent Assembly was formed which also included those members who were elected from constituencies that did not become part of Pakistan after partition.⁵ Elections were, therefore, necessary for transferring power to the elected representatives of the Nation. However, in the first decade no general elections were held and this turned out as one of the early obstacles in establishing democracy.

Deferment in Constitution Making

Constitution was an immediate need for laying down the foundation of democratic institutions. Pakistan required a constitution that could satisfy the desires of all provinces, accommodate ethnic diversities, and

resolve socio-economic problems in a country which had no democratic political set-up. The Constituent Assembly was unable to frame the Constitution in time. In seven years it convened only 16 sessions, with average attendance of 37- 56 in a house of 79 members.⁶

Democracy under Threat

Though politicians played a key role in Pakistan Movement, it was the civil bureaucracy that ran the administration and also having a say in political matters in the initial period. In the provinces, most of the ministers were inexperienced as they had assumed the office for the first time.⁷ Governors of three provinces, namely East Pakistan (East Bengal), West Punjab and North-West Frontier Province (NWFP) were British and former civil servants. In provinces governors and bureaucrats enjoyed substantial powers as compared to the ministers.⁸ In the Centre Quaid-i- Azam Muhammad Ali Jinnah was handling all important matters as Governor General and Chairman of the Constituent Assembly.⁹

The political leadership lacked administrative experience and were heavily dependent on bureaucracy in performing its responsibilities, especially just after partition. The political role of bureaucracy became possible due to flaws in political leadership.¹⁰ When Martial law was imposed (October 1958), bureaucracy facilitated the army in administering the affairs of the country.¹¹

Bureaucracy was a skilled and organized institution comprising officers of Indian civil, police and accountant services. When the popularity and influence of Pakistan Muslim League (PML) declined the bureaucracy emerged as a significant institution. Later it got the support of the military bureaucracy also. Ghulam Muhammad, who was a former bureaucrat, came to power with the support and consent of General Ayub Khan.¹²

The Muslims of India were not acquainted with the ideas of nationalism and adherence with a country. Even the right wing politicians had propagated that the love for country is against the teachings of Islam. However, other politicians supported Pakistan as their home; and after partition designed their future politics in the light of new challenges. The integral and democratic role of politicians could be to unite the nation for attaining collective goals but Pakistan had yet to gain the status of a nation.¹³

In 1947 through referendum, NWFP acceded to join Pakistan, though its Congress led government had not supported it earlier. On August 22, 1947, just a week after partition, the NWFP Assembly was dismissed Dr. Khan Sahib Ministry was replaced by that of Khan Abdul Qaiyum Khan who served the office of Chief Minister till 1953.¹⁴ The dismissal took place despite the fact that *Khudai Khidmatgars* had majority in the NWFP Assembly and Qaiyum Khan was member of All India Muslim League (AIML) that had secured only few seats in the 1946 Provincial Election. This had an adverse impact on political development.¹⁵

The Muslim League and Pakistan

Jinnah promoted the traditions of parliamentary form of democracy. After being sworn as Governor General of Pakistan he left the presidency of All India Muslim League (AIML). He decided that ministers would not hold any office in the Muslim League and the League would be an independent body keeping an eye on the activities of the ministers and parliamentary party. However, the constitution of the PML was amended, removing the ban on the ministers from holding the party office.¹⁶ Under section 9 of the Independence Act 1947, Governor General had authority to amend the constitution with a simple decree; yet Jinnah had assured the people that democracy had no danger from his office.¹⁷

Assassination of Democracy

During the tenure of Liaquat Ali Khan as Prime Minister the PML did not encourage criticism of its policies from the opposition side.¹⁸ Even Prime Minister stated that “Don’t oppose the League ... If you destroy the League you destroy Pakistan.”¹⁹

Liaquat Ali Khan was assassinated in Rawalpindi on October 16, 1951.²⁰ Khawaja Nazimuddin resigned from the office of Governor General and became Prime Minister.

Ghulam Muhammad, who was a Minister in Liaquat’s cabinet, replaced him as Governor General.²¹ It is said that Ghulam Muhammad’s nomination was due to the conspiracy architected by the three ministers namely, Ghulam Muhammad, Khawaja

Shahabudin and Gurmani along Ayub Khan, the Commander-in-Chief of the Pakistan Army. Ghulam Muhammad was a former civil servant and neither had a constituency nor any political background.²² His induction strengthened the civil- military bureaucracy.²³ The intervention of army in the politics was also strengthened by appointment General Ayub Khan as minister (1954) and reportedly asking him to takeover.²⁴

On April 17, 1953 the government of Khawaja Nazimuddin was removed by the Ghulam Muhammad and Muhammad Ali Bogra then Pakistan's Ambassador to United States of America (USA) was invited to take over the office of Prime Minister. This change had the support of civil-military bureaucracy.²⁵ Ghulam Muhammad also dissolved the Constituent Assembly on October, 1954 when it was about to vote on the draft of the constitution and had decided to restrict the powers of Governor General and provide them to the cabinet.²⁶ In fact, the Independence Act of 1947 did not empower the Governor General to dissolve the Constituent Assembly.²⁷ The dissolution followed the declaration of state of emergency in the country.²⁸ In East Pakistan, the United Front (UF) was happy at the dissolution of the Assembly and deemed it a fortune sign for the re-establishment of Parliamentary system in East Bengal.²⁹

The Governor General justified the dismissal of Constituent Assembly on the ground that the drafting of the constitution was not prompt and that the constitution making had lingered on purpose to avoid elections. He also criticized the Assembly for being unrepresentative of the nation.³⁰ Ghulam Muhammad's arbitrary use of power resulted in constitutional crisis.³¹ The President of the Constituent Assembly, Mouvli Tamizuddin filed a reference against the action of the Governor General in the Sindh High Court. The Court upheld the appeal of the Tamizuddin and ruled that the dismissal of the Constituent Assembly by the Governor General was unconstitutional. The government took the matter to the Federal Court when the support was guaranteed by the Chief Justice of Pakistan, Muhammad Munir. Controlled media, vehement civil-bureaucracy and partisan judiciary worked together to decide in favour of the Governor General.³²

The dictatorial rule of Governor General came to an end with the setup of Second Constituent Assembly in July 1955. In this Assembly no party had clear majority. The undemocratic practices of the Governor General had serious impact on the legislature and political leaders of this Assembly. The politicians remained in the background and the head of the state emerged centre of authority.³³

Later on, Iskandar Mirza as Governor General, being a former civil servant himself, chose Chaudhry Muhammad Ali, another bureaucrat for the premiership.³⁴ Iskandar Mirza was made the first President of the Republic of Pakistan on purpose since elections for the National Assembly were near and bureaucracy had no intention to abdicate power in favour of the public representatives.

Muhammad Ali resigned in September, 1956 and H. S. Suhrawardhy assumed the office of Prime Minister heading a coalition of Awami League and Republican Party. Suhrawardhy was of opinion that under 1956 Constitution the President did have the discretionary powers earlier enjoyed by the Governor General and politicians were now genuine power in politics. But he soon realized that the President still held power. Suhrawardhy had support of 26 members in Coalition government of Suhrawardhy Awami League (AL)-Republican Party (RP).³⁵ On October 10, 1957 the RP withdrew its support and Suhrawardhy advised the President to summon the National Assembly to figure out if he had the confidence of the majority of members. The President declined the constitutional request. Suhrawardhy himself mentioned: "He [the President] immediately wrote back a letter refusing to call a meeting of the National Parliament stating that he knew about the position of the parties and called on me to resign by 2 O'clock in the morning otherwise he would take action."³⁶ The action of the President was dubious and unconstitutional.

During fifties the ministerial crisis at the Centre and Provinces occurred frequently and ministries were unable to stay in power for appreciable period.³⁷ The PML was the main party, dominating the political scene from 1947 to 1954 and finally declining in 1956. The reasons were: power politics among its leaders, lack of charismatic leadership, insufficient realistic party programme and fractions within the party.³⁸ The factionalism in the PML was encouraged by bureaucracy. The bureaucracy clearly understood that strong political party traditions could challenge its power.³⁹

On October 7, 1958, President Iskandar Mirza abrogated the 1956 Constitution, dissolved the assemblies (National Parliament and two Provincial Assemblies), banned political parties and imposed Martial Law.⁴⁰ Army was behind this move as Ayub himself later revealed: "I said to the President: 'Are you going to act or

are you not going to act? It is your responsibility to bring about change and if you do not, which heaven forbid, we shall force a change.’”⁴¹ The episode of 1958 Martial Law was the cogent orientation of the army’s political designs. Iskandar Mirza was the eventual political-cum-bureaucratic figure who had functioned for the army to get it in politics.

With the abrogation of the Constitution a debate on the validity of the parliamentary system started; an important insight being that it failed as it did not get a chance to function.⁴² The Constitution Commission set up in 1961, cited the absence of effective leadership and lack of strong character as the *raison d’être* for toppling of the system.⁴³

The decline of democracy in Pakistan was also fore-seen by political scientists in the light of kaleidoscopic political scene of the first decade of independence. Professor Keith Callard and Professor William Cantwell Smith described in their writings the reasons behind this hypothesis. Callard depicted, “If representative government collapse, it will be because its legs are not strong enough to sustain its own body ... Pakistan, by its constitution, is publicly committed to the operation of democratic institutions. It is too early to say whether these institutions are likely to mature”.⁴⁴ Smith also maintained the same point of view.⁴⁵

Impediments in Formulation of 1956 Constitution

East Bengal was one-seventh of the entire territory of West Pakistan but its population had exceeded the population of all the states and provinces in West Pakistan. East Bengal had an important non-Muslim minority even as West Pakistan was comprised of principally Muslims.⁴⁶ In these circumstances it was difficult to form a Parliament that could gratify the huge population of one wing and large area of the other wing. It was utmost important to draft apt constitution for a country having novel cultures and geography.

In 1956 constitution produced by the bureaucrat, Muhammad Ali. But de facto, it did not function duly and no elections held under the constitution. With the passing of constitution of 1956, the conflicts among various groups multiplied and diffused. By the time, the first constitution was ratified; the PML discredited itself and its importance because it did not stand against the bureaucracy or the government whenever some of its leaders were ousted without reason.⁴⁷

Dismissal of Provincial Assemblies

Democracy means the installation of the government decided by the people in general elections. This principle of democracy had not been respected as it should have to be, just after few days of independence, on August 22, 1947 the provincial government in the NWFP was toppled down. After this a few perpetual episodes of overthrowing the provincial governments occurred in the Punjab, Sindh and Bengal.⁴⁸

In January, 1949, the Chief Minister of the Punjab, Nawab Iftkhar Hussain Mamdot was deposed. The Punjab government was dissolved because of the revolt initiated by Mumtaz Daultana and his confidants subsequent to six months of partition. The Sindh Assembly had dismissed about ten months ahead the episode of dismissal of the Punjab Assembly. Sindh had emulated the tradition of making the democracy wither too. This time in Sindh, Pir Ellahi Bukhsh had manoeuvred to blow up the Muhammad Ayub Khuhro’s ministry. Interestingly Sindh had six Chief Ministers during six years.⁴⁹

In East Pakistan the ministry of Fazal ul Haq was set up as a result of provincial elections 1954 but just after coming to power the Centre had dismissed his ministry and Governor was assigned to run the affairs of the province. The Provincial Assembly in East Pakistan did not convene till May, 1956 even the provincial budget was ratified by the President’s executive order. The Centre meddled unreasonably in provincial politics of both the wings. The Centre sacked the cabinets, imposed Chief Ministers which definitely did not escalate the growth of democracy.⁵⁰

Till 1958 political structure remained disruptive. Chief Ministers and Prime Ministers were unelected. Executive orders had enough power to dissolve the Assemblies. The process of constitution making was massively hindered by the bureaucracy. Politics was at the disposal of bureaucracy and it had strategically used the political stalwarts for strengthening themselves.⁵¹ From 1953-1958 the politicians adhered to the political system, but true powers were in hands of cliques vis-à-vis and civil- military bureaucracy.⁵²

Law and Order Situation

Nazimuddin did not prove any proficiency in handling the issues related to politics and law and orders. In the Punjab the anti-*Ahmadis* or anti-*Qaidianis* movement was in full swing. Soon communal riots, destruction, burning of shops and looting erupted in Lahore. To tackle the situation Martial Law was imposed in Lahore in 1953. This was the very first time when military transformed itself into politics which was ultra-constitutional and undemocratic. Economy had also affected due to immature politics.⁵³ Martial Law Administrator, Major General Azam Khan had control over all the issues either related to sewerage, politics health or ethics of the municipality.⁵⁴

By then the issue that whether Urdu or Bengali would get the status of national language became further complicated.⁵⁵ In East Pakistan several demonstrations happened in favour of adopting Bengali language as national language. In 1952, in one of the demonstrations few deaths resulted and from this politics slipped into the hands of bureaucrats.⁵⁶ The law and order situation in both the wings had revealed the weaknesses of political institutions.

President Iskandar Mirza proclaimed Martial Law on October 7, 1958 with Ayub Khan, the Commander in Chief of the army since 1951, as the Chief Martial Law Administrator.⁵⁷ Ayub Khan was associated with political issues since Ghulam Muhammad-Iskandar Mirza era.⁵⁸ Within three weeks he became President also by removing Iskandar Mirza. He justified this action as follows:

“We have been getting reports from all over the country that people were feeling uneasy that if two men were at the helm of affairs, policy would not always be clear and might consist of compromises. Besides, Mirza was too much connected with the politicians and the countries past difficulties. He was as much responsible for political deterioration as anyone else.”⁵⁹

Conclusion

During initial year's bureaucracy remained hub of political power with the support of military. But later on due to law and order problems the military got more importance and became more politically powerful than bureaucracy. Basically military had transformed itself on the pattern of bureaucracy. In Pakistan bureaucracy was most skilled institution and was guiding the politicians in the affairs of politics. With the passage of time bureaucracy started to influence political decisions and taking control of the country. Military also realized that it is inevitable for the existence of Pakistan and could become a stakeholder in power politics. When military worked with bureaucracy it started to assert its role and finally became senior partner in power play. The bureaucracy-military partnership was inevitable as when military came to power it required a group that could replace political parties.

The “doctrine of necessity” had played an important role to encourage the future military regimes. But later judiciary was also victimized by the political bureaucracy and military dictators to get judicial cover for their dictatorial regimes.

Initially the role of opposition was limited by the PML as it did not encourage criticism on its policies. The role of opposition parties was highly succumbed in dictatorial regimes as it was one man rule and opposition was just a pretext to give elected status to their regimes. The tradition of constructive criticism from the opposition side neither flourished during the civil governments as they also considered opposition a hurdle in their performance. Sometimes immature role of opposition had caused problems for the civil governments that encouraged establishment to gain power.

Working relationship between elected and non-elected institutions did not develop due to imbalance of power. The will of the civil governments were not free and they were dependent on establishment (Civil-Military Bureaucracy) to run the affairs of the state.

Notes and References

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² Ahmad, *Social Change*, 27.

³ Malik, *Aspirations and Today's Realities*, 127.

⁴ G. W. Choudhry, *Democracy in Pakistan* (Vancouver: University of British Columbia, 1963), 33-34.

⁵ Ayesha Jalal, *Democracy and Authoritarianism in South Asia: A Comparative and Historical Perspective* (Lahore: Sang-e-Meel Publishers, 1995), 48.

⁶ Aziz Beg, *Battle of Ballot or War of Attrition* (Islamabad: Babur and Amer Publications, 1978), 67.

⁷ The names of Governors were Sir Fredrick Bourne (1947-1950), Sir Francis Mudie (1947-1994) and Sir George Cunningham (1947-1948) respectively. Ibid., 62. Hasan Askari Rizvi, *The Military and Politics in Pakistan: 1947-1997*(Lahore: Sange-e-Meel Publishers, 2000) 332, 334, 335.

⁸ For detailed account of federal and provincial governments (1947-1957) concerned Keith Callard, *Pakistan: A Political Study*, (London: George Allen and Unwin Ltd.), 342-346.

⁹ Lawrence Ziring, *Pakistan: The Enigma of Political Development* (Kent, Westview Press, 1980), 72-73.

¹⁰ The institution of bureaucracy was strengthened in Indian sub-continent in 1919 when first time Indian Ministers were appointed on provincial level. The bureaucracy was confined to train Provincial Ministers politically. It was also decided that in case of dissent between Secretary and Minister of a department, Secretary could take instruction directly from the Governor of the Province. This created imbalance of power between both the institutions. Even if Minister complained against the Secretary then query conducted by the team comprised of bureaucrats and finding of the query was always partisan. Shahid Massod, *Views on News* (Lahore: Marwa, 2004), 98.

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- ²⁴ General Mohammad Ayub Khan, *Message to the Nation* (Karachi: Ferozsons, October 8, 1958), 4-5. Khalid Bin Sayeed "Collapse of Parliamentary Democracy in Pakistan" *Middle East Journal* 13, no. 4 [Autumn, 1959]: 390, <http://www.jstor.org/stable/4323166>
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- ²⁷ Muhammad Waseem, *The 1993 Elections in Pakistan* (Islamabad Vanguard, 1994), 32.
- ²⁸ Choudhury, *Pakistan*, 48.
- ²⁹ The UF was the merger of numerous factions and parties. Its had three main components vis-à-vis ; the Awami League (AL), the Krisak-Sramik Party, the Nizam-i-Islam Party.
- ³⁰ Jalal, *Democracy and Authoritarianism*, 52. Ali, *Parliamentary Democracy*, 23. For details about PRODA consult Rizvi, *Politics in Pakistan: 1947-1997*, 65.
- ³¹ Baxter and Wasti, *Authoritarianism in 1980s*, 3.
- ³² Jalal, *Democracy and Authoritarianism*, 52.
- ³³ Rizvi, *Politics in Pakistan 1947-1997*, 68.
- ³⁴ Khalid B. Sayeed "The Political Role of Pakistan's Civil Service" *Pacific Affairs* 31, no. 2 [June 1958]: 134, <http://www.jstor.org/stable/3035208>
- ³⁵ The RP was formed by Khan Sahib with the support of Iskandar Mirza and Governor Gurmani. A majority of the party were ex-ML members. Members of the RP were offered ministries and other benefits by the founders. Sayeed, "Pakistan's Civil Service", passim.
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