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Articles

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- Islamic Resurgence in Pakistan : 1947—1977
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JANUARY 1995

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RAFIQ AHMAD

Editor

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Correspondence

All correspondence should be directed to the Managing Editor, *South Asian Studies*, Centre for South Asian Studies, University of the Punjab, Quaid-i-Azam Campus, Lahore, Pakistan.

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Problems of Implementation of Administrative Reforms in Bangladesh : Adoption of Strategy

A. T. M. OBAIDULLAH

INTRODUCTION

Increasing interest in administrative reform is a global phenomenon in contemporary world. "To manage public affairs today without resorting to administrative reform entails social disregard of efficiency, public opinion and internal cohesion — a luxury that few regimes can afford to indulge."¹ The need for reform is more urgent and compelling in the emerging/developing countries like Bangladesh where the changes in the functions of government are more fundamental and desire for economic and social progress is greater and more directly related to the establishment and survival of a nation.² The very fact of independence of Bangladesh and consequent revolution of rising expectation of the people made large-scale administrative reform inevitable. Bangladesh very clearly realized the inappropriateness of the system of administration which was designed for an era that has gone by. Ever since its independence the Government of Bangladesh has over emphasized administrative reforms to streamline different facets of administration, do away with colonial legacies and to transform it into development-oriented and participatory one. So far government constituted large number of administrative reform Commissions/Committees of which the recommendations of four Commissions had important bearing on the major issues involved with the survival of a new nation.

Completion of administrative reform report is not all of the whole process, for there is yet another stage — that implementation — or the missing link³ which is perhaps the single knottiest problem in the field of

A.T.M. Obaidullah, Chairman, Department of Public Administration, University of Rajshahi, Bangladesh.

administrative reform in the developing countries. The voluminous reports are often seen to have been shelved as secret document and buried unceremoniously at the stage of implementation. Some of the studies⁴ opine that the high attrition rate in the implementation process is due to bureaucratic resistance at the field level and the upper echelon of the administration. According to Lee depending on the magnitude of the reform itself and nature of timing, the strategy of reform may be either comprehensive or incremental. Lee is of the opinion that time and leadership are two crucial variables in the process of implementation.⁵ The comprehensive strategy for administrative reform is employed in a situation when all the variables — timing, leadership and risk acceptability are favourable. Conversely an incremental strategy can be useful if either : (i) the leadership is strong but the situation is unfavourable or : (ii) the situation is favourable but the leadership is weak. Most of the developing countries lack necessary conditions for initiating comprehensive administrative reform strategy. In this paper a modest attempt is made to highlight the implementation process of the four major administrative reform Commissions/Committees and to identify the factor responsible for facilitation or hindering their successful implementation.

ADMINISTRATIVE AND SERVICE REORGANIZATION COMMITTEE (ASRC) 1973

Consequent upon the independence of the country the immediate challenge of restoration of civil administration at various levels of administration, absorption of the officials of the various Ministries/Departments of the former central Government of Pakistan and amalgamation of the officers of the former central government with comparable Ministries/Departments of the new Government of Bangladesh being over on the recommendation the Civil Administration Restoration Committee Report⁶ as interim arrangement, the government appointed administrative and Service Reorganization Committee (ASRC) in March 1972 under the chairmanship of Prof. M. A. Chaudhury with comprehensive terms of reference. The ASRC was :

1. To consider the structure of various services, both technical and non-technical, and determine the future structure keeping in view functional needs and requirements of the government.
2. To consider the question of amalgamation of the civil services into one unified service.

3. To determine the principles of integration of the personnel of various services in the new structure, and to determine the inter seniority of personnel of the different services having similar academic backgrounds and job experiences in the process of merger of amalgamation, in case structural changes are envisaged.
4. To determine the future recruitment policy in government services at various levels keeping in view the educational and other job requirements.
5. To prepare and recommend a comprehensive scheme for administrative reorganization.⁷

The Committee submitted its comprehensive reports in two phases in April and October, 1973. The major recommendations of the Committee included :

1. Democratization of administration at all levels and called for increasing devolution of authority to elected local government and clear delineation of areas of responsibility between the national and local government.
2. Shedding of traditional class and status consciousness by the civil servants and creating a close rapport between the former all-Pakistan services, Central Superior Services and the former provincial services and the higher and lower classes, also in its place recommending the organization of a single classless unified grading structure with an appropriate number of different pay scales matching different levels of qualifications, skills and responsibilities.
3. A graduated system comprising ten grades and covering all jobs of the entire civil service (that included generalists, specialists, technical and non-technical of all classes) from the highest to the lowest tiers.
4. Grouping of Grades I, II and III into Senior Policy and Management Posts, to be filled up with officers having relevant areas of specialization through highly competitive processes.⁸

The other recommendations of ASRC included several measures for developing an integrated public personnel management system encompassing a rational selection process based on merit, long term career planning, formulation of general training policy and coordination of institutionalized training and an employee promotion system based on merit cum seniority.⁹

ASRC underlined the need for converting sub-division into districts with necessary adjustments, in a planned manner over a period of time. As regards the Thana administration, the Committee recommended that the Thana should be the basic unit of administration in Bangladesh, where an elected Thana Parishad would assume all responsibility of development administration at that level. It recommended that the services of all officers in a Thana engaged in development administration should be placed at the disposal of the Thana. The Committee also emphasized the need for creating a post of Thana Development Officer "to coordinate the activities of officials engaged in a Thana under the overall guidance and supervision of the Chairman of the Thana Parishad."¹⁰

The recommendations of the ASRC were so comprehensive and fundamental that it did not leave any aspect of administration beyond its terms of reference.

But the most comprehensive recommendations put forward by ASRC made impact on the government of the day and the report was shelved as secret document. The reasons underlying the scrapping of the ASRC recommendations may be attributed basically to unfavourable time of the regime and weakness of the political leadership. By the time (October, 1973) the Committee submitted its report the party in power (Awami League) and its supreme leader Sheikh Mujib appeared to be alienated from the masses and lost much of its charismatic image. Mascarenhas observed that "eight months after he (Mujib) had taken over as Prime Minister, the time of popularity had begun to run out for Mujib. The great agitator, the champion of people's grievance, the beloved Bangladesh on whom the most textsome praise had been lavished, had now been the target of criticism from an outraged public."¹¹ The first open challenge to Mujib's regime came from the anti-Mujib faction led by Serajul Alam Khan, A. S. M. Abdul Rab and Shahiah Seraj who constituted the Jativo Samajtantrik Dal (JSD) to advance the cause of scientific socialism as opposed to Mujibbad. Abdul Rab told a crowd ". . . the Awami Leaguers are corrupt. . ." ¹² JSD launched a vigorous movement in order to bring an end to the anarchy and oppression of the Mujib government. Opposition to the Awami League also came from the far left and the far right which the regime branded as Naxalites and *Razakars* respectively. The left parties gathered arms and continued with their underground operation to oust the party in power. Awami League resorted to several repressive measures to halt insurgency of the political oppositions. Major Jalil, Rab and innumerable pro-left activists were imprisoned. Along with these threatening opposition from outside, the intra-party conflict in the Awami League had shaken the existence of the regime itself. Some of the leading Ministers were left out of the cabinet who

openly held the government responsible for the economic crisis in Bangladesh (*Ganokantha*, October 14, 1974). Amidst political turbulence and dwindling economy further damaged by unprecedented devastating famine in 1974, Awami League government became dependent on the generalist civil servants holding key positions in the top echelon of the administration to get rid of the situation and stay in power. Thus the bureaucracy particularly erstwhile CSPs already dissatisfied with the recommendations of ASRC got the opportunities they were looking for to interrupt the implementation process. And it is alleged that senior CSPs successfully convinced the political leaders that as such maintaining *status quo* was more important than implementing the prescriptions recommended by ASRC.¹³ Thus the comprehensive recommendations of ASRC were buried at the implementation stage amidst unfavourable timing of the regime and impotence of the political leadership of the day before any strategy for implementation was adopted by the government.

NATIONAL PAY COMMISSION REPORT, 1973

The First National Pay Commission, 1973 felt it worthwhile that proper pay plan, consisting of a well worked-out pay policy, a balanced pay structure and responsive administration, has to be evolved for national bureaucracy which will dedicate itself to achieve goals of national development.¹⁴ It is an established principle that salaries of public employees in a country have to be related to its socio-political philosophy. Having regard to the declared objectives of the government to establish socialist society in Bangladesh, the Commission in recommending the new pay structure should in particular keep in view :

1. The cost of living.
2. The need to reduce the disparity between the highest and the lowest incomes in society.
3. The need to attract and retain in the public sector highly talented and technically and professionally qualified persons.
4. The requirement of efficiency, equity and incentives for work.
5. The demand and supply in respect of different professions and occupations.

The basic requirement of any pay plan of a poor developing country like Bangladesh is to ensure a living wage at the bottom layer of the hierarchy with reasonable vertical differentials which may involve manifest sacrifice from

groups receiving salaries above the level of subsistence. It follows, therefore, that a rational pay plan is to hold the following features :

1. The floor should be founded on a liveable rate of wage.
2. The ceiling should be such as will be socially acceptable multiple of the floor.
3. The different tiers of the administration should be constituted by functionally distinguishable levels of responsibility and duty and would be standardized into a minimum number of uncomplicated levels.
4. The anatomy of the pay structure (grade structure) should be founded on a time scale as it has been the historical pattern.
5. The process of social reproduction of skills prevailing in the country should also determined the compensation tiers and differentials, with vertical and horizontal parties for careers requiring almost similar time and cost.
6. Lastly, full monetary compensation at the international levels for the highest professional competence is unlikely to be available. Motivation has to be inspired on patriotic ground.¹⁶

National Pay Commission felt that in place of four accepted classes (i.e., Class I through Class IV) there could be a nine-tier administrative structure with corresponding pay scales which would meet the entire requirements of a rational structure for Bangladesh during the next five years, i.e., 1973-1978. The structure would be like :

1. The custodial group.
2. The group requiring elementary skill.
3. The ministerial/technical group.
4. The higher ministerial/higher technical group.
5. The junior executive/junior professional group.
6. The executive professional group.
7. The senior executive/senior professional group.
8. The chief executive/administrative/specialist group.
9. The senior administrative/senior specialist group.¹⁷

Of these four would be normal direct entry tiers, three purely promotion tiers and two conversion tiers. But NPC's view was not undertaken since government had earlier appointed a Committee named Administrative and Service Reorganization Committee (ASRC) 1972 for recommending a suitable and rational administrative structure for Bangladesh. The NPC was obliged to suggest pay scales on the basis of the tiers and groupings suggested by the ASRC.

The ASRC (1973) sent to the NPC a chart showing the unified grading structure consisting of ten grades and mentioning the broad principles for the placement of existing posts in the proposed grades. The grades proposed by ASRC were :

Grade I includes those with maximum exceeding Taka 2600.

Grade II includes those with scales with maximum not above Taka 2600 but not below Taka 2200 and the minimum not below Taka 2000.

Grade III includes those with scales with maximum below Taka 2200 but not below Taka 1700.

Grade IV includes those with scales with maximum below Taka 1700 but not below Taka 1300.

Grade V includes those with scales with maximum below Taka 1300 but not below Taka 1000.

Grade VI includes those with scales with maximum below Taka 1000 but not below Taka 600.

Grade VII includes those with scales with maximum below Taka 600 but above Taka 300.

Grade VIII includes those with scales with maximum above Taka 300 but above Taka 150 and with minimum not below Taka 110.

Grade IX includes those with scales with maximum not above Taka 150 and minimum not below Taka 75.

Grade X includes those with scales of which the minimum of the pay scale is below Taka 75.¹⁸

On the basis of the recommendations given by ASRC, National Pay Commission recommended a National Pay Scale consisting of 10 grades which appear in Table 1.

TABLE I
Pay Scales Recommended by the First National Pay Commission, 1973
(In Taka)

Grades	Recommended Scale
I	2000
II	1475 - 75- 1850
III	1150 - 60- 1570
IV	800 - 45- 1070 - EB - 55- 1455
V	475 - 35 - 510 - 35 - 685 - EB - 40 - 1005 - 45 - 1275
VI	375 - 25 - 400 - 25 - 525 - EB - 30 - 765 - EB - 35 - 975
VII	310 - 15 - 325 - 15 - 400 - EB - 18 - 544 - EB - 21 - 679
VIII	220 - 8 - 228 - 8 - 268 - EB - 10 - 348 - EB - 12 - 420
IX	145 - 6 - 151 - 6 - 205 - EB - 7 - 275
X	130 - 5 - 135 - 5 - 180 - EB - 6 - 240

Source : National Pay Commission 1973-88.

Fringe benefits recommended for different national scales, according to place of work of employees are presented in Table 2.

TABLE 2
Fringe Benefits

(In Taka per month)

Grades	In 5 big cities : Dhaka, Narsinganj, Khulna, Rajshahi, and Chittagong,	In other Municipal and Town Committee areas and Thana Headquarters	In other places of the country.
I	300	300	300
II	250	250	250
III	230	230	230
IV	180	180	180
V	145	135	
VI	140	130	80
VII	120	110	70
VIII	90	80	55
IX	75	65	48
X	70	60	45

Source : National Pay Commission 1973-88.

Despite the wholehearted effort on the part of the NPC to suggest a rational pay structure in close collaboration with ASRC for the newly born country, it was in fact, only partially implemented for short span of time. Of the many reasons hindering the full-fledged implementation of the NPC's recommendations, the reform measure itself deserve mention. It compressed 22

scales into just 10. The drastic compression led to serious difficulties at the time of implementation. Supervisory posts were downgraded in terms of pay and equalized with the grades of the supervised, creating deleterious effects on efficiency, morale and performance. Since the conversion of posts to only six scales (Grades V - X) has not been done on a scientific basis through proper evaluations, incompatibility between pay and responsibility became commonplace and discontent among employees became rampant. A large number of employees resorted to legal process and in most cases won judgment in their favour.

Throughout the period Bangladesh experienced a spiraling inflation and the cost of living for middle class in July 1975 rose to 414.83 compared to 100 for the base year 1969-70. "Even before the ink of the NPC Report dried, the prices rocketed throwing into utter confusion all the premises on which the pay structure was built."¹⁹ The whole thing became unrealistic as predicted by the Commission in paragraph 240 of the Report. At the end of July 1976 Taka 2000 became worth Taka 537.61 in terms of purchasing power.²⁰

The erstwhile CSP and EPCS generalist cadres, already grumbled against the NPC recommendations for not enhancing their salaries and associated benefits, successfully used this helpless deteriorating economic situation of the government to block the implementation of the recommendations for the mid-level and senior civil servants.²¹ The parallel operation of the pre-liberation scales for the top officials (who belonged to Grades IV--I) and the operation of the new national grades (X--IV) for lower classes of employees thus created obvious problems in pay administration. Government, however, tried to sustain the operation of NPC report by giving special pay (at the rate of 20 per cent of basic pay) to the categories of employees whose scales were not implemented to protect top officials groaning under mounting price hike. But it could not stop the existing pay structure crumbling down under the pressure of reality.

The eventual failure of the NPC's recommendations to be implemented in full and for long time may be attributed to the built-in fault of the new pay structure itself and the adoption of wrong strategy of the government to implement it in phases.²² The top bureaucrats (Grades IV--I) who held key positions in the administrative hierarchy were left out of the newly introduced pay structure. And they got the opportunity to persuade successfully the government of the day to modify the recommendations of the NPC and constitute a new Pay Commission to redesign pay structure on a more solid and stable foundation which may stand the test of time. It may be mentioned

that if the government had tried to implement all the grades at a time for all categories of officials instead of implementing it incrementally and phase-wise, the reform could have achieved better success.

PAY AND SERVICE COMMISSION REPORT, 1976

General Ziaur Rahman after assuming the helm of state authority through a number of coups and counter-coups between August-September 1975 appointed a major administrative reform commission in February 1976 named Pay and Service Commission under the Chairmanship of M. A. Rashid, a retired civil servant. The P&SC examined the reports of ASRC and SPC and recommended a new pay and service structure for the public sector which eventually constituted the pay and service structure of the civil servants in Bangladesh. "The military government believed that only an extra-political regime could make radical changes in the administrative infrastructure given the failure of the earlier political regime to overcome bureaucratic intrigues and politically chaotic conditions."²³

The new government redefined the state policy and soft-peddled socialism. This was reflected in the approach taken in establishing pay policy. The Commission observed that the prestige of the civil servants was being progressively eroded. The P&SC attempted a modification of NPC's pay scale and drew up fifty-two scales instead of ten scales of NPC to reduce the multiplicity of pay scales. Their arguments for expansion of grades to fifty-two included among others, the fact that compression of scales substantially reduced the promotion opportunity of the employees. They rejected the idea proposed by the NPC that all increments should begin on a standard date. They followed the Third Indian Pay Commission 1973, the idea of increments at the beginning of the month in which they fall due. On the basis of directions received from the government, they proposed a pay structure in which income tax had to be paid.

Initially, in the first two years, government was inadvertent to implement the recommendations of P&SC because of growing discontent among the civil servants in different services and cadres.

Later on government asked the Implementation Division, Ministry of Finance, to draw up a pay plan which does not have either too few scales (as proposed by NPC or too many as in the recommendations of P&SC). Consequently, Implementation Division came up with a compromise scale which is the mixture of these two. The Ministry of Finance on December 20, 1977 issued an order called the Services (Grades, Pay and Allowances) Order

which introduced a new set of national grades and scales of pay. It provided for 21 grades of Services as well as 21 scales within limits of Taka 225 (lowest) and Taka 3000 (highest) with the differentials around 13.3:1 between the highest and the lowest scales of pay.

The Services (Grades, Pay and Allowances) Order 1977 is both a pay plan and a system of classification of services. It is a classification in that it divides all positions in the civil service into 21 mutually exclusive hierarchical grades based on the nature of work and the level of responsibility assigned to various positions in each grade in the hierarchy.²⁴ The order in which the grades appear also symbolize their place in official hierarchy.²⁵

The implementation process of new pay structure initially suffered a serious setback in the face of tremendous resistance offered by the specialists and the generalist civil servants with regard to their new placement in the New National Grades and Scales of Pay (NGSP). Economists, doctors and scientists sent delegations to the President expressing their disapproval of NGSP as it downgraded their position *vis-a-vis* generalist bureaucrats. The generalist bureaucrats on the contrary, contended that the status of the professional and technical services has been pushed up the ladder in terms of their placement in NGSP. For example, the scales of Agriculture Officers, Livestock Officers, Sugarcane Development Officers at district levels had been Taka 350-825. In the NGSP their pay scales were fixed at par with that of the Deputy Commissioner, i.e., 1400-2225. It is likely that such imbalance might have deleterious effect on the conduct of general administration and coordination of development activities at the field levels.

In view of this discordant situation government constituted five committees to hear representations of the affected persons and to act as the negotiator in different issues.²⁶ Government also constituted an Appellate Committee for the dissatisfied officials to seek redress from the Appellate Committee (Maniruzzaman, 1979 : 56). But all the remedial measures seemed to have achieved no substantial progress in redressing the grievances of generalists as well as specialists. Thus in the face of crescendo of protest and simmering frustration from all quarters of public services, government had to abandon the scheme of the grading system and modified substantially the new scales of pay on April 22, 1978, "keeping the basic framework of newly introduced pay structure intact."²⁷ The notable change brought about was the merger of National Scales VI and VII of the 21 scales. In this new arrangement the salary of both the generalists and specialists were enhanced to a considerable extent. This is how the recommendations of P&SC with regard to

the national pay structure was adopted with partial modification and since it is in operation with no further change so as the structure of pay is concerned.

As regards services, P&SC recommended an integration of various services and cadres into a single Bangladesh Civil Service with 14 functional cadres. The Commission recommended for the abolition of the elitist concept under which generalist administrators who had been enjoying high prestige as only they were eligible for appointment to high executive posts in the Secretariat and in other agencies.²⁸

Another major change suggested by P&SC is the constitution of Senior Policy Pool (SPP). It will be the apex cadre and will draw officers from all service groups to fill post of the level of Deputy Secretary and above. Senior members of all cadres will be eligible to enter the policy pool through an open competitive examination. In this way, the high echelons of the government will be filled by talented officials drawn from all services. The formation of this pool was considered to be a major breakthrough in Bangladesh civil service as the country had inherited the concept of elite generalist administrators which had been in force for centuries. For the professional members of the civil service the change amounts to a liberation.²⁹

The implementation of the recommendations with regard to the service reorganization resulted in the creation of 28 services under 14 main cadres and the creation of Senior Service Pool (SSP). But in the process of implementation of the unified civil service structure and SSP order, government had to encounter sharp criticisms from all quarters of the civil services.

First, there was growing discontent among many civil servants on the question of determining the inter seniority in the newly constituted cadre service. It appears that length of service was given more weight in determination of inter seniority of persons who now constitute one service as a result of the merger of former central and provincial cadres working in the same functional areas.³⁰ The former provincial services reaped the benefit of the new civil service system and produced aggrieved feeling of the members of the former central services over their new rank orders in the amalgamated civil lists. The main cause underlying the grumbling of the members of the central service was that many members of the provincial services who did not qualify for central service jobs were now being advantaged over the members of the central services because of having longer length of service.

The method of induction in the SSP by two politically constituted committees created distrust and dissatisfaction in the minds of top civil servants. On April 26, 1979 the government constituted two Selection Committees to hold interviews and examine Annual Confidential Reports on the work and conduct of officers eligible for the SSP of Additional Secretary, Joint Secretary on an one-time entry basis. The government constituted this committee by virtue of the retained powers to select members without consulting Public Service Commission until June 15, 1981.³¹ Both these committees consisted of members exclusively drawn from political elements. The very composition of these two committees for selection of SSP officers cast grave doubt on their ability to function objectively. In particular, members of Bangladesh Administrative Services (BAS) openly criticized the constitution of these two political committees through a formal memorandum submitted to the President in July, 1981.³² The memorandum cited glaring instances in which committees recommended supersession of many senior officers with good service records. One Presidential Committee—consisting of the Vice - President, Establishment Minister and Planning Minister—selected 20 persons during 1979-80 for the SSP in posts of the level of Joint Secretary and above. The balance of force in the inter-service competition became apparent from the facts that ex-EPCS contributed the largest number, viz, 9 of this group of 20 and ex-CSP contributed none. BCS (Admn.) is nursing the grumble that the SSP, constituted as they are, register victory of the specialist with a vengeance.³³ The BAS officials argued that in the new service structure the specialist services have access to the posts in general administration in the Secretariat, but BCS (Admn.) cadre has no access to top posts in the specialist cadres.

Specialists on the contrary contended that the formation of the SSP was the repletion of the old elitist position of the erstwhile CSP and EPCS in different form. Automatic encadrement of the BAS officials in the SSP who held the posts of Secretary, Additional Secretary, Joint Secretary and Deputy Secretary before March 1, 1979 left hardly few opportunities for other cadre officials to be represented in the SSP, because CSPs and EPCSs have monopolized the top administrative positions in the Secretariat. In fact, as of early 1980 of the 525 officials encadred in the SSP, 520 were BAS officials with experience of fifteen years of service. Interestingly all these officers were automatically inducted in the SSP without any objective selection by the Public Service Commission as was supposed to be according to the SSP Order.³⁴ Thus the creation of SSP purportedly created as an apex policy pool drawing qualified and talented officers from all cadres of civil service virtually became

a preserve of generalist civil servants. This is how the major recommendations of the P&SC with regard to pay and service reorganization were implemented in Bangladesh civil service structure.

The reasons underlying the success in implementing the major recommendations of the P&SC may be attributed to favourable time of the regime, adoption of correct strategy and the firm commitment of the government. In addition to the strength inherent in the Martial Law government, the regime of Ziaur Rahman was cordially supported by the political oppositions who were severely opposed to the Awami League regime. Economy was restored to a satisfactory level compared to Mujib regime. Ziaur Rahman restored the slashed privileges of the bureaucracy and won their spontaneous support who were the most disgruntled segment of administration in the Awami League regime³⁵ and adopted the correct strategy of *go slow* technique instead of doing too much too soon in the process of implementation. Zia adopted a middle course in devising an administrative system which would not antagonize the key components in the polity and civil service system. The Cabinet Committee Zia appointed to scrutinize the recommendations of P&SC heavily depended on the government bureaucrats for input, and it is alleged that the top ranking bureaucrats successfully not done necessary alterations in the actual recommendations of P&SC which would have threatened their privileged position in society.³⁶ Thus the implementation of the major recommendations of P&SC did not seriously jeopardize the dominant position of generalist bureaucrats as was aimed at by P&SC.

COMMITTEE FOR ADMINISTRATIVE REFORM/ REORGANIZATION (CAR/R) 1982

General Ershad, Chief of Army Staff, seized power through a peaceful coup by toppling the democratically elected President Justice Abdus Sattar on March 24, 1992. Immediately after the assumption of state authority he concentrated on the reform of administration and appointed two reform Commissions. Martial Law Committee on April 18, 1982 and the Committee for Administrative Reform/Reorganization (CAR/R) on April 28, 1982 respectively. In this paper I shall concentrate on the recommendations of the CAR/R and its attendant implementation problems. The CAR/R was asked :

1. To review the structure and organization of the existing civilian administration with a view to identify the inadequacies of the system for serving the people effectively.

2. To recommend an appropriate sound and effective administrative system based on the spirit of devolution and objective of taking the administration nearer to the people.

The Committee held the view that to ensure people's participation in the development process, the following measures would have to be undertaken :

- (a) Elected local government bodies should possess effective authority.
- (b) Elected local government at district, Thana and union levels should be concurrently supported by decentralized planning and should implement projects of local importance.
- (c) Adoption of policy of non-interference by the central government in matters which were within the purview of the local government.
- (d) Dedicated and trained civil servants who could live with work among the people.

The major recommendations of the CAR/R were :

- (a) Chairman of the Zila Parishad, Thana Parishad and Union Parishads to be directly elected.
- (b) Officials to be members of the Council (Parishad) at representative levels.
- (c) Elected Chairman to be the coordinator at all levels.
- (d) Elected Councils to have full functional control over the officials working at that level.
- (e) Elected Chairman to be provided with full and adequate staff support.
- (f) Chairman of the Thana Parishad to be member of Zila Parishad.
- (g) Chairman of the Union Parishads to be members of Thana Pureshad.
- (h) Adequate devolution of administrative, judicial and financial powers at the district and Thana levels.
- (i) Strengthening of village Courts in terms of authority and training.
- (j) Development of infrastructure at Thana level to make development of adequate authority possible.
- (k) Elimination of unnecessary levels, i.e., sub-division and divisions.³⁸

The military government promptly accepted the recommendations of the CAR/R Report and constituted a National Implementation Committee for Administrative Reform/Reorganization (NICAR/R) to facilitate the implementation of the CAR/R recommendations. The implementation of the recommendations of the CAR/R on the lines suggested by NICAR/R 460 Thanas were upgraded in 10 phases from November 7, 1982. Later, government promulgated the Local Government (Thana Parishad and Thana Administration Reorganization Ordinance, Second Amendment, 1983) which substituted the word, 'Thana' by 'Upazila' and 'Thana Nirbahi Officer' by 'Upazila Nirbahi Officer' (UNO).

Until elections to the Upazila Parishad were held, interim arrangement was made in which UNO was authorized to preside over the Parishad meetings and perform the functions of the Chairman. Special measures were also taken to disburse central government grants to the Parishads and the latter was initially instructed to give priority to physical infrastructure at the headquarters, especially housing for officials and staff. The Planning Commission worked out details of programmes and projects suitable for transfer to the Parishad, and issued guidelines outlining terms and conditions for fund utilization.

The Upazila Parishad was made the focal point for all administrative and development activities in Bangladesh. The tasks and responsibilities entrusted with Upazila Parishad were numerous and of great importance. In the process of decentralization as envisaged in the CAR/R report, Thana Parishad the Thana Development Centre had been abolished and responsibilities of development activities at the local level were transferred to the Upazila Parishad. The main functions of the Upazila Parishad was to prepare an Annual Upazila Development Plan as well as Five-year Plan and to maintain a plan book which would continuously be updated in each financial year. Moreover the Upazila Parishad will assist, supervise and guide Union Parishads in their activities identifying projects and implementing plans.

Upazila administration is run by the Upazila Parishad headed by a Chairman directly elected by the people belonging to the Upazila. Upazila Parishad comprises two categories of members—the voting members and non-voting official members. To facilitate quick decision-making and smooth functioning of developmental activities at Upazila level, comparatively higher officials than ever had been posted and a number of committees such as Upazila Planning and Evaluation Committee (UZPEC), Upazila Project Committee, were set up. The official procedure of monitoring development projects involved a review of projects for implementation at least once in a

month by the UZPEC. The progress report by the UZPEC was submitted in the meetings of the Upazila Parishad with their observations for the consideration of the Parishad.

Implementation of any administrative reform measure presupposes cooperation of government bureaucracy from within and political support from without. In this section of the paper, I shall focus on how these two key segments did respond to the Upazila administration.

ADMINISTRATIVE RESPONSE TO UPAZILA

The attitude of the generalist bureaucrats towards Upazila administration seemed to be tentative in the initial days on bureaucratic grounds. Unlike in other reform measures the actual resistance came from the specialist civil servants in the process of implementation of Upazila scheme.

The decision of the NICAR/R to fill up the posts of UNOs from among the members of the administrative class who previously served at least as Sub-Divisional Officers created heart-burning among them. Since the inception, the generalist class looked upon Upazila as a derogatory move downgrading their prestige and status, because the new system forced them to step down to a position where they had previously exercised full administrative control. They could not reconcile to the idea of filling up the position which was earlier held by Circle Officer (Dev.). As Sub-Divisional Officers they exercised administrative and regulatory control over three to four Thanas and they would be permanently tied, until promoted or transferred to a district, to only one Thana. Moreover the idea of acting as Staff Officer to an elected Chairman haunted them most. All these combined created a mood of subdued resistance against serving in the Upazila as UNO. But despite their tacit reluctance to shoulder new responsibilities, they took up their positions and carried on with work without any overt hostility to the system. Two factors might have played the role of lubricator in appeasing their grumbling. First, under the local government law, until the elections of the Chairman, they acquired the legal status of the Chairman wherein they were vested full administrative control over other functionaries at the Upazila. Secondly, another practical reason for the acceptance of the new system was the government's decision to upgrade the sub-divisions into districts which would open up new avenues of promotion at a much faster rate than would have been possible in the old system. Moreover, they could force in view of the structural and procedural aspects of Upazila administration that it would not endanger the preponderant role of the bureaucracy and its entrenched position

in society, despite an elected Chairman replacing a member of the central bureaucracy (former Sub-Divisional Officer) at the Upazila level.³⁹

RESPONSE OF THE SPECIALIST SERVICES TO UPAZILA ADMINISTRATION

By 1984 when the Upazila system was established, the specialist services, particularly the Agriculturists and the Engineers whose services were brought under the list of Transferred Subjects, looked upon the Upazila with suspicion and distrust. Their main point of contention was that Upazila administration was nothing but extension and consolidation of the hold of the administrative services working at the Upazila level. This suspicion and distrust became more ingrained when some early decisions of the government made UNO not only first among equals but also entrusted full administrative control over all other functionaries. The government had tried to appease the disgruntled specialists by saying that the UNO's control over other functionaries was temporary, and they would cease to have any control as soon as the elected Chairmen took over. But uncertainties of holding Upazila Chairman election in 1984 made the government's argument suspect. They interpreted it as a subterfuge to perpetuate UNO's control over other departmental functionaries.

NINE-POINT DEMAND OF THE SPECIALIST SERVICES

The government's decision of placing the services of all Upazila level officers dealing with transferred subjects at the disposal of the Upazila Parishad evoked sharp reaction from three specialist services — the medical, engineering and agriculture. These three services formed what they called Central Coordination Committee which urged upon the government not to implement the decision before elections to the Upazila Parishads were held.

The Coordination Committee submitted a memorandum to the President on December 19, 1984 containing 9-Point Demands which included among other things, revocation of the decision of placing the services of the doctors, engineers and agriculturists at the disposal of the UNO by January 15, 1985. The Committee held a national convention and decided that if their demands were not met within the stipulated time, they would be forced to go on strike for 24 hours of February 3, 1985 and then for an indefinite period from February 7 onwards.

Since it was not considered wise to open too many pockets of resistance, amidst political dilemma, created due to rejection by the 15-party and 7-party alliances to hold parliamentary polls, the government authority at the highest level thought it was expedient to *coax, cajole, and persuade* the three

specialist services not to oppose the reform measures. On January 29, the President met the members of the Central Coordination Committee and agreed to revoke the decision of placing the services of doctors, engineers and agriculturists at the disposal of the UNOs. As to their other demands, the government constituted a high level Cabinet Committee to look into the same and recommend decisions for approval of the President.⁴⁰ However, the specialists' resistance to Upazila administration came to an end in the backdrop of the changed situation while government decided to reimpose Martial Law, got thumping victory in the referendum and held Upazila polls in April 1985. All these measures made the military government stronger enough to implement their reform measures at the Upazila level. Thus the government eventually was able to take a firm decision on the question of placing the services of the Upazila level officers at the disposal of their respective Upazila Parishads as envisaged in the CAR/R report.

POLITICAL RESPONSE TO THE UPAZILA ELECTIONS

Government faced with a frontal opposition, though temporary from the mainstream political parties from the very date of announcing the Upazila polls. At one stage, the wall of oppositions raised by the political parties seemed to be unsurmountable which made the Upazila polls unlikely to be held.

Opposition political parties objected to the Upazila polls on the constitutional ground that only a "sovereign parliament could take decision on such fundamental policy issues." In the backdrop of their opposition on constitutional ground political oppositions were apprehensive of their local leaders that they might shift their allegiance to the party in power which happened in the previous reigns of Muslim League in the 1960s, Awami League in the early 1970s, and the Bangladesh Nationalist Party in the late 1970s and 1980s.⁴¹

The trend from the experience of elections to local councils in Bangladesh is evident that local leaders prefer to be the beneficiary of the party in power than to be underdogs with any real ideological convictions.⁴² To avoid such a risk the opposition demanded parliamentary elections to be held prior to any local government elections. "The strategy being to prevent the government from intruding into the opposition's fragile and unstable support base."⁴³ In its bid to force the government to accede to opposition demand, the mainstream parties organized tremendous mass demonstration and *hartals* (strikes), called upon the candidates to withdraw their nomination papers. They resorted to such an extreme measure as observing a dawn to dusk *hartal* on the election

day. Government tried to neutralize the opposition through a carrot and stick approach, but the recalcitrant political parties paid no heed to it.

In such a perturbing situation General Ershad had two alternatives left before him. The first was to accept the demands of the opposition and reach a political settlement on the question of future structure of the government and administration. Second alternative was to postpone the Upazila polls, gain time to acquire legitimacy and muster political strength to carry on the task of implementing the reform measures. It was very difficult for the military government to accede to the first choice, for it would lead to virtual extinction of the military government itself. Therefore, the inevitable choice was to buy time, acquire some semblance of legitimacy and strike back politically.⁴⁴

As a strategy to legitimize his stay in power Ershad held a nationwide referendum in which he secured public approval (99 per cent vote in his favour) for his policies and programmes and his claim to the presidency until constitutional government could take over. The triumph of General Ershad in the referendum not only conceded legitimacy of his power but also made his hands politically strong enough to pursue his democratization process of Upazila and overcome any opposition to implement CAR/R recommendations at the local level. He rescheduled the date for Upazila polls in May 1985 and promulgated a Martial Law Ordinance which made any political campaign against Upazila poll banned. The mainstream oppositions boycotted the elections but failed to organize any mass resistance. Thus elections to 460 Upazilas got under way throughout the country in May 1985. This is how only one recommendation of the CAR/R report, i.e., democratization of administration at Thana/Upazila level, got implemented despite bureaucratic and all-out political resistance.

In this hostile politico-administrative context one of the important recommendations of the CAR/R report was implemented. CAR/R, in fact, recommended comprehensive measure to reorganize the whole field administration of the country. But the government of General Ershad followed the incremental strategy as a course of implementing the recommendations and took only one recommendation of the CAR/R, i.e., democratization of Thana administration which he renamed later as Upazila administration. Instead of doing too much too soon he adopted the piecemeal approach and *go slow* technique as a strategy of implementation in accordance with the gravity of the situation. The implementation of the Upazila scheme demonstrates a fundamental factor that firm commitment on the part of the government can

overcome all odds and opposition from any quarter in the way of reform implementation.

CONCLUSION

Analysis of the implementation process of the four major Commissions/Committees constituted between 1972-1982 demonstrates that despite resistance from top bureaucracy reform measure is likely to be implemented provided government is committed to reform implementation and adopts correct strategy in accordance with the magnitude of the situation. The total scrapping of the ASRC recommendations may be attributed to the unfavourable time of the regime in power. In fact, staggering political conditions of the regime followed by unprecedented bankruptcy made the government impotent to go for implementation of the comprehensive recommendations of ASRC. The recommendations of the NPC were partially implemented and crumbled down because of the inherent weakness of the reform measure itself and adoption of wrong strategy by the government. Two successive military regimes of General Ziaur Rahman and General Ershad implemented the major recommendations of P&SC and one recommendation of the CAR/R report respectively in the face of bureaucratic and political resistance. Implementation of the P&SC and CAR/R recommendations points to a fact that if the government has the political strength and leadership ability and adopts correct strategy matching with gravity of the timing, administrative reform may be implemented despite top bureaucratic resistance. But it may be mentioned that the implementation of the P&SC and CAR/R recommendations did not so much reduce the dominance of generalist bureaucrats in spirit as it appears to have been in letters, for necessary alterations have been provided for by the top-ranking bureaucrats in the process of implementation which would have otherwise affected their entrenched position adversely in society.

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Islamic Resurgence in Pakistan : 1947—1977

KHAN ZAMAN MIRZA

INTRODUCTION

The Islamic Republic of Pakistan is an ideological State. Its *raison d'être* is the 'Two-Nation Theory'. It was on this basis that in his Presidential address at the All-India Muslim League session held at Lahore, where the historic Pakistan Resolution was adopted on 23rd March, 1940, the Quaid-i-Azam had expressly stated that :

We wish our people to develop to the fullest our spiritual, cultural, economic, social and political life in a way that we think best and in consonance with our own ideals and according to the genius of our people.¹

Other factors apart, it, therefore, makes it abundantly clear that religion was the major motivating force behind the Movement that led to the creation of Pakistan. This was essentially because we are a nation, separate and distinct from the Hindus. There existed an ideological and cultural conflict between these two nations since the advent of Islam in South Asia. This rendered unification between the two impossible, and constituted the widest gulf. It was in this context that the Quaid-i-Azam had defined just why Muslims are a separate nation. In an interview with the representative of Associated Press of America, on July 1, 1942, the Quaid-i-Azam described the Muslim nationhood, which had made a striking impact. He said :

We are a nation with our own distinctive culture and civilization, language and literature, art and architecture, names and nomenclature, sense of value and proportion, legal laws and moral codes, customs and calendar, history and traditions, aptitudes and ambitions, in short, we

Khan Zaman Mirza, Director, Institute of Kashmir Studies, University of Azad Jammu and Kashmir, Muzaffarabad.

have our own distinctive outlook on life and of life. By all canons of international law we are a nation.²

It is an undeniable historical fact that formation of the Muslim Nation preceded the demand for the establishment of Pakistan. This is not an academic question, but it is a concrete idea. It was in this context that, in his speech at Aligarh on March 8, 1944, the Quaid-i-Azam had made it clear :

Pakistan was not the product of the conduct or misconduct of the Hindus. It had always been there, only they were not conscious of it. Hindus and Muslims, though living in the same towns and villages, had never been blended into one nation; they were always two separate entities.³

It was on the basis of this separate and distinctive entity of the Musalmans, and through an historic constitutional and democratic struggle, that Pakistan was brought into being. It can, therefore, be said without any fear of contradiction that the objective of the Pakistan Movement, as defined by the Quaid-i-Azam, could be achieved only through a constitutional and democratic process alone. Despite the fact that an over-whelming majority of the people of Pakistan adhere to the ideology of Pakistan, they are, however, far away from the ideal of an Islamic State, as envisioned by the Founder of Pakistan. The question naturally arises as to why have we failed? Let us, therefore, discuss and examine as to what steps have been taken, so far, for the realization of this objective.

Eversince the establishment of Pakistan, there has been going on an unending conflict among the traditional *Ulama*, religio-political parties and the politicians on the question of the shape of the constitution. Moreover, they also lack unanimity on the nature and character of an Islamic State in Pakistan. In this connection, some of the observations, briefly quoted below, deserve special consideration. In his book, *Ideology of Pakistan*, Khalifa Abdul Hakim writes :

Most secular leaders believed, that *Ulama* were confusing religion with religiosity. The leaders agreed that Islam provided a complete code of life, but they did not believe that the details of that code were for ever fixed and irrevocable.⁴

A Western Scholar, Leonard Binder, expressed the view that :

As is most often true in colonial territories, Pakistani politicians are for the most part holders of degrees in Law. Consequently, in so far as, this

Westernized elite is concerned, a constitution is a legal document. The *Ulama*, however, have their own conception of the nature of law. Thus it developed that the *Ulama* and the politicians dealt with what each considered to be their own functional sphere, but each started from entirely different premises.⁵

Freeland Abbott another Western Scholar maintains :

Those traditionalists, led by the scholars of Deoband, who had actively campaigned for the departure of the British had many reservations about the proposed State of Pakistan. For one thing, they distrusted the leadership of the Westernized Muslims, who, to them often, seemed to have no real understanding of Islam.⁶

Another Western Scholar, Keith Callard holds :

Public life in Pakistan has suffered from a marked tendency to try to act on two contradictory principles at the same time. The people want the country to be founded on the full measure of the immutable principles of Islam; yet they are willing to abandon none of the advantages of a modern secular State. They want democracy but they also admire an act of strength and rally to support the man who has acted. They want provincial autonomy but are not ready to deny power to the central government. They want a foreign policy that will give automatic support to all Muslim causes; yet they also desire all the benefits of a policy of selective self-interest.⁷

The same author is, however, of the opinion that :

There are many ideological currents that carry anti-democratic implications, but they have not been presented as the basis of an alternative form of government. Some of the proposals put forward by the men of religion have been impossible to reconcile with democratic practice. But there has been no open clash between the democrats and the *Mullahs*. Most of the latter proclaim that Islam is a democratic system and, in general terms, are prepared to praise the virtues of responsible government.⁸

While, on the one hand, the newly established State of Pakistan was confronted with unprecedented and numerous problems on account of the Anglo-Congress conspiracies, it had to face agitational politics of the religious

parties on the other. They were those, who had opposed the creation of Pakistan. But the Founder of Pakistan and the Government did not lose sight of the ideal of an Islamic State in Pakistan.

The Founder of Pakistan, Quaid-i-Azam Mohammad Ali Jinnah, and the Muslim League Government had, on many occasions, declared that Pakistan would be a Modern Islamic Democratic State. There were, however, sharp differences of opinion among various sections; namely, the Muslim League leadership, Religio-Political parties and the *Ulama*. In fact, apart from doctrinal differences, the *Ulama* and the politicians were crossing swords against each other. The politicians could not reconcile with the *Ulama*, because the latter had, by and large, opposed the creation of Pakistan. Moreover, the *Ulama* had also cast aspersions on the person of Quaid-i-Azam and other leadership of the Muslim League. After the creation of Pakistan, these very opponents had become supporters of an Islamic State. The patriotic people, the politicians and the government could not reconcile with *Ulama's* concept of a theocratic State. It would, therefore, be proper and in the fitness of things to give a brief introduction of these parties which demanded a truly Islamic constitution but were divided among themselves on the shape of constitution and nature and character of an Islamic State in Pakistan.

ROLE OF RELIGIO-POLITICAL PARTIES

Jamiat-al-Ulama-i-Islam

Maulana Shabbir Ahmad Usmani was the President of this party. He was an outstanding figure among the *Ulama* of Pakistan. During the crucial phase of the Pakistan Movement, he had severed his connection with the 'Jamiat-al-Ulama-i-Hind' which was "organized in 1920 with the help of the Congress, and it gave its support to the Congress through the medium of the Khilafat campaign."⁹ In this connection, it may be stated that "the Jamiat-al-Ulamai-i-Islam, organized in 1945, supported the Muslim League and expected it to make Pakistan an Islamic State."¹⁰

After the establishment of Pakistan, Maulana Usmani arrived in Pakistan in December, 1947 and organized the party of Ulama-i-Islam. What he did was, that :

On January 13, 1948, at a meeting of the Jamiat-al-Ulama-i-Islam, a resolution was passed demanding that the government appoint a leading

Alim to the office of *Shaikh al-Islam*, with appropriate ministerial and executive powers over the *Qazis* throughout the country.¹¹

Maulana Shabbir Ahmad Usmani remained true to the ideal of making Pakistan an Islamic State. He acted as a link between the government and the *Ulama*. It appears that it was with this aim in view that he "had been given a seat in the Constituent Assembly by the Muslim League Parliamentary Board and the party's demand that the office of a *Shaikh al-Islam* be established was partially met by addressing Shabbir Ahmad Usmani with that title."¹² However, "his death in December, 1949 was a blow to the All-Pakistan stature of the party as well as to its struggle for an Islamic Constitution."¹³

Jamiat-al-Ulama-i-Pakistan

Maulana Abdul Hamid Badayuni was its first President. "He was one of the *Brelvi Ulama* who had supported Muslim League in its demand for Pakistan."¹⁴ In the early years of the creation of Pakistan, it was a rival body of *Jamiat-al-Ulama-i-Islam* which had the official patronage. This party struggled for its status and recognition by the government. Although this party also demanded introduction of an Islamic Constitution yet "it had doctrinal basis of differences with the *Jamiat-al-Ulama-i-Islam*."¹⁵ However, this party had also no confrontation with the government on the issue of the introduction of an Islamic Constitution.

Jamaat-i-Islami Pakistan

The *Jamaat-i-Islami*, says Leonard Binder, is "the only significant fundamentalist organization in Pakistan."¹⁶ Maulana Maududi was its founder, principal thinker and spokesman for a pretty long time. He says :

Having been founded in August, 1941, after the Muslim League's Lahore Resolution was passed, the *Jamaat* would seem rather to have been aimed against Pakistan, though it was undoubtedly influenced by several earlier self-differentiating and romantically oriented groups.¹⁷

It is not intended here to trace the genesis of *Jamaat-i-Islami* and its opposition to the creation of Pakistan. However, reference is made to the views of this party to help understand its mechanism. Freeland Abbott says :

Maulana Maududi opposed nationalism because it is un-Islamic; he refused to support the movement for the separation of Pakistan from India

because he believed the Muslim leadership cared little about Islam or Islamic principles. With the establishment of Pakistan as an independent nation, however, he began to work toward moulding the new State to fit his idea of an Islamic State.¹⁸

It is against this background that the role of Maulana Maududi and his Jamaat-i-Islami has been discussed in so far as the objective of the realization of an Islamic State in Pakistan is concerned.

In his speech delivered at the Law College, Lahore on January 6, 1948, Maulana Maududi said :

Neither the westernized politicians nor the *Ulama* could be relied upon to lead Muslims toward the goal of an Islamic revolution. The case of Pakistan is not, however, the same as that of other Muslim countries, certain similarities of situation notwithstanding. This is so because it has been achieved exclusively with the object of becoming the homeland of Islam.¹⁹

In April, 1943, the Quaid-i-Azam had categorically stated :

The Constitution of Pakistan can only be framed by the *Millat* and the people. Prepare yourselves and see that you frame a constitution which is to your heart's desire. There is a lot of misunderstanding. A lot of mischief is created. Is it going to be an Islamic Government? Is it not begging the question? Is it not a question of passing a vote of censure on yourself? The Constitution and the Government will be what the people will decide.²⁰

He remained true to his ideal of an Islamic State. Addressing the Muslim League Council Meeting, held at Karachi on 15th December, 1947, the Quaid-i-Azam declared :

Let it be clear that Pakistan is going to be a Muslim State based on Islamic ideals. It was not going to be a ecclesiastical State. In Islam, there is no discrimination as far as citizenship is concerned. The whole world, even, UNO has characterized Pakistan as a Muslim State.²¹

Addressing the Sindh Bar Association, on the occasion of the Prophet's Birthday, the Quaid-i-Azam observed :

I cannot understand why this feeling of nervousness that the future Constitution of Pakistan is going to be in conflict with *Shariat Law*?

There is one section of people who keeps on impressing everybody that the future Constitution of Pakistan should be based on *Shariah*. The other section deliberately wants to create mischief and agitate that the *Shariat* Law must be scrapped.²²

The Quaid-i-Azam continued to assure the people of Pakistan that Pakistan would be a democratic Islamic State. Speaking at *Sibbi Darbar* in February, 1948, he said :

It is my belief that our salvation lies in following the golden rules of conduct set for us by our great law-giver, the Prophet of Islam. Let us lay the foundations of our democracy on the basis of truly Islamic ideals and principles. Our Almighty has taught us that "our decisions in the affairs of the State shall be guided by discussions and consultations."²³

It is an established fact that some of the speeches and statements of the Quaid-i-Azam, briefly quoted above, make it abundantly clear that he wanted to make Pakistan as a truly Islamic democratic State. It is in this context that some of the steps, taken by the successive governments of Pakistan, have been discussed.

CONSTITUENT ASSEMBLY AND THE OBJECTIVES RESOLUTION

After one year of the creation of Pakistan, the Quaid-i-Azam died. The sole responsibility had thus fallen on the shoulders of Prime Minister Khan Liaquat Ali Khan. He made concerted and sincere efforts, and took concrete steps for the realization of the ideal of an Islamic State in Pakistan. In this connection, his speech, made in the Constituent Assembly of Pakistan, deserves special consideration. He made it absolutely clear, stating that :

Pakistan was founded because the Muslims of this sub-continent wanted to build up their lives in accordance with the teachings and traditions of Islam; because they wanted to demonstrate to the world that Islam provides a panacea to the many diseases which have crept into the life of humanity to-day.²⁴

Khan Liaquat Ali Khan had personally moved the historic 'Objectives Resolution' in the Constituent Assembly on March 7, 1949, which was unanimously adopted by the Muslim members of the Assembly on March 12, 1949. The Objectives Resolution was the first major step towards the framing of an Islamic and democratic Constitution. Indeed, this Resolution was essentially a partial fulfilment and manifestation of the hopes and aspirations of

the people, and was an enunciation of the basic principles as laid down by the leaders of the Muslim League during the struggle for Pakistan. Against this background, "the Muslims unanimously viewed it (the Objectives Resolution) as a statement embodying the ideal that had inspired their struggle for a separate homeland."²⁵

It was in pursuance of this Resolution that further steps were taken for the framing of a Constitution for the Islamic Ideological State of Pakistan.

Basic Principles Committee

Soon after the 'Objectives Resolution' was adopted by the Constituent Assembly, a twenty-five members Committee was appointed under the Chairmanship of its President, Maulvi Tamizuddin Khan. This Committee is popularly known as the 'Basic Principles Committee'. It was "to report on the basic principles of the future Constitution of Pakistan in accordance with that resolution."²⁶ This Committee met in mid-April, 1949 and decided "to set up a Board of experts consisting of reputed scholars well versed in *Talimaat-i-Islamia* to advise on matters arising out of the Objectives Resolution and on other such matters as may be referred to them by the various sub-committees."²⁷

However, the Board of *Talimaat-i-Islamia* and the Basic Principles Committee had divergent views in regard to the nature and character of an Islamic State in Pakistan.

Recommendations of the Board of *Talimaat-i-Islamia*

The Board of *Talimaat-i-Islamia* had been asked to give its opinion on the following points coming up for consideration before the Sub-Committee on Federal and Provincial Constitutions and Distribution of Powers :

1. Special and ordinary powers of the Head of the State and of the Heads of the Units.
2. Head of the State-Procedure for selection.
3. Constitutional powers and functions of the Legislature.
4. Emergency Laws.
5. How to enable the Muslims to order their lives i. accordance with the tenets of the Holy Qur'an and *Sunnah* as laid down in the Objectives Resolution.

6. Note by Malik Firoz Khan Noon regarding creation of a National Council.²⁸

It may be mentioned that system of the Government recommended by the Board of *Talimaat-i-Islamia* was "similar to the Presidential form of government as understood in modern terminology."²⁹ On the contrary, the basic Principles Committee "decided finally in favour of Parliamentary system of government as against the Presidential system. The Head of the State was to be elected for a period of five years by the Federal Legislature."³⁰ As regards the Constitutional powers and functions of the Legislature, the views³¹ of the Board of *Talimaat-i-Islamia* ran counter to the views of the Basic Principles Committee of the Legislature and were not acceptable to it. This was essentially because, on the one hand, these views curtailed powers of the Legislature and, on the other were un-authenticated and unsubstantiated by any Islamic source or Islamic Law. The views of the Board were, therefore, rejected by the Basic Principles Committee. This Committee, however, presented to the Constituent Assembly on September 7, 1950, its interim report which recommended that "it should incorporate the 'Objectives Resolution' as a Directive Principle of State Policy."³²

Ulama Convention

It may be noted that between the period, April, 1949 to September, 1950, the *Ulama*, by and large, had remained inactive. This was because, with the setting up of the Board of *Talimaat-i-Islamia*, they had been satisfied. Moreover, the demands of Maulana Maududi, as presented in his Law College, Lahore lecture on February 18, 1948, had also been incorporated in the 'Objectives Resolution'. However, the interim report of the Basic Principles Committee was received with serious criticism from different quarters, particularly by the *Ulama*. It was against this background that the *Ulama* took an initiative in early January, 1951. Thirty-one prominent *Ulama* belonging to different areas of Pakistan and representing different schools of religious thought held a convention at Karachi from January 21-24, 1951. The *Ulama* Convention had unanimously adopted twenty-two principles for framing the Constitution of Pakistan, which were "sent off to the Secretariat of the Constituent Assembly."³³

These recommendations were Islamic and democratic in letter and spirit to a great extent. In so far as the framing of Constitution was concerned, these recommendations went a long way to influence the thinking and working of the

Government and that of the Constituent Assembly in the days to come. The *Ulama* in Pakistan, who had expressed unanimity of views perhaps for the first time, however, could not keep unity in the years to come and were divided among themselves.

Report of the Basic Principles Committee

As already explained, the views of the Board of *Talimaat-i-Islamia* had been rejected by the Basic Principles Committee. It was because these were not authenticated by any source of Islamic Law. Moreover, the Legislators were not prepared to delegate their authority to an Advisory Body. However, the interim report of the Basic Principles Committee had met with a storm of opposition from both within and out side the Assembly. It was after the twenty-two principles were recommended by the *Ulama* Convention, referred to above, that the Basic Principles Committee proceeded with its work for preparing recommendations for framing the Constitution of Pakistan. Subsequently, the Committee finalized its report, which was unanimously adopted on September 21, 1954. Consequently, it was presented to the Constituent Assembly. Thereafter, a Draft Constitution was also prepared by the Drafting Committee with the assistance of Sir Ivor Jennings.

The Draft Constitution was printed for submission to the Assembly in its next session. The Report of the Basic Principles Committee, which conceded in principle all the demands of the *Ulama* and those of the *Jamaat-i-Islami* was incorporated in the Draft Constitution. However, there were rumours that the Governor-General intended to dissolve the Assembly. Consequently, on October 12, 1954, the Central Executive of *Jamaat-i-Islami* declared that "the proposed Constitution of Pakistan was to a very great extent Islamic in character and demanded its adoption forthwith. Dissolution of the Assembly was opposed."³⁴ Mufti Muhammad Shafi told the Press that agitation for dissolution of the Assembly was "an ingenious design to destroy the Islamic character of the proposed Constitution to whatever extent it is."³⁵ Maulana Ihtashamul Haq also joined the religious chorus against dissolution.³⁶ As regards the *Jamaat-i-Islami*, it "supported Mufti Shafi's call to observe October 22, 1954, as Islamic Constitution Day and urged that the new Constitution be enforced on December 25, 1954, by the Assembly, after duly amending it in accordance with the amendments of the *Ulama*."³⁷

The Governor-General, Ghulam Mohammad, however, dissolved the Assembly on 24th October, 1954. Maulana Abdul Hamid Badayuni, President

of the Jamiat-al-Ulama-i-Pakistan followed a different course of action. He sent the Governor-General a "congratulatory telegramme,"³⁸ and "thus the ranks of the *Ulama* were split hours after the dissolution of the Assembly."³⁹ It is unfortunate to note that "at the end of 1954 it seemed that the struggle for an Islamic Constitution had ended in a defeat for the religious interests as had the struggle for a parliamentary government by the politicians."⁴⁰

After the dissolution of the First Constituent Assembly of Pakistan on October 24, 1954, the politicians changed their loyalties with quick succession. As regards the *Ulama*, they were divided among themselves. As a result thereof, no serious opposition was offered to the government by them. It was because that "after the report of the Inquiry Committee was presented to the Government the demand for an Islamic State receded and the *Ulama* were thrown in the background."⁴¹ During this period, the corrupt practices adopted by the politicians had made them practically ineffective, and the country was run by them with the collaboration of Bureaucracy. Prominent among the Bureaucrats were : Ghulam Mohammad, Chaudhry Muhammad Ali and Iskandar Mirza. What had followed after the dissolution of the Constituent Assembly? It was that what the First Constituent Assembly of Pakistan had achieved in the form of 'Interim Report' of the Basic Principles Committee was, for the time being, undone by the Bureaucracy.

A new Constituent Assembly was indirectly elected by the members of the provincial legislatures by the method of proportional representation with the single transferable vote in 1955. On September 30, 1955, the Assembly passed a Bill merging the provinces of West Pakistan into a single province. The Provinces of East and West Pakistan were placed on a footing of equality in regard to the representation in the federal legislature. Thereafter, the process of Constitution making started afresh.

THE CONSTITUTION OF 1956

A new Draft Constitution was presented to the Second Constituent Assembly of Pakistan on January 8, 1956. With few important amendments, the new Constitution was adopted by the Assembly on February 29, 1956, and was promulgated on March 23, 1956. This Constitution declared Pakistan to be an Islamic Republic. It was mentioned that :

There were five sections of the draft which may be taken to represent the gains of the *Ulama* and other religious groups : the Preamble, the Directive Principles of State Policy, the Name of the State, the

Qualifications of the Head of the State, and the Islamic Provisions. In none of these five sections was any substantial change made in the finally adopted version.⁴²

The above features of the Constitution of 1956, which manifest Islamic character of the State, were aimed at the realization of an Islamic State in Pakistan. These are discussed and examined as under :

Preamble

The 'Objectives Resolution,' adopted on March 12, 1949, by the First Constituent Assembly of Pakistan, was incorporated as Preamble of the 1956 Constitution. It is summarized as under :

"Sovereignty over the entire Universe belongs to Allah Almighty alone, and the authority to be exercised by the people of Pakistan within limits prescribed by Him is a sacred trust; that the State should exercise its powers and authority through the chosen representatives of the people; that the principles of democracy, freedom, equality, tolerance and social justice, as enunciated by Islam, should be fully observed; that the Muslims of Pakistan should be enabled individually and collectively to order their lives in accordance with the teachings and requirements of Islam, as set out in the Holy Qur'an and *Sunnah*; and that adequate provisions should be made for the minorities freely to profess and practice their religion and develop their culture. That citizens should be guaranteed fundamental rights including rights such as equality of status and of opportunity, equality before Law, freedom of thought, expression, belief, faith worship, and association, and social, economic, and political justice, subject to Law and public morality and wherein the independence of the Judiciary should be fully secured."⁴³

An addition of a clause was made in the 'Objectives Resolution' which expressed the desire of Quaid-i-Azam Muhammad Ali Jinnah that "Pakistan would be a Democratic State based on Islamic Principles of social justice."⁴⁴

The Name of the State

In Part I of the 1956 Constitution, it was declared that "Pakistan shall be a Federal Republic to be known as the Islamic Republic of Pakistan."⁴⁵

Directive Principles of State Policy

Part III dealt with Directive Principles of State Policy. Article 24 laid down that :

"The State shall endeavour to strengthen the bonds of unity among Muslim countries, to promote international peace and security, to foster goodwill and friendly relations among all nations, and to encourage the settlement of international disputes by peaceful means."⁴⁶

Article 25 (1 and 2) provided that :

1. Steps shall be taken to enable the Muslims of Pakistan individually and collectively to order their lives in accordance with the Holy Qur'an and *Sunnah*. 2. The State shall endeavour, as respects the Muslims of Pakistan to provide facilities whereby Muslims of Pakistan may be enabled to understand the meaning of life according to the Qur'an and *Sunnah*; to make the teachings of the Qur'an compulsory, to promote unity and the observance of Islamic moral standards; and to secure the proper organization of *Zakat*, *Waqf* and Mosques.⁴⁷

Article 26 laid down that "the State shall discourage parochial, racial, tribal, sectarian and provincial prejudices among the citizens."⁴⁸

Article 28 said that :

The State shall endeavour to remove illiteracy, and provide free and compulsory primary education within the minimum possible period; and prevent prostitution, gambling and the taking of injurious drugs and; prevent the consumption of alcoholic liquor other than for medicinal and, in the case of non-Muslims, religious purposes.⁴⁹

Article 29 looked after the social and economic well-being of the people, and laid down that :

The State shall endeavour to secure the well-being of the people, irrespective of caste, creed or race, by raising the standard of living of the common man, by preventing the concentration of wealth and means of production and distribution in the hands of a few to the detriment of the interest of the common man, and by ensuring equitable adjustment of rights between employers and employees, and landlords and tenants.⁵⁰

It is, however, to be noted that there was a lot of difference between the Fundamental Rights and the Directive Principles of State Policy in their application. The Fundamental Rights were justiciable whereas the Directive Principles of State Policy were without any force of Law and were an expression of good intentions only.

The Qualifications of the Head of State

Article 32 of Part IV of the Constitution laid down the qualifications and functions of the President who was to be the Head of the State. It said that "he must be a Muslim and at least 40 years of age."⁵¹

Islamic Provisions

Part XII, entitled 'General Provisions', included a Chapter relating to the 'Islamic Provisions'. Article 197(1) laid down that "the President shall set up an organization for Islamic research and instruction in advanced studies to assist in the reconstruction of Muslim society on a truly Islamic basis."⁵²

Article 198 laid down that :

1. No law shall be enacted which is repugnant to the Injunctions of Islam as laid down in the Holy Quran and *Sunnah*, hereinafter referred to as Injunctions of Islam, and existing law shall be brought into conformity with such Injunctions.⁵³

Comments on Constitution of 1956

The passage and promulgation of 1956 Constitution was a landmark in the turbulent Constitutional history of Pakistan during the first nine years of its existence. However, it remains a fact that this Constitution was never practically put into operation except that the nomenclature of the State was changed to that of the Islamic Republic of Pakistan and the Governor-General was designated as the President of Pakistan.

While analysing the Islamic Character of the 1956 Constitution, it may be stated that it was provided in this Constitution that no Law, repugnant to the Holy Qur'an and *Sunnah*, could be passed. For this purpose, the Supreme Court of Pakistan was empowered to declare whether or not a Law was repugnant to Islamic Law. The *Ulama* had accepted this proposal with mental reservation. In so far as the politicians were concerned, they were not going to Delegate this authority to the *Ulama*. Leonard Binder writes :

Consequently, the religious groups involved did not change their views, but circumstances apparently compelled a change in emphasis upon goals, in strategy, and in tactics. The emphasis now appears to be on the positive enactment of Islamic Law, on what Islam commands rather than on what it forbids. The new strategy was to enter into the political arena directly through attempting to elect some of their own adherents to the

National Assembly, rather than to try to work through the executive or judicial branches. The new tactics involved operating in the mode of a Political Party, joining forces with those willing to cooperate, and even openly opposing the Government of the day. With these changes the religious groups were attempting to challenge the politicians on their own ground, and to implement the Islamic Provisions of the Constitution directly. In this regard it is significant to note that the Jamaat-i-Islami and the Nizam-i-Islam Party formed an electoral coalition to fight the general elections of 1959.⁵⁴

The 1956 Constitution was acclaimed to be an Islamic Constitution. But nonetheless, it remains a fact that it was not allowed to operate on account of the Controlled Democracy of President Iskandar Mirza, machinations of the Bureaucracy and inefficiency and corrupt practices adopted by the politicians. The people were, in fact, silent spectators during those days. It was under these circumstances that the Commander-in-Chief of Pakistan Army, General Mohammad Ayub Khan, abrogated the 1956 Constitution and thus paved the way to give effect to his 'Memorandum'⁵⁵ of October 4, 1954. This was how the process of Islamization in the State of Pakistan had suffered a serious setback.

Abrogation of the Constitution apart, the *Ulama* and the politicians, by and large, were satisfied with the Constitution of 1956. What had been gained in the form of Islamic Provisions and certain other salient features of 1956 Constitution, the *Ulama* were satisfied for the moment. They wanted to take part in the elections to implement these provision. It is, however, to be noted that the imposition of Martial Law in October, 1958, dealt a serious blow to the objectives of the realization of an Islamic State in Pakistan. Leonard Binder thus observed :

In the tribulations of Pakistan from March, 1956 to October, 1958, and in the *coup* that followed, neither Islam nor the religious groups are to be blamed for the national failure nor are they to be praised for mitigating their bitterness. The claims and ideals of Islam remained largely irrelevant to the difficult problems that dogged Pakistan's progress. However, if the influence and activity of religious groups were inconsequential in these events, they have suffered no particular loss of prestige or influence.⁵⁶

So far as the Religio-Political parties are concerned, it may be pointed out that most of them had become inactive but the position of Jamaat-i-Islami was that :

Having gone through serious organizational crisis in late 1956 and early 1957, with several of its leaders accusing its *Ameer*, Maulana Maududi, of repeated dictatorial actions since 1947, the Jamaat-i-Islami began its preparations at an early date amending its Constitution and issuing a high sounding manifesto.⁵⁷

Before, however, discussing the effects of the abrogation of 1956 Constitution, it would be pertinent to refer to the remarks of Dr. Javid Iqbal :

It would be correct to assert that 1956 Constitution was abrogated before having been actually put to the test, but the fact remains that the position which Islam occupied in this Constitution (in the shape and form it had been presented) amounted to a legal fiction, for neither was it given any force of Law nor did it have any practical applicability.⁵⁸

After abrogation of the 1956 Constitution in October, 1958, by General Mohammad Ayub Khan, the whole country was put under Martial Law. As a result thereof, all the civilized institutions of the State were rendered ineffective. During this period, it was for the first time in the history of Pakistan that the ideological aspect of the State was badly tarnished and the country was run on the idea of an administrative state. However, after having ruled for more than three years under Martial Law, Ayub Khan promulgated his own (one man's) Constitution in March 1962.

THE CONSTITUTION OF 1962

Ayub's Constitution brought into existence a Presidential system of government with indirect elections. The un-Islamic and un-democratic character of the 1962 Constitution was in sharp contrast to the widely hailed Constitution of 1956. The fundamental rights, which are obligatory in an Islamic and Democratic State, which were guaranteed in the 1956 Constitution, had no place in the 1962 Constitution. It should, however, be pointed out that when Ayub Khan formed his own 'Convention Muslim League', and as a result thereof other political parties were revived in the country, all the political parties felt the absence of fundamental rights in the 1962 Constitution. Subsequently, the Constitution was amended in 1963, and a list of fundamental rights was added to it. The Objectives Resolution, which, in fact, was a manifestation of good intentions, and had no force of Law, continued to be the preamble of 1962 Constitution. The nomenclature of 'Islamic Republic of

Pakistan' was changed to that of 'Republic of Pakistan' in the Constitution of 1962. What followed next can be easily understood. However, like that of the Constitution of 1956, the Directive Principles of State Policy, which were not justiciable as before, were enumerated in Part II of 1962 Constitution.

With all its demerits, the Constitution of 1962 provided for an Advisory Council of Islamic Ideology, which was to consist of not less than five and not more than twelve members, who were all to be appointed by the President. One Member was to be appointed as the Chairman by the President. This Council was required to make recommendation to the Central and Provincial Governments so that the Muslims of Pakistan could be enabled to order their lives according to the principles of Islam. It was also required to advise the National Assembly, a Provincial Assembly, the President or a Governor on such matters, whether a proposed Law disregarded or violated or was against the Principles of Law making. The Constitution of 1962 also provided for the establishment of an Islamic Research Institute which was required to undertake Islamic research and instruction in Islam for the purpose of assisting towards the reconstruction of Muslim society on a basis, truly Islamic.

Comments on Constitution of 1962

During the period the 1962 Constitution was in operation, the biggest problem facing the Nation was that of the restoration of Parliamentary system of Government. This was a demand for which the *Ulama* and the politicians were unanimous in their views. It was with this aim in view that :

The opposition parties had formulated a joint front, called the Combined Opposition Parties (COP) and put forward Miss Fatima Jinnah as their Presidential candidate. The COP gave their Nine-Point Programme whose distinguishing features were the restoration of Parliamentary system of Government with direct election and universal adult franchise, and a promise to 'democratise' the 1962 Constitution.⁵⁹

It may be stated that the Combined Opposition Parties included *Awami League, National Awami Party, Jamaat-i-Islami, Nizam-i-Islam Party and the Council Muslim League. It was also being supported by the National Democratic Front.⁶⁰

Dr. Javid Iqbal on the Islamic provisions of this Constitution says :

The Islamic Research Institute as well as the Advisory Council of Islamic Ideology were accordingly established and also functioned for sometime.

But these measures obviously failed to achieve the desired objective. The Islamic Research Institute was a failure because it was not affiliated to any seat of learning or university. The Advisory Council of Islamic Ideology was even a greater failure because of an arbitrary choice of its members and a lack of popular sanction behind this institution.⁶¹

The comments of Justice Muhammad Munir, on the 1962 Constitution, deserve special consideration. He wrote :

There was reference in the Directive Principles of State Policy to Qur'an and *Sunnah* and Islamic way of life but the responsibility of giving effect to Law made in pursuance of such principles was that of the organ of the State and nobody could question the organ's discretion. There was to be an Advisory Council of Islamic Ideology but it consisted of Lawyers and Administrators and *Ulama* of liberal views, one of them being the blind Hashim from East Pakistan who was quite modern in his views. He also set up an Islamic Research Institute of which Fazl-ur-Rahman, a Modernist, was the President. But this proved to be a transitory phase and as Ayub had no Political Party of his own, for all political parties were under a ban, the conservative element in the National Assembly began to clamour for restoration of the Islamic features of the 1956 Constitution. Ayub could not resist the demand and they had to be restored.⁶²

A country-wide violent movement was launched to overthrow Ayub Khan. He, however, dealt a serious blow to the Constitution of Pakistan once again and instead of transferring power to the people's representatives through the Speaker of the National Assembly of Pakistan, he handed over power to the Commander-in-Chief of Pakistan Army, General Yahya Khan, in April, 1969. After assuming power, General Yahya abrogated the 1962 Constitution like his benefactor and predecessor General Ayub Khan, who had abrogated the 1956 Constitution. Even the leaders of Democratic Action Committee (DAC), which included those of Jamiat-al-Ulama-i-Islam and Jamaat-i-Islami, had also demanded :

1. A Federal Parliamentary System of Government.
2. Direct elections on the basis of Universal Adult Franchise;
3. Immediate withdrawal of the State of Emergency.

4. Full restoration of civil liberties and the repeal of all Black Laws, in particular the repeal of Laws providing for detention without trial and of the University Ordinance.⁶³

A Nation without a Constitution

After abrogation of the 1962 Constitution by General Yahya Khan, Pakistan was deprived of even the semblance of a Constitution and democratic institutions. Martial Law was the Supreme Law of the Land, which, in fact, was a negation of Civilized Law. His three-year rule was an era of the dreadful events and of the most turbulent period in the history of Pakistan. This came to a disgraceful end with the dismemberment of the biggest ideological Muslim State in the world leading to the separation of East-Pakistan and its emergence as Bangladesh.

THE CONSTITUTION 1973

After the tragic debacle of East-Pakistan, Mr. Zulfikar Ali Bhutto emerged as the National leader of Pakistan. During his regime, he gave the country a workable Constitution—the 1973 Constitution.

The 1973 Constitution was passed by the National Assembly on April 10, 1973 and was authenticated by the President of the Assembly on April 12, 1973. It was enforced on August 14, 1973 — a red letter day in the history of Pakistan. The most outstanding feature and distinctive character of this Constitution is that the 'Objectives Resolution', adopted by the First Constituent Assembly of Pakistan on March 12, 1949, had not only been retained as the Preamble of the Constitution but some positive and distinctive additions were also made in it. These are reproduced below :

- (a) Now, therefore, we the people of Pakistan, conscious of our responsibility before Almighty Allah and men.
- (b) Cognizant of the sacrifices made by the people in the cause of Pakistan.
- (c) Faithful to the declaration made by the Founder of Pakistan, Quaid-i-Azam Muhammad Ali Jinnah, that Pakistan would be a Democratic State based on Islamic Principles of Social Justice.

- (d) Dedicated to the preservation of Democracy achieved by the un-remitting struggle of the people against oppression and tyranny.
- (e) Inspired by the resolve to protect our national and political unity and solidarity by creating an egalitarian society through a new order,
- (f) Do hereby, through our representatives in the National Assembly, adopt, enact and give to ourselves, this Constitution.⁶⁴

Former Chief Justice of Pakistan, Justice Muhammad Munir, offered the following comments on the additions made in the Preamble of 1973 Constitution :

The only addition to the Preamble of the present Constitution is a declaration of dedication to the preservation of Democracy and the Resolve to protect our national and political unity and solidarity by creating an egalitarian society through a new order.⁶⁵

Islam to be the State Religion

The most memorable and unique event in the Constitutional history of Pakistan is that under Article 2 of the 1973 Constitution, it has been clearly laid down that "Islam shall be the State religion of Pakistan."⁶⁶

Islamic Way of Life

This Constitution provides for and guarantees the fundamental rights, and defines the 'Principles of State Policy' in the clearest possible terms. Their enforcement has been guaranteed. This Constitution is based on the Islamic Ideology, i.e., the Islamic ideals, as enunciated by the Father of the Nation, Quaid-i-Azam Mohammad Ali Jinnah. In Chapter 2 — 'Principles of State Policy', Article 31 lays down that :

1. Steps shall be taken to enable the Muslims of Pakistan, individually and collectively, to order their lives in accordance with the fundamental principles and basic concepts of Islam and to provide facilities whereby they may be enabled to understand the meaning of life according to the Holy Qur'an and *Sunnah*.
2. The State shall endeavour, as respect the Muslims of Pakistan :
 - (a) to make the teaching of the Holy Qur'an and *Islamlat* compulsory, to encourage and facilitate the learning of Arabic Language and to secure correct and exact printing and publishing of the Holy Qur'an;

- (b) to promote unity and the observance of the Islamic moral standards; and
- (c) to secure the proper organization of *Zakat*, *Auqaf* and Mosques.⁶⁷

- Prime Minister to be a *Musalman*

In a Parliamentary System of Government, the Prime Minister happens to be the Head of Government and Chief Executive of the Federation. He has to run the administration and implement the policies of the State, both internal and external. It was, therefore, provided in the 1973 Constitution that "he (Prime Minister) shall be a Muslim Member of the National Assembly."⁶⁸

Finality of Muhammad's Prophethood (Peace be upon him)

In accordance with Article 42 and Article 91 (4), Third Schedule, of the 1973 Constitution, it has been made incumbent upon the President and the Prime Minister, respectively, to solemnly declare that :

I am a Muslim and believe in the Unity and Oneness of Almighty Allah, the Books of Allah, the Holy Qur'an being the last of them, the Prophethood of Muhammad (Peace be upon him) as the last of the Prophets and that there can be no Prophet after him, the Day of Judgement, and all the requirements and teachings of the Holy Qur'an and *Sunnah*.⁶⁹

***Qadianis* to be non-Muslims**

The most important feature and a landmark in the Constitutional history of the Islamic Ideological State of Pakistan is that, it was for the first time that the definition and qualification of the word 'Muslim' have been given in unambiguous terms in the 1973 Constitution, and the *Qadianis* have been declared as non-Muslims. No previous Government could dare to do it in spite of repeated demands and agitations by the *Musalman*s of Pakistan. In fact, the 1973 Constitution settled this 90-year old menace to the world of Islam. (Annexures A and B).

Islamic Provisions

In order to carry out the 'Directive Principles of State Policy', Article 227 of the 1973 Constitution provided that :

All existing laws shall be brought in conformity with the Injunctions of Islam as laid down in the Holy Qur'an and *Sunnah*, in this Part referred

to as the Injunctions of Islam, and no law shall be enacted which is repugnant to such Injunctions.⁷⁰

Article 228 of the Constitution expressly states that :

1. There shall be constituted within a period of ninety days from the commencing day a Council of Islamic Ideology, in this Part referred to as the Islamic Council.
2. The Islamic Council shall consist of such members, being not less than eight and not more than fifteen as the President may appoint from amongst persons having knowledge of the Principles and Philosophy of Islam as enunciated in the Holy Qur'an and *Sunnah*, or understanding of the economic, political, legal or administrative problems of Pakistan.⁷¹

Functions of the Council of Islamic Ideology

Under Article 230 of the 1973 Constitution, principal functions of the Council of Islamic Ideology were enumerated as under :

- (a) To make recommendations to Parliament and the Provincial Assemblies as to the ways and means of enabling and encouraging the Muslims of Pakistan to order their lives individually and collectively in all respects in accordance with the principles and concepts of Islam as enunciated in the Holy Qur'an and *Sunnah*.
- (b) To advise a House, a Provincial Assembly, the President or a Governor on any question referred to the Council as to whether a proposed Law is or is not repugnant to the Injunctions of Islam.
- (c) To make recommendations as to the measures for bringing existing Laws into conformity with the Injunctions of Islam and the stages by which such measures should be brought into effect.
- (d) To compile in a suitable form, for the guidance of Parliament and the Provincial Assemblies, such Injunctions of Islam as can be given Legislative effect.⁷²

Necessary steps had been initiated to achieve the above objective set out in the 1973 Constitution. However, these could not be fully realized in the stipulated period, because General Zia-ul-Haq had imposed Martial Law in Pakistan on July 5, 1977. The Constitution was held in abeyance for a very long time. The differences in the functions of the Council of Islamic Ideology

under the Constitutions of 1962 and 1973, Justice Muhammad Munir's views deserve special consideration :

Under the 1962 Constitution a Law could be made before the advice of the Council was received and it remained valid even if the Council reported against it, but under the present Constitution (1973), the Law has to be reconsidered if the Council eventually decides against it.⁷³

Realization of the Ideal of Islamic State

Suffice it to say that it is through the Constitutional process alone that the ideal of an Islamic State could be realized. However, it remains a fact that the Constitutional history of this country has been most un-enviable. In this connection, the following views of Dr. Javid Iqbal deserve special consideration :

It is the deed not the idea which makes a Muslim. Thus the actualization of Islam as a social ideal is only possible if Islam is brought directly into operation through the Constitution. The mere making of an exaggerated claim cannot lead to the solution of any problem. It is bound to cynicism, disintegration and chaos. It was only because our Constitutions (1973 Constitution not mentioned) were not Islamic in a definite sense that the Islamic State idea appeared to peter out and was neglected and frustrated, leading to a mood of disillusionment in some circles.⁷⁴

It may be stated that the objective of an Islamic State, as enunciated in the 1956 Constitution could not be realized because it was never put into operation, except that Pakistan was declared an Islamic Republic and Governor-General Iskandar Mirza was re-designated as the President of Pakistan. This Constitution was abrogated in October, 1958 as a result of a deep-laid conspiracy of the Civil and Military Bureaucracy. It had dealt a grievous blow to the Islamic Ideology of the State of Pakistan. As regards the 1962 Constitution, the same author is of the view, that :

The 1962 Constitution, enacted by Mohammad Ayub Khan, had the same shortcomings. Like the 1956 Constitution, it was given the name of the Constitution of the Islamic Republic of Pakistan, and in its Part II Principles of Policy were enumerated. But these Principles and their observation depended upon resources being available for the purpose. Furthermore, these provisions were not justiciable.⁷⁵

Our failure to secure the ideal of an Islamic State in Pakistan was due to the fact that the Principles of policy, as enunciated in the Constitutions of 1956

and 1962, were never put to test. Furthermore, no legislation was made to give these Principles any force of law. In short, abrogation apart, the Constitutions of 1956 and 1962 were never put into operation in so far as the Islamic provisions were concerned. It, therefore, becomes immaterial to comment on their merits and demerits.

Bhutto's Regime and the Ideal of an Islamic State

Steps taken by Bhutto were directed towards the realization of a truly Islamic Welfare State in Pakistan. Mr. Bhutto made sincere efforts to achieve the principles as out-lined in the Objectives Resolution and those enlisted in the Directive Principles of State Policy. And, of course, without the realization of these Objectives, the ideal of an Islamic State in Pakistan is a far cry.

As Muslims we should be aware that the Prophet of Islam—Muhammad (Peace be upon him), after the establishment of the State of Medina, had introduced far-reaching reforms in every walk of life for the creation of an egalitarian society and for the establishment of a Welfare State. This still remains our ideal, which can be realized only if we succeed in the establishment of a truly Islamic Democratic State in Pakistan.

Apart from other Constitutional measures, which the Government of Zulfikar Ali Bhutto had taken, the following steps, in particular, did go a long way in partial fulfilment of the national hopes and aspirations of the people of Pakistan :

- (a) Compulsory religious education upto the Secondary School Level and propagation of Islamic teachings on the Radio and Television.
- (b) Promotion of Arabic Language for which National Centres played an important role.
- (c) Holding of Islamic Summit in Lahore in February, 1974, which cemented the bonds of brotherhood and unity among the Muslim Countries.
- (d) Holding of International *Seerat* Congress in Pakistan in 1976, which created an Islamic atmosphere in the country.
- (e) Creation of the Ministry of *Haj* and Religious Affairs which, on the one hand, enhanced *Haj* facilities for the Muslims and, on the other, looked after the interests of the minorities.

- (f) Holding of Quaid-i-Azam's Centenary celebrations in 1976, which highlighted the historic Freedom Movement that led to the establishment of Pakistan.
- (g) Holding of Allama Iqbal's Centenary celebrations in Pakistan in 1977, which created the sense of Muslim nationalism in Pakistan.
- (h) Ban on races, gambling and alcoholics.

The distinctive and outstanding contribution of Zulfikar Ali Bhutto, towards the democratization and Islamization of the State of Pakistan, was that he gave the Nation a workable Constitution — Islamic and Democratic in letter and spirit. General Zia's authoritarian rule from 5th of July, 1977 to 17th of August, 1988 — till his death in an air disaster, the *Ulama*, the Politicians, Lawyers, Intellectuals and the people struggled for and demanded revival of democracy and restoration of the 1973 Constitution. This was a clear manifestation of the national hopes and aspirations of the people of Pakistan.

In short, it can be said that the ideal of an Islamic State can be realized only in a democratic and constitutional set-up. This is because Pakistan had come into existence as a result of an historic Constitutional and Democratic struggle under the leadership of Quaid-i-Azam Muhammad Ali Jinnah.

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**THE CONSTITUTION OF THE ISLAMIC REPUBLIC
OF PAKISTAN, 1973**

Constitution (Second Amendment) Act, XLIX of 1974

Chapter 5 - Interpretation

Article, 260, (3)

A person who does not believe in the absolute and unqualified finality of the Prophethood of Muhammad (Peace be upon him) the last of Prophets or claims to be a Prophet in any sense of the word or of any description whatsoever, after Muhammad (Peace be upon him), or recognizes such a claimant as a Prophet or a religious reformer, is not a Muslim for the purposes of the Constitution or Law.

THE CONSTITUTION OF THE ISLAMIC REPUBLIC
OF PAKISTAN, 1973

Constitution (Second Amendment) Act, XLIX of 1974

Chapter 2 - Provincial Assemblies

Article, 106, (3)

In addition to the seats in the Provincial Assemblies for the Provinces of Baluchistan, the Punjab, the North-West Frontier and Sindh specified in Clause (1), there shall be in those Assemblies the number of additional seats hereinafter specified reserved for persons belonging to the Christian, Hindus, Sikh, Buddhist and Parsi communities *and persons of the Qadiani group of Lahori group (who call themselves 'Ahmadis')* or the scheduled casts.

Note : The above mentioned Article may be read with Article 260 (3) wherein the word Muslim has been clearly and unambiguously defined in the Constitution of Pakistan.

Politicians and Bureaucrats in Bangladesh's Policy-Making Process : A Re-Interpretation

NIZAM U. AHMED

INTRODUCTION

One of the important problems confronting the modern state is to identify the way to strike a balance between the politician and the bureaucrat — the two contending elites in the policy process. Although the policy process is subject to influence and manipulation by a variety of individuals and institutions, these two sets of actors have nevertheless a special role to play. The classical view that the politician and the bureaucrat are two different kinds of people engaged in different kinds of work—the former in policy-making, while the latter in policy implementation¹—has been attacked, rejected and seemingly destroyed.² What has instead become conventional wisdom now is that politicians and bureaucrats are both policy actors, with each involved in the determination of ends, the choice of means and the task of balancing social forces.³

The two, however, do not approach the policy-making in similar ways. Nor do they have same political skills. They may be of the same genus, but they do not have the same species.⁴ Bureaucrats are the more stable and conserving elite; they tend to maintain equilibrium in the policy environment. Politicians, on the other hand, are more risk taking; they tend to inject energy and initiative into the policy process.⁵ Notwithstanding these differences, the two do not perceive policy-making in mutually exclusive terms. Bureaucrats (in the West) both acknowledge and prefer some increased degree of influence in major policy decisions by other actors;⁶ they also accept the basic values and premises of pluralist democracy.⁷ Politicians, on the other hand, also acknowledge the policy role of the bureaucracy as legitimate and accepted norm.⁸

Nizam U. Ahmed, Department of Public Administration, University of Chittagong, Bangladesh.

In the Third World, however, politicians and bureaucrats often look upon each other as adversary and their relationship is characterized by mutual hostility and antagonism. This is especially evident in those countries where the political and bureaucratic institutions of government have had systematic growth. In an imbalanced polity (dominated by the bureaucracy), political direction (in the policy process) tends to become more and more a bureaucratic monopoly, and as this occurs, the bureaucrats are increasingly tempted to give preference to their group interests.⁹ One of the most important drawbacks of this imbalance is that it is likely to make both the formulation and implementation of public politics ineffective.¹⁰ Riggs has therefore suggested the introduction of a 'constitutive system'¹¹ as a means of correcting the imbalance that exists between bureaucracy and politics in these countries.

Yet imbalance can not be seen as a peculiarly Third World phenomenon. Nor does the formal existence of the 'constitutive system' automatically guarantee that political roles and relations remain balanced.¹² Indicators of balanced or imbalanced relations are somewhat tenuous because they rely on attitudinal factors and recalled behavior rather than on direct observation.¹³ This is not to contend that the 'theory of imbalance' remains basically flawed. What, however, is observed here is that although political and bureaucratic roles exist in an uneasy pattern in an unbalanced polity, these are not always mutually exclusive. Rather, as the Bangladesh experience shows, it can be seen as reinforcing the other in a number of ways. Such reinforcement, which is mostly governed by 'mutuality of interests' than by other factors, however, it is likely to discourage the growth of policy entrepreneurship in government.

The main objective of this article is to provide an account of stability and change in politics-bureaucracy interaction in the national policy process in Bangladesh. It adopts a comparative approach, focusing on the efforts made by the Mujib government and the Zia government to redefine the relationships between the politician and the bureaucrat in the first decade of Bangladesh independence (1971-81). We, however, begin by providing a brief background to the growth of institutional policy interaction between the two contending elites before 1971.

BUREAUCRACY AND POLITICS : THE FOUNDATION RELATIONSHIP

Modern bureaucracy in Bangladesh is essentially a British creation. In particular, the higher bureaucracy is a lineal descendant of the Indian Civil Service (ICS) which provided the foundation of what Lloyd George called the 'steel frame' of the British rule in India. The ICS was practically the sole

repository of power.¹⁴ Members of the ICS considered themselves responsible only to themselves,¹⁵ at least until the beginning of the 1920's when some attempts were made to bring them under political and popular control.

The Government of India Act, 1919 provided legislative assemblies in the province and the transfer of some government departments such as agriculture, health, public works, and local self-government to the control of political ministers. The Act of 1935 provided responsible government in the provinces and also for transferring all provincial departments to the control of elected ministers. The Act also introduced the concept of 'ministerial responsibility,' thereby making the bureaucracy and the executive accountable to the legislature. Consequent upon the introduction of democratic reforms, ministers became the political heads of different administrative departments. But their authority to initiate and formulate policies independent of the influence of the bureaucracy remained largely circumscribed.

The Maxwell Committee appointed in 1937 to determine the nature of the relationship between a minister and his departmental secretary virtually limited the role of the former to simple policy-making in important matters as decided by the secretary.¹⁶ Ministers were not authorized to issue orders to subordinate officers directly over the head of the secretary.¹⁷ In the case of policy disagreement with the minister, the bureaucracy could refer any matter to the Governor. Senior bureaucrats, especially departmental secretaries, used to have regular meetings with the Governor and they were required to send to him (Governor) a weekly list of all cases in which orders have been passed by a minister. The Governor could exercise 'special powers' and even nullify the decisions of the legislature and the elected ministers.

These limitations remained in force till the end of the British rule in 1947. The situation did not improve even after the partition of India when the new state of Pakistan adopted a parliamentary system of government which presupposed structural subordination of the bureaucracy to politics. Independence did not bring any major challenge to the overriding power of the bureaucracy; rather it provided an opportunity for the latter to prove its mettle in Pakistan.¹⁸ Laporte¹⁹ argues that the higher bureaucracy in Pakistan, renamed as the Civil Service of Pakistan, not only managed to maintain its colonial prerogatives, but also extended and expanded its authority to include additional areas of concern. There were at least three major factors that accounted for the growing role of the bureaucracy in the new state of Pakistan in the first decade of independence (1947-58). These were the dominance of authority over popular sovereignty; lack of political stability and also lack of

any generational chasm based on ideological difference between the ICS and the newly recruited members of the CSP.²⁰

The political and policy role of the CSP, hereafter referred to as the 'administrative class', had a major boost especially after the collapse of the parliamentary system and the rise of the military to power under General Ayub's leadership in 1958. The Ayub regime (1958—69) had nothing but contempt for politicians. To contain the role of the politicians, it introduced a number of measures, the most important of which was the Elected Bodies Disqualification Ordinance promulgated in 1959. Under the terms of the Ordinance, nearly 6500 politicians of the previous regimes were disqualified from holding elective offices for seven years.²¹ The attitude of Ayub did not undergo any change when he decided to civilianize his military rule by introducing, among others, a new Constitution in 1962, and holding elections to the Presidency and to the national and provincial legislatures in the middle of the 1960's. Although Ayub inducted a number of politicians into his Cabinet following his election as President, he was still reluctant to allow them to play a role independently of the bureaucracy.

The Minister was essentially a figurehead knowing little of the conduct of business in his ministry/department. A.C.S.P. Association memorandum noted that a minister (in central government) during the Ayubian decade owed his continuance in office to factors unrelated to his performance as a minister. At the provincial level, the authority of the minister was more circumscribed. According to the Rules of Business, if there was any disagreement between the permanent secretary and the minister, the matter had to be referred to the centrally appointed Governor for final orders.²²

The administrative class, like its predecessor, i.e., ICS, also monopolized strategic policy positions not only in traditional government departments, but also in development ministries and various economic policy institutions such as the National Economic Council, the Planning Commission and public sector corporations. Two-thirds of senior positions (e.g., Deputy Secretary, Joint Secretary and Permanent Secretary) in the Secretariat were reserved for them. The administrative class thus outdistanced not only politicians, but also members of other specialized services from the seats of authority and power. Its members worked in all the ministries and departments at the top of the administrative hierarchy, irrespective of the specialized nature of the ministries concerned, and could be moved indiscriminately from health to telecommunication or from education to power development sectors.²³

Ayub justified the dominance of the administrative class in the governing process on two counts. First, the centralization of policy-making powers in one institution was considered necessary to promote the dominant goal of his government, i.e., economic development. Second, the administrative class was considered capable of integrating the diverse (divisive) forces that allegedly threatened the unity of the country. The extent to which these arguments remained true is subject to debate and controversy. What is, however, obvious is that the Ayub government's dependence on the administrative class weakened the policy process in at least two ways. First, the monopoly of the administrative class over various policy institutions led to inter-bureaucratic tension and rivalry. Professionals and specialists, who found their prospects of promotion to senior policy positions blocked by the administrative class, not only resented the authority of the latter, but they also sought to withhold important information considered necessary for the evolution of a viable policy development process. Second, the dominance of the bureaucracy over the various structures of government alienated the politician from the governing process and discouraged the provision for partisan input in the policy process. Whatever exchanges that took place between the politicians and the bureaucrats remained personal in nature and these lacked institutional character.²⁴

An important drawback of the Ayub government's politico-administrative (also economic) policies was that these caused serious tension between the two wings of Pakistan. The Awami League (AL), which led the struggle for the East wing since the early days of Pakistan, managed to enlist widespread public and political support in favour of its struggle for regional autonomy. It demanded not only correction of regional imbalance²⁵ in the economic field, but also sought proportional representation in the bureaucracy and the military. But the central elites, which included the military, the elite bureaucracy, and to some extent, West Pakistani politicians, did not pay any heed to these demands. The tug of war between the AL which by 1971 became the dominant political force with a strong electoral base and the Pakistani elites, finally resulted in the disintegration of Pakistan and the birth of Bangladesh as a nation state.

PRIMACY OF POLITICS AND LIMITS OF POLITICAL CONTROL : THE MUJIB REGIME, 1972-75

At her independence in 1971, Bangladesh opted for a Westminster system of government and adopted democracy, nationalism, secularism and socialism as four state principles. The Constitution, which came into effect on December 16, 1972, recognized the sovereignty of the national legislature called *Jatiya*

Sangsad (JS). However, since the Awami League had an overwhelming majority in the JS, the Cabinet under the command of Sheikh Mujibur Rahman, the Father of the Nation, emerged as the focal point of decision making and state policy. The Prime Minister had complete control over the JS, the party, and the government.

The AL government looked upon the inherited bureaucracy with suspicion and distrust²⁶ and introduced a number of measures to seduce its influence on the policy process. Noteworthy among them were the replacement of bureaucrats from senior policy positions in the Planning Commission (PC), the harbinger of socialist planned economy, by professional economists, and the appointment of business executives and professionals as heads of different public corporations and public enterprises which had a phenomenal growth²⁷ since 1971. In the past, these institutions were dominated by the bureaucracy. It is also alleged that a large number of partymen whom one may call 'irregulars' were recruited to man and run the various abandoned industries brought under public ownership and control. 'Irregulars' entry into the regular public service was also not uncommon, although it was not rampant. Like politicians, planners and professionals also had strong reservations about the role of the bureaucracy in the new state.

The AL government also took several other steps to mould the behavior of the bureaucracy and to make it responsive to political directions. For example, the new government withdrew the constitutional recognition of the security of tenure that public servants used to enjoy before 1971. Also a new law, commonly referred to as the Presidential Ordinance No. 9, was introduced immediately after independence. It enabled the government to dismiss the public servants without providing them any opportunity to appeal to higher authorities. A National Pay Commission (NPC), appointed in 1973, recommended to bring the highest and lowest pay difference from 2 : 28.1 to 2 : 11.5;²⁸ while a high-powered reform body called the Administrative and Services Reorganization Committee (ASRC), appointed in 1973, recommended the abolition of the erstwhile provision for reservation of senior positions in government for members of the administrative class.²⁹ The ASRC proposed a unified structure in which senior positions in the public service would remain open to members belonging to any service, and to be filled in on the basis of merit alone. The recommendations of these two bodies were, by far, the most radical measures ever suggested to rationalize and invigorate the public service in South Asia.

Critics, however, argue that these measures were introduced not to overhaul the bureaucracy to enable it to adapt to the changing conditions, but were intended to make it insecure, subservient, spiritless and sycophant so that it could serve the interests of the ruling elite.³⁰ Barua³¹ observed that orders of the ruling elite could not be objected to, and the civil service could not have an honest difference of opinion with superiors and colleagues. The net result was low morale and lack of interest among the public servants.³²

It should, however, be observed that the bureaucracy did not receive the instructions of the politicians 'cap-in-hand'; as Rahman³³ observed, the bureaucracy had still powerful cards, for example, skill, service links, middle class background and above all, past record, to play. But it could ill-afford to challenge the other contenders for power and influence, especially in the initial days of independence, not only for exogenous reasons (hostile political environment), but also for indigenous reasons. It was organizationally weak and in particular, faction-ridden. Khan and Zafarullah, two leading students of bureaucratic behavior in Bangladesh, provide a succinct account of the nature of conflict in the following way :

The CSPs, sensitive to their role in the erstwhile Pakistan, were apprehensive of the assault on their power, status and prestige and argued unambiguously for retaining an elitist service. Members of the EPCs wanted their positions elevated to those of the CSPs. Specialists and technocrats had obvious reasons to be hostile against both the CPSs and EPCs who, in their opinion, were nothing more than amateur generalists bent upon intruding into technical specialism.³⁴

The political leadership, it is alleged, did not take any concerted measure to managed such conflicts. Rather it took full advantage of the division among the bureaucrats belonging to different cadres. Barua argued that the government sometimes gave its blessing to one and at times to another, thus making it impossible for the bureaucracy to work as a coherent functioning body.³⁵ He further observed that the entire administrative machinery consisted of nothing, but a mass of helpless human beings who were marking time in a vacuum with various authorities bullying them and the PO 9 hanging over their heads.³⁶

One should, however, be cautious in interpreting the observations of the critics of the AL government's administrative reform policies. It can be argued that although the AL politician and the bureaucrat looked upon each other as adversary, the relations between the two still fell short of a *zero-sum* nature. The AL did not propose any wholesale replacement of the bureaucracy by any

other institutional device. Nor was there any major intrusion of politics, especially into the higher rungs of the regular bureaucracy. Irregulars' entry into the bureaucracy remained confined to lower echelons in the public service; while the bureaucracy still had control over most of the command positions, particularly in the Secretariat, the hub of public policy-making.

Thus most of the permanent secretaries were still being recruited from the administrative class.³⁷ Although a few professionals/specialists were initially recruited to head one or two ministries, they were withdrawn within a short time. In general, there was no lateral entry into the higher echelons of the bureaucracy. For substantive public policy-making, individual ministers were thus more dependent upon the higher bureaucracy possessing skills and expertise, and more importantly, controlling the various sources of information. Although ministers were allowed to have private secretaries at public expense, the latter were essentially political than policy advisers, reinforcing the political dimensions of the Minister's decisions and strategy.

It is true that the scope of ministerial decision-making independent of the influence of other agencies was somewhat limited, especially for two reasons: the inclination of the Prime Minister to centralize policy and executive functions in his office, and the emergence of the Planning Commission as a 'superministry.' However, although the ministers complained that the interference of the Prime Minister was unnecessary, there was no open defiance to his authority either from the politician or from the bureaucrat for the simple reason that such a move was fraught with serious risks. Hence, both groups tried to seek frequent contacts and proximity with the Prime Minister. Interestingly, as Ahmed's penetrating analysis shows, the Prime Minister's Secretariat, notwithstanding its overt political orientation, was in effect dominated by members of the administrative class.³⁸

The bureaucracy also did not voluntarily accept the interventionist role of the Planning Commission. In fact, the Planning Commission, which often expressed strong reservations about the ability of the bureaucracy to contribute to nation building and the development process, also changed its initial styles of behaviour when it recognized that the bureaucracy had still the ultimate power to frustrate its policy proposals or the decisions of the cabinet. In order to make its policies workable the Commission adopted a new approach. As the Deputy Chairman of the Commission observed:

It was learnt through experience that policy prescriptions or recommendations for changes which did not arise from the felt needs of the ministries or sectors were not likely to be accepted and if forced upon

the unwilling ministries, could be defeated in their implementation. The ministries had to be persuaded that changes were in their interest and until this persuasion was complete and their conviction dawned, no amount of cabinet resolutions was to be of much avail.³⁹

What becomes evident is that the apparent primacy of politics did not undermine the policy influence of the bureaucracy altogether. Nor did it (bureaucracy) always play a subservient role. Moreover, the conventional view that the bureaucracy was alienated from the sources of power and policy is only partially sustainable. For example, Sobhan and Ahmad's estimate shows that of the 76 chief executives (chairmen) of different public corporations during 1972-75, more than one-third (28) were generalists (recruited) from the (regular) civil service; while four had a military background. Only one was a political appointee.⁴⁰ Although professionals initially outnumbered others as heads of corporations, they were subsequently replaced by generalist bureaucrats. The tendency to replace professionals by generalists indicated an erosion of confidence within the top leadership about professionals.⁴¹ The bureaucracy also thwarted the move by planners and professionals to devolve greater power and autonomy on the corporation. Despite repeated attempts, the political leadership failed to frame a 'Rules of Business' demarcating the allocation of business between different ministries and public corporations. The main opposition came from the members of the administrative class who, with the tacit support of some cabinet ministers, successfully resisted the attempt to change the *status quo*.

The administrative class was also not a major victim of PO 9. In January 1972, fifty-three senior civil servants were dismissed from the service for receiving Civil Awards from the Government of Pakistan during the liberation war. But all of them excepting two were reinstated a few days later. Also a large number of public servants dismissed under the provisions of the PO 9 during July — November, 1974 were mostly lower-level employees. Although some of them were middle rank bureaucrats,⁴² none was, however, a senior public servant. The government also did not take any measure to restructure the inherited bureaucracy. In fact, in exchange for its support for reviving efficiency in the administration of government functions, the bureaucracy largely influenced the AL leadership to permanently shelve the report of the ASRC⁴³ which, as observed earlier, recommended a 'classless' bureaucratic structure. The report of the ASRC is till officially a secret document, although many of its recommendations are well known, at least to scholars, researchers and senior public servants.

The government also did not give effect to the recommendations of the NPC, especially those related to fixing the pay and other benefits of the senior public servants. As stated earlier, the NPC recommended an egalitarian pay structure. The government implemented immediately those recommendations that related to increasing the wage/salary of lower-level employees. Only the payscales for grades X to V (clerical, messengerial and entry level junior officers) were given effect. But that did not affect the higher public servants in any significant way. The latter continued to receive more salary and benefits, although compared to pre-liberation days, they were receiving less. It is alleged that the senior bureaucrats, especially the erstwhile CSPs and EPCSs, prevented the total implementation of the NPC proposals.⁴⁴

The government also did not show any enthusiasm to operationalize the constitutional provisions for democratizing the local councils at different units of administration; hence these remained under bureaucratic tutelage. The government mostly relied upon the prefectorial bureaucracy to implement its policies and programmes and to formulate policies for local development, and in particular, to stabilize its rule in the locality. In return, the bureaucracy could influence the decision of the AL leadership to halt the process of democratization at the local level. The trade-off, the exchange between politics and bureaucracy, thus helped to reinforce the interests of both.⁴⁵

One can thus see that the attitude of the AL politicians towards the bureaucracy was characterized by ambivalence. This ambivalent attitude did not apparently change when Sheikh Mujib abolished the parliamentary system altogether and introduced a 'One-Party Presidential Rule' in 1975. Following the fourth amendment to the Constitution⁴⁶ made in January 1975, nearly one-fifth of the central committee members of the new national party called Bangladesh Krishak Sramik Awami League (BAKSAL) were drawn from the bureaucracy. To some extent, it was an attempt toward a fusion of political and bureaucratic roles.

The post-liberation politics-bureaucracy trade-off had some historical antecedents too. Jahan⁴⁷ argues that the limitations placed on the political process and absence of Bengali representation in the military (in the United Pakistan) meant that the Bengali (higher) civil servants were the only substantial Bengali group participating in the national affairs; hence by default, they became the chief spokesmen for Bengali interests in national decision-making. Some of them even had some kind of 'psychological affiliation' with the AL led nationalist movement. As Abedin notes, "before entering the public services, most of Bengali members of the (superior) services usually remained

associated with or at least intimately aware of the issue that were involved in different (nationalist) movements. Their beliefs and attitudes as government officers were, therefore, influenced in varying degrees by these issues and reminiscences of their student life.⁴⁸ Braibanti⁴⁹ also argues that (compared with its West Pakistani counterpart) the Bengali administration was more egalitarian in demeanor, more democratic in outlook, more informal, closer to the people in mood and attitude and less naughty.

What is evident from our discussion in this section is that the apparent primacy of politics (over bureaucracy) did not neutralize the policy influence of the bureaucracy altogether. Indeed, as we have seen, the bureaucracy generally resented the encroachment of ministerial policy functions by other agencies, especially by the Planning Commission, and often succeeded in resisting it. The League also had all along been ambivalent in its attitude towards the bureaucracy. But its inclination to make the bureaucracy the scapegoat for what were essentially party policy failures and censoring it in public meetings (by the Prime Minister), while relying on it to perform the much needed regime maintenance functions, made the bureaucracy distrustful, if not defiant, towards its authority. As a consequence of mutual distrust, neither the bureaucracy, nor the party, could contribute to the development of a coherent policy network, where the roles of various actors would become institutionalized.

THE ZIA REGIME 1977 — 1981 : REVIVAL OF A BUREAUCRATIC POLITY

The rise to power of General Ziaur Rahman, the then Chief of Army Staff, after a series of military coups which followed the overthrow of the AL government from power in August 1975,⁵⁰ marked the beginning of the restoration of the 'steel frame' and the revival of a bureaucratic polity.⁵¹ The infamous, PO 9 which, as observed earlier, provided for the dismissal of officials without any right of appeal, was withdrawn. Some of the officials dismissed under the provisions of the above law were reinstated, and the bureaucracy was given constitutional recognition and protection against arbitrary dismissal of its members by politicians. From the early days of General Zia's rule the bureaucracy also succeeded in achieving representation in various policy-making institutions such as the Cabinet, Public Corporation and National Economic Council.

Some have argued that the Zia government was fundamentally a resurrection of administrative state under Ayub Khan in Pakistan.⁵² One can, however, find two major differences between the Ayub government and the

Zia government, both of which were said to be instrumental in introducing/reviving a bureaucratic polity. First, unlike Ayub who, as we saw earlier, had nothing but contempt for political party and party politicians, the Zia government decided to revive the political process quite early and recognized the role of the party in the political system. In 1976 it partially withdrew the legal restriction imposed in 1975 on party and political activities. After the Presidential election in 1978 in which Zia won a decisive victory, most restrictions on the functioning of party activities were withdrawn.

In 1978 Zia created a new party called the Bangladesh Nationalist Party (BNP). The BNP was basically an umbrella organization and composed of people of diametrically opposed beliefs : officials, non-officials, socialists, non-socialists, Islamists and secularists.⁵³ Despite the diversity in the political and ideological background and orientation of its members the BNP, under Zia's Chairmanship and also state patronization, gradually emerged as a cohesive organization. More importantly, unlike Ayub Khan who, while holding the Presidency of the Muslim League, paid only lip service to its operation, Zia took an active interest in building the party. He visited the party's national headquarter more or less on a regular basis, organized training programmes for party members and himself assumed the role of a trainer. The BNP won more than two-third majority of seats in the second parliamentary elections held in April 1979.

After the elections, Zia was more inclined to work through the party rather than the bureaucracy. It was a point on which the bureaucracy was unwilling to compromise, for its training and ethos allowed for little tolerance of interference of politicians in the administration.⁵⁴ Several senior bureaucrats even became infuriated due to his policy of bypassing regular administrative channels to get things done and also picking up people from outside the bureaucracy and assigning them positions of responsibility.⁵⁵ But their scope to obstruct the government policies was likely to diminish because of the fact that the entire bureaucratic structure was also subject to scrutiny.

Second, unlike Ayub, who overemphasized the role of the administrative class, the Zia government sought to democratize the bureaucratic structure. The legal monopoly of the members of the administrative class came under serious challenge when a government appointed reform body called the Pay and Services Commission (P&SC) recommended to overhaul the bureaucratic structure at the national level. The Commission, headed by a retired senior bureaucrat, recommended, among others, an open and integrated bureaucratic structure, and argued against reserving any senior position within the

bureaucracy for any cadre or class.⁵⁶ It thus disparaged the tall claims of the generalists (administrative class), and advocated in favour of the 'new class of technocrats,' equal pay, equal status and appropriate level of participation in the decision-making structure.⁵⁷

The government accepted some of the important recommendations of the P&SC, two of which deserve special mention. First, on the basis of the report of the Commission, the government converted a caste-like structure of the public service into a 'classless' structure.⁵⁸ Second, the government created a 'top flight think tank,' called 'senior policy pool' in 1980, which was later renamed as Senior Services Pool (SSP). Any public servant, irrespective of service or cadre, and with a minimum of ten years of Class I service, was entitled to join the pool after qualifying in a special examination conducted by the Public Service Commission. The SSP purportedly stood for free and open representation for all the services of Bangladesh in the key positions in the secretariat and to that extent, it represented a step which was forward-looking and democratic.⁵⁹ The 1980 SSP order thus represented a sharp challenge to the domination of the administrative class in government decision-making and accorded to the specialist and the professional an opportunity to rise to the highest policy-making positions within the bureaucracy.

But in its effort to win the support and confidence of the specialist, the Zia government was also cautious enough not to alienate the administrative class altogether. It took three years to give effect to the recommendations of the P&SC to introduce the SSP. Such delay helped most of the members of the administrative class to acquire the required service experience to get encadred in the SSP without appearing in the special examination to be conducted by the Public Service Commission. Khan and Zafarullah's estimate shows that of the 523 officers initially encadred in the SSP, only 3 were professionals of varying backgrounds. The rest were generalists and a great majority of them were members of the CSP.⁶⁰ Members of the administrative class also held command positions in different policy-making institutions including the Cabinet.

On the other hand, the revival of the political process was necessary not only to make room for partisan input into the policy-making process, but also to project the governmental performance before the public. Unlike the first JS which was monopolized by the AL, the second JS could be seen as a semi-competitive legislature with the opposition having more than one-quarter of the total MPs. Never before in the past did the opposition have such significant representation as it had in the second JS. As Ahmed argues, Zia adopted a

policy of allowing as many opposition leaders to win as possible, not by doing them any special favours but by not giving any extra help of patronage to his own party candidates.⁶¹ Why did he do so still remains unresearched. Whatever limited evidence is available, however, shows that Zia needed a viable opposition both as a means to counteract the influence of the 'zealots' within the party (BNP) and to convince the critics of the (Zia's) military rule that the elections were free and fair.

The Zia government thus differed not only from the Ayub government, but also from the AL government in both these respects. The AL dominance of the political process in the early years of independence atrophied both politics and policy in at least two ways. First, the overzealous attempts of the AL to limit the working of opposition parties to a minimum discouraged the public scrutiny of public policies and government performance. Any serious opposition to the AL policies was considered as anti-state activities; hence subjected to governmental repression. Second, the monopoly of the AL in the JS paradoxically rendered the parliament as impotent. In the absence of any effective opposition, the possibility of the parliament engaging in serious debates on government policies and proposals was limited. Behind the scenes debates or deliberations in the party meetings were more important, but they were held infrequently and were not open to public.⁶² In the first three years of parliamentary rule, the JS neither worked as a check on government, nor did it mirror public opinion. It was, to quote Sobhan,⁶³ like a 'talking shop.' In contrast, the presence of a sizeable number of opposition MPs helped the second JS to become more assertive. Debates and discussions were more frequent of the issues that concerned the public.⁶⁴

The above discussion is not intended to argue that the political process that Zia initiated was without faults, and that the administrative reform programmes were without any drawbacks. A number of limitations could still be found. For example, the President remained immune from Parliamentary control. Cabinet members were appointed by the President and they owed allegiance to him, and not to the JS. The JS has no significant role to play in the policy-making. The actual policy-making decisions with regard to planning, development and foreign affairs of the country remained in the hands of the bureaucracy and hired technocrats. President Zia also stubbornly defended the position of the executive and the bureaucracy in the face of mounting pressure from the MPs that they be given bigger role in the development activities of the country.⁶⁵ The Party-government relationship also remained tense as the latter exercised more control over the former. As the party President, Zia had the absolute power over the various standing

committees. In short, all important party and government policy-making powers were concentrated in the Presidency.

Notwithstanding all this authoritative position of the President, the politico-administrative reforms initiated and/or carried out by the Zia government did not break the fresh grounds. In fact, his decision to simultaneously initiate reforms both in the bureaucratic and political sectors was intended to serve several purposes. In particular, these were intended to reduce the risk of the monopolization of policy functions and influence by a single set of actors, as it was clearly apparent during the Ayub period when the administrative class had an edge over all others, or during the Sheikh Mujib era, when the AL politicians purportedly claimed supremacy over the bureaucracy. But before the competitive policy roles of the different actors could become institutionalized, Zia was assassinated in an abortive military coup in May, 1981. Although the fragile democratic process survived for a few months following his death, it was nevertheless terminated in March 1982 by the military under the leadership of General Ershad, the then Army Chief of Staff.

CONCLUSION

This is a brief comparative account of the politico-administrative reform policies of the successive governments in Bangladesh until 1981 with a special emphasis on the dilemmas and constraints that the Mujib government and the Zia government faced in redefining the roles and relations of the politicians and the bureaucrats. The evidence presented here leads to the view that the Zia government was relatively more successful than the Mujib government in reforming the bureaucracy. The strategies adopted by the Mujib government aimed more at exerting 'psychological' pressure upon the bureaucracy and less at the services reforms. The two governments, however, faced considerable difficulties in bringing the bureaucracy under political control and making it responsive to political demands. Withdrawal of Constitutional protection of security of tenure and the recommendations of a host of Organizations and Commissions failed to break the real power of the bureaucracy over the political process and decision-making. The bureaucracy thus remained resilient.

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37. In the changed context of Bangladesh liberation the concept of 'administrative class' is to be redefined. As it is evident from Khan and Zafarullah's statement (on page 9), the latent conflict between the CSPs and members of other functional services became largely manifest after the liberation. The CSPs were not only outnumbered by members of other central services and the provincial elite service, but the latter, in effect, managed to occupy some key secretariat and district positions which were previously filled in by the former. The CSPs, however, still held 'mandarin' positions in most cases for the simple reason that, as Rahman (p. 174) argues, they were among the very few trained administrators that the country had at the time of independence. Although their preeminent influence waned, to some extent, they nevertheless had still more proximity with the formal policy maker, i.e., the Minister. However, since CSPs lost their natural and legal claim over senior policy positions, the term administrative class is redefined here as consisting of not only members of the former CSPs, but also those of Former Provincial Civil Service (FPCS) and other central elite services.

38. Aftab Ahmed, "The Bureaucracy in Bangladesh during the Mujib Regime," *Philippine Journal of Public Administration*, Vol. XXXVII, No. 4, 1993.

39. Islam, *op.cit.*, p. 70.

40. Sobhan and Ahmed, *op.cit.*, pp. 533-36.

41. *Ibid.*, p. 534.

42. Zillur R. Khan, "Leadership, Parties and Politics in Bangladesh," *The Western Political Quarterly*, Vol. XXIX, No. 1, 1976. Reprinted in M.M. Khan and H. Zafarullah (eds.), *Bangladesh: Politics and Bureaucracy in A New Nation*, Dhaka, CENTAS, 1980, p. 117. One estimate shows that about 6000 government employees including 9 CSP officers lost their jobs immediately after the liberation of Bangladesh on charge of 'collaboration' with the Pakistan military regime in 1971; Talukdar Maniruzzaman, "Administrative Reforms and Politics within the Bureaucracy in Bangladesh," *Journal of Commonwealth and Comparative Politics*, Vol. XVII, No. 1, 1979, pp. 47-49.

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44. Khan and Zafarullah, *Major Administrative Reforms*, p. 1189.

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47. Jahan, *Pakistan*, p. 95.

48. Nazmul Abedin, *Local Administration and Politics in Modernizing Societies: Bangladesh and Pakistan*, Dhaka, NIPA, 1973, p. 99.

49. Ralph Braibanti, *Research on the Bureaucracy in Pakistan*, Durham, N.C., Duke University Press, 1966, p. 47.

50. The Mujib government was overthrown from power in a military coup on 15 August 1975. The new government, headed by Mustaq Ahmed and backed by the army, remained in power for only three months when it was toppled in another army coup on 3 November 1975. But the sepoy (zawuru) in the army mutinied on 7 November 1975 which, in turn, led to the overthrow of the new government and brought General Zia to the forefront of Bangladesh Government and politics.

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53. Azizul Huq, "Bangladesh in 1979: Cry for a Sovereign Parliament," *Asian Survey*, Vol. XX, No. 2, 1980, p. 224.

54. Marcus Franda, "Bangladesh Nationalism and Ziaur Rahman's Presidency, Part 1: Domestic Order," *American Universities Field Staff Report*, No. 7, 1981, p. 8.

55. *Ibid.*

56. Government of the People's Republic of Bangladesh, *Report of the Pay and Services Commission, The Services*. Dhaka. Cabinet Division, Part 1, Chapters 8 and 9, 1977, pp. 43-80.

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61. Moudud Ahmed, *Democracy and the Challenge of Development*, Dhaka, University Press Limited, 1995, p. 108.

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63. Rehman Sobhan, *Bangladesh : Problems of Governance*, Dhaka, University Press Limited, 1993.

64. The average number of questions asked in each sitting day in the second JS (38.95) was much higher than the figure for the first JS which was 35.22 per sitting day. Also the average number of call-attention motions moved and disposed of in each sitting day in the second JS (1.79) was much higher than it was in the first JS (0.24). The second JS also constituted more committees than the first JS; more importantly, these were much more active than the latter. Besides, the decision of the (Zia) government to broadcast summary of the proceedings of parliamentary debates on Television and Radio and to hold parliamentary sessions for at least six months in a year, also had the theoretical potential to subject the various government policies to public scrutiny and discussion.

65. Ahmed, *Democracy*, op.cit., p. 118.

Sir Syed, Hali and Nazir Ahmed on the New Role of Women

DUSHKA H. SAIYID

Purdah, or the seclusion and segregation of women was a cultural norm in the Indian sub-continent, both amongst the Hindus and the Muslims. *Purdah* which begins at puberty, limits the interaction between males and females, although amongst the Muslims this taboo does not apply to males of the immediate family.¹ *Purdah* as practised on the Indian sub-continent is basically of two kinds, one which physically confines them within the house, and the other, which allows them to move about, but only after donning a cloak like garb which covers the whole body and face, with a net over the eyes for visibility, known as the *Burqa*. The form and severity of *Purdah* practised all over northern India was the same, and the Punjab was no exception to this.

Purdah, more than any other social institution, is an important indicator of the role women are expected to play in the society. Since the form of *Purdah* commonly observed in the nineteenth and early twentieth century confined women to the house, it is obvious that their role in society was perceived to be little more than one of procreation.

The women of the noble family (*Shurafa*) did not venture out of the house, unless some important visit had to be made to a relative or a friend, and then too they went out in a *Palki* (a wooden chair carried on the shoulders of men), which was covered by curtains so that the inmate could not be seen by an onlooker. The women of the less privileged sections of the society in the cities wore *Burqas*.² The same applied to the rural areas, the women of the big landed families observed strict *Purdah* while the peasant woman could ill afford to stay indoors as she had to help in the field and take food for the husband there, or fetch water from the wells.

Dushka H. Saiyid, Assistant Professor, Department of History, Quaid-i-Azam University, Islamabad.

The challenge to traditional Indian Muslim society and its cultural norms could only have come after the failure of the Revolt of 1857, when demoralization was followed by self-questioning. Any illusions that the Muslims might have had about their traditional education in Urdu, Persian and the religious sciences that equipped them for employment were destroyed.³ Sir Syed Ahmad Khan and other writers began to question the basic assumptions of the Muslim society, including *Purdah*.

Sir Syed observed that Islam was most progressive and scientific religion. He emphasised *Ijtihad* and rational interpretation and discarded *Taqlid*, or precedence.⁴

The debate about the value of *Purdah* as practised amongst the Indian Muslim women had begun. Sir Syed felt he must clarify his position on the issue. He when responding to the discussion whether *Purdah* as practised in India was according to the *Shariat*, skirted the issue by saying that since the men did not live in accordance with the laws of the *Shariat*, why should the practice of *Shariat* become imperative only for women.⁵ Sir Syed was of the opinion that Muslims should first be able to mix with the Englishmen and thought they could decide on the issue of women attending such mix gatherings afterwards. In the same article he declared quite categorically, "I regard the *Purdah* being observed by Muslim women is a very good thing," and described himself as a conservative on this issue. The article is undated but since Sir Syed died in 1898, it is likely that he wrote it sometime in the last quarter of the nineteenth century.

Sir Syed's position on the issue of women was quite mixed, while upholding *Purdah* he gave a detailed exposition on the rights given to women in Islam, which, he argued, the western women did not have. Sir Syed declared that :

In England a woman cannot enter into any contract on her own, but only with the consent of the husband, and all that she owns before marriage in terms of property or wealth, belongs to the husband. Once she is married, she cannot sue anybody, nor can anyone sue her, nor can she enter into any transaction with anybody without her husband's permission.⁷

He then compared their rights with the rights given by Islam to women, showing how favourable the latter are. He wrote :

Like men, women have the independent decision-making authority whether to marry or not, she is the owner of her own property . . . and

like men she can enter into any contract, and she is responsible for any transaction she enters into.⁸

It was obvious to a person like Sir Syed, who though a conservative on the question of *Purdah* and the education of Muslim women of India, that the independence and rights that Islam had accorded to Muslim women, were not being practised in India. Sir Syed was an Islamic scholar, well versed not only in the Quran but also in Islamic history. The physical confinement in which the Muslim women of India were kept, was as alien to the women of Prophet's time as it might be to any present day western woman.

There was a tradition in Islam of women accompanying the men to the battlefield. In pre-Islamic Arabia the women had almost no inheritance rights, in fact they were like a piece of property themselves, for the heir to their husband would inherit them also. If the heir did not happen to be her son, he had the first right to marry her. Islam gave women a right to inherit property from their fathers, although she gets a share which is less than the brother (in the *Hanafi Fiqh* she gets one-half of the brother's share), she is an absolute owner of her property even after her marriage, the husband has no claims over it, and can have any conditions written into her marriage contract. Thus we have the example of Sukayna inserting the condition in her marriage contract that her husband will not practise polygyny.

Sir Syed depicted the poor plight of Muslim women of India :

The civilized nations, despite having very regressive legislation pertaining to women, have improved the treatment meted out to women and given them a vary high status. But the Indian Muslims, despite very progressive religious laws relating to women, have treated their women so badly that the whole world laughs at us. . . .⁹

He continued :

They have no knowledge of medicines, nutrition or apparel, and are tradition bound. This is a result of the ignorance which is widespread amongst the women of India, and because of which the men of Hindustan have to spend their lives with savages. . . .¹⁰

Their education, Sir Syed argued, must come later on, after the men had been educated.¹¹ He was an advocate of traditional education within the four walls of the house, in seclusion.¹²

Khawaja Altaf Hussain, born in Panipat, in Eastern Punjab, was essentially a poet, and not a reformer or a social thinker like Sir Syed. He had

left home at the age of seventeen and spent about a decade and a half in Delhi in the circle of the famous poet Ghalib and in the service of Nawab Shaifia. When both died, he moved to Lahore, and got a job with the Education Department revising translations of English into Urdu.¹³ It was in the Punjab, while he was working at Lahore, that Hali wrote the *Majalis-un-Nisa* (Assemblies of Women), in 1874. The *Majalis* is about conversation amongst upper middle class ladies, using the language they spoke, and it was focussed on the need to educate women as they were the centre of family life and influenced the formative years of children. Hali was given an award of Rs. 400 for the book by the Viceroy, and it was prescribed as a textbook in girls schools in the Punjab and the United Provinces.

In 1905 he wrote the poem *Chup ki Dad*, for a journal, *Khatun*, which was brought out by Shaikh Abdullah from Aligarh. In this poem he voiced concern for the Indian Muslim women.

Hali, like many of his contemporaries, had come to be influenced by Sir Syed, and has been called the poet of the Aligarh movement.¹⁴ It was only after he came to the Anglo-Arabic College in Delhi, in 1875, that he came in contact with Sir Syed and became the poet of the Islamic Renaissance.¹⁵ In his famous poem *Musaddas-e-Hali*, written in 1879, he invoked the memory of the glory of Islam when it was a world force.¹⁶ After the *Musaddas* he wrote *Shikva-e-Hind* in 1887, and this was followed by two poems on the deplorable condition of women in India. He wrote *Munajat-e-Bewah* in 1886 and '*Chup ki Dad*' in 1905. Some of his literary and social essays appeared in the *Tehzib-ul-Akhlaque* and the *Aligarh Institute Gazette*. He has been described as the "foremost writer of the Aligarh School."

The *Chup ki Dad* was read out by Hali at a large meeting in Hyderabad, Deccan, in 1906, presided over by Sir Krishan Prashad, the Prime Minister.¹⁷ It reflected the mood of the times that Hali thought fit to read the poem at such a large gathering. *Chup ki Dad* or 'Homage to the Silent' is not just a poem eulogizing the nobleness of women while having to live in very oppressive conditions, but touches on many of the issues of the day confronting women. It is also a very good description of the nature of the role of women in the society of the day.

The first part of the poem describes the virtues of women, and how all that has been achieved by men has been derived from them :

Oh mothers, sisters, and daughters,¹⁸
The honour of the world
Comes from you.

Countries' populations,
And the greatness of nations,
Come from you.

And their importance at the domestic level he described thus :

Companions of your husbands,
And comforters of your sons,
Without you all homes are deserted;
The blessings of the entire home
Come from you.¹⁹

There is social commentary also, when he says :

When you arrive in the world,
You unwanted come,

This strong preference for boys has not changed to this day, how bad the situation must have been at the turn of the century can only be imagined from the current feelings on the issue. It is also very common for women to carry on bearing children till a boy is born. Till that happens the woman is under tremendous pressure, and till she has a male offspring she is made to feel inadequate, especially by the husband and his family.²⁰

A Section of the poem describes the role of the young girl in her parents house first, and then after marriage with her husband and his family. All households consisted of joint families at the time. Hali writes :

Still, though a power
In your parents' home,
You remain a servant
From your childhood on.²¹

. . . .

You're cooking, sewing, mending,
All day, every day.

Hali captures the dilemma of a girl married off to a stranger, for according to the arranged marriages of the time, the question of the girl seeing or meeting the prospective suitor did not arise, and nor did she have any say in the matter.

Married before you knew
 The meaning of the word.
 Bound for a lifetime
 By this straitening cord.
 Married by your parents
 Without any say,
 Just as a criminal.

There could not have been a more scathing attack on the institution of arranged marriages.

He describes the alienating and intimidating experience for a young girl, barely in her teens, of going to live with her in-laws whom she hardly knew :

And when you reach your in-laws' house,
 You find another situation;
 As if, at a bound, you landed at another situation;

 There you must endeavour
 Lest others be distressed;
 To never cause displeasure
 You must always do your best.
 Do not change your husbands views,
 Nor disturb his father,
 Lest his mother and his sister
 Find you too great a bother.

Further on the author writes about the pain of child bearing and child rearing, which for the rest of the family, is a matter of rejoicing :

After marriage, everyone
 Wants children of you.
 But once the Creator obliges,
 What are you to do?
 You're the one quarantined,
 The one how endures pain.
 You taste death, in order
 That wealth to gain.

The writing of this poem coincides with the spread of the movement for the education of women, and the Begum of Bhopal, Sultan Jahan, was one of its foremost promoters. When Shaikh Abdullah and wife started a female school in Aligarh in 1906, the Begum of Bhopal provided funds. She

addressed the Muhammeden Educational Conference held in Delhi in 1911, clad in *Burqa* and escorted by Sarojni Naidu and Surla Devi Chaudharani.²² The courage of this kind of action by her, at a time when women of high families seldom stepped out, let alone address such a large gathering, cannot be minimized.

Hali shows how much he is in touch with the contemporary movement for educating women, for he says :

Even should a man of honour,
Love you your whole life through,
Still good or bad, men all agree
That this one thing is true :
As long as you are living,
Of knowledge you'll be deprived.
You'll quit this world as uninstructed,
As when you arrived.
In this way you'll stay passive,
And hidden out of sight.

....

That knowledge, which for men,
Holds the elixir of life,
Is considered, in your case,
As deadly as a knife.

Implicit in the last stanza of the poem quoted above is the threat of rebellion, which the men fear would take place if the women were educated. But Hali encourages the women in their struggle saying that :

The adventure of education
Is now within your reach.

And then Hali begins to sound the note of rebellion declaring :

Alas! The world repays
Your virtue by oppression.
Deprived of rights, in truth,
You endure untold transgression.
Often men were ready
For your assassination.

Hali conveys in the poem the feeling that the dawn of a new era is just beginning. He writes :

But the hour of justice approaches;
 The day of reckoning is near.
 The world must answer to the charges
 Of stealing your rights so dear.

Deputy Nazir Ahmed's novels typified the Muslim culture of northern India. He was educated in Delhi, always considered the eastern frontier of the Punjab province. In his novels, women emerged as the main subject matter. He was not calling to attention their plight as Hali had done, but lobbying for their education, but within the traditional set up. His tone was moralistic, for he was a reformer who spun stories showing the benefits of education for women in her traditional role of mother and wife.

Nazir Ahmed (1836-1912) was born in the Bijnore district, and began work as a teacher in the Punjab. Later on he rose to a status of Deputy Collector of settlements and became a Member of the Revenue Board.²³ He was very much a product of the new genre, who had been influenced by the British at the Delhi College, and consequently wrote in simple as opposed to flowery Urdu, mostly novelettes with a high moral content for women. He is considered the first Urdu novelist, who himself stated that the object of his novels was education. He said that when he looked for something that his daughters could read after they had finished the Holy Quran, he could find nothing suitable. This was the inspiration for his novels like *Miratul Uroos* and *Banatan-Nash*.²⁴ The Delhi College, where he was educated, was organized along traditional *Madrasah* lines, although English was also taught there.²⁵

Both the novels, *Miratul Uroos*, and its sequel *Banatan-Nash*, are basically the story of Asghari and how she conducts herself first as a single woman, and then mostly after her marriage. Nazir Ahmed meant Asghari to be a role model for the women of this day. By contrast, Akbari, her elder sister, is held up as an example of an ill-bred and untutored specimen of womanhood, who only brings discord and unhappiness wherever she goes. Describing Asghari while single and still living in her parents home, Nazir Ahmed writes:

At a very young age she had read the Urdu translation of the Holy Quran and religious issues. She was also proficient in writing . . . She could sew all kinds of clothes and cook a wide variety of dishes. The whole neighbourhood was full of praise for her. The complete management of her parents household was in her hands.²⁶

When Asghari gets married and goes to live with her in-laws, she brings about changes for the better in the running of the household. Not only does the quality of the food served improve, but she catches out the lady in charge of the kitchen who had been siphoning off money while buying grocery for the household. However, for Nazir Ahmed who was propagating education of Muslim women of India; it was not enough that Asghari should be an efficient housewife, she is portrayed as a crusader in the cause of education for she starts taking classes at home in order to educate the girls of the neighbourhood.

Nazir Ahmed's advocacy of the cause of women is subtle and gradual, but it is very much there. He reports one discussion that takes place between Asghari and one of her students and which revolves around the fact that the crown of the empire rests on the head of a woman. He writes :

Safihan : Madam, is our ruler a woman?²⁷

Asghari : What is there to be surprised about?

Safihan : Why not? What can a woman do?

Asghari : She does what a king would do, administer the country.

Safihan : She must be just a nominal head, and the actual running of the country must be in the hands of men.

Asghari : They all serve the British Queen. Work and power is distributed amongst them, and they all carry out their tasks efficiently. It is the same under a king, he does not single handedly administer the empire, he does it with the help of the same employees.

Safihan : I am unable to accept that a woman can be a ruler.

Asghari : Have n't you heard of the Begum of Bhopal?²⁸

Safihan : I have!

Asghari : It is the same. The Begum has a small sultanate, while Queen Victoria has a big sultanate. The way Begum of Bhopal administers her littler kingdom, Queen Victoria administers her large one.

Asghari is shown as full of commonsense and having a balanced and a practical personality. She encourages her husband to find a job, in order to alleviate some of the financial burden on the father. Interestingly enough Nazir Ahmed makes Asghari look much more dynamic than her husband Mohammad

Kamil. All the while that she is running a school at home he is a gentleman at large, living off the income of his father who is absent from home as he is employed in a distant province. There are subtle nuisances in the way Nazir Ahmed makes Asghari relate to her husband. It does not matter for how long Asghari might have felt the need for her husband to find a job for himself, she does not broach the subject, for she must not appear to be pushing him, or attempting to dominate him. It is only when he himself expresses an interest in working that she goes all out to encourage him. Nazir Ahmed writes :

Asghari was busy with her school, while Mohammad Kamil was getting fed-up with being unemployed. One day he said to Asghari, "now I am getting very restless, if you agree I will approach *Tehsildar Sahib* (Asghari's father who held, what was then considered for Indians, an influential post in the Government), and get a job through his influence." After a thoughtful pause Asghari replied, "it is very necessary for you to find work because as you can see, financially this household is being run with difficulty, your father is getting old, and it is appropriate that he should retire and that you should support him."²⁹

Asghari is also shown to possess more self-respect and awareness of societal norms than Mohammad Kamil, her husband. She dissuades him from using her father for procuring a job, saying :

I would not advise you to go to see my father. He will no doubt try to get you a job, and in all likelihood soon he will get you a well paid job. But it is better to get a job on your own, rather than through somebody else, even though it might not pay so well . . . You would be obligated forever, and even though he might not say anything, relatives will talk, if not to our face, then certainly behind our backs, that Mohammad Kamil got his job through the influence of his father-in-law.³⁰

She gives him very shrewd advice on how exactly to go about the task of procuring a job, when, as he says, there are hundreds like him looking for jobs. When Mohammad Kamil gets a job and goes off to Sialkot, because his British boss gets transferred to Sialkot and offers to take him there with him on a promotion, he gets into bad company and starts to indulge in all the vices that a man from noble family is supposed to keep away from. When he stops writing home or sending money, Asghari is quick to realize that all is not well. She hands over the school to others and leaves Delhi to visit Kamil in Sialkot. Most probably this is her first experience of journey by train, and first trip outside Delhi. When she informs an old lady, a relation, of her intentions to travel, the lady responds negatively saying, "nobody from our family has

travelled abroad." Asghari's reply is totally rational and modern in its approach, "this tradition of not travelling such distances was there, because previously train travel did not exist, which made travelling for women very difficult. If God willing, I get onto the train today, I will be in Sialkot day after tomorrow. It is like going to Meerut."³¹

Another dimension is added to Asghari's personality when she is portrayed as the moral guide to her husband. Asghari stays on in Sialkot for two months, and weans Mohammad Kamil away from the bad company that he had been keeping, and which had resulted in his picking up bad habits. She persuades him against taking kickbacks, and lectures to him against the evils of corruption. Having brought Kamil back onto the straight path, she arranges for an older and unemployed cousin of Mohammad Kamil to come and stay with him in Sialkot on a permanent basis. Her calculation is, that the presence of an older, more mature and stable cousin was likely to prevent a repeat of Mohammad Kamil becoming wayward again. Nazir Ahmed's famous heroine is a woman who basically runs the life of her husband, but does it with tact and discretion, rather than confrontation and aggression. She is shown to be wise and shrewd, practical in coping with the mundane matters of day to day running of the household, and yet not content to remain just a housewife and wanting to expand her sphere of activities, she opens a schools at home. She is shown not to be tradition bound in the conduct of her own life, which is reflected in her readiness to travel to what was considered, by standards of those times, as far off lands, in this instance Sialkot. In her intellectual approach too, as reflected in her discussion with her student about Queen Victoria, she comes through as someone who is of the view that women are no less competent than men.

What is remarkable in this whole book, and its sequel, *Banatun-Nash*, is Asghari's ability to accomplish all this while being confined within the four walls of her home. This heroine of Nazir Ahmed's novel is no passive wall flower, seen only as a vehicle for reproduction and the continuation of the family line. She is a matriarch, who is a confident of herself when she was at father's home before marriage, and who after marriage takes charge of her new home. She administers the household with an eye for details, takes under her wing for young sister-in-law, seeing to it that she gets the right kind of upbringing and education. Asghari comes through as a strong woman, resolute and bold defying the prevalent stereotype of passive and sheltered women who lacked confidence and initiative because their lives were spent within their homes. Nazir Ahmed must have found the inspiration for such a character from such personalities of Indian Muslim history as Nur Jehan or Razia Sultana.

The change in attitude towards women, over time, was obvious. Sir Syed had accepted that Indian Muslim women were backward, Hali wrote with utmost sensitivity about their predicament, and Nazir Ahmed in his novels presented the idea of the new self-confident woman, who could play a crucial role in the functioning of the family if she had the right education and attitude. Neither Sir Syed nor Nazir Ahmed questioned the practice of *Purdah*, and as for Hali, he talked of *Sati*, the inhuman nature of marriage as it existed then, and the rights of women, but at no point did he touch on the issue of *Purdah*. May be the reason for that was that it was a non-issue, but as far back as the 1890s Sir Syed had argued against doing away with *Purdah* and countered the *anti-purdah* lobby.

Muslim intellectuals and literati at the turn of the century, and in the early decades of the twentieth century, played an important role in advocating the restoration of the rights of the Muslim women. Sir Syed is representative of a generation which was in transition and which had not come to regard the regeneration of Muslims as contingent on the transformation in the status and role of Muslim women. That view was propounded by the later generation of writers like Hali and Nazir Ahmed.

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20. I know a gentleman, who, on becoming the proud father of a daughter in Lahore, had a visitor come to commiserate with him for not having had a son.

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Constitutional Development in Pakistan (1947 — 1958) : Observations of the Markazi Jam'iyat al-'Ulama'-i-Pakistan

MUJEEB AHMAD

After the establishment of Pakistan in August 1947, the *Ulama* hoped that the new state would have an Islamic character as had been promised by the leaders of the All-India Muslim League established in December 1906 (AIML) during the Pakistan Movement.¹ The Constituent Assembly of Pakistan (CAP) was supposed to prepare a Constitution for Pakistan. Accordingly the religio-political parties working in and outside the CAP, gradually increased their pressure for the immediate replacement of the Pakistan Penal Code and other statutes by Islamic Laws.

The Markazi Jam'iyat al-'Ulama'-i-Pakistan (MJUP) (March 1948) has the distinction of being the first religio-political party formed after the creation of Pakistan. Its parent organisation, All-India *Sunni* Conference (March 1925) — (AISC) fully participated in the Pakistan Movement. The *Sunni Ulama* and *Masha'ikh* spearheaded the move to struggle for the drafting of an Islamic Constitution in Pakistan. In fact, these *Sunni Ulama* and *Masha'ikh* started doing homework for an Islamic constitution right from April 1946, when they appointed a committee to draft a framework for an Islamic government.² In July 1947, Pir Aminul Hasanat of Manki Sharif (1923 - 1960) wrote a letter to the Quaid-i-Azam Muhammad Ali Jinnah (1876 - 1948) and proposed to form a separate portfolio, responsible for the affairs connected with the *Shari'at* in the new ministry of the North West Frontier Province. He also highlighted main functions of this department.³ In March 1948, Maulana Sayyid Muhammad Na'imuddin Muradabadi (1883 - 1948) *Nazim-i-A'la* of the AISC visited Pakistan and held meetings with some eminent *Sunni Ulama* of Lahore and Karachi, where it was decided that Maulana Muradabadi should draft an Islamic constitution, which should be presented to the CAP. After his return to India, Maulana Muradabadi consulted constitutions of different

Muslim countries and was able to draft eleven points, but he died in October 1948, before he could finalise the proposed draft.⁴

The other attempt in this direction was made by Maulana Shah Muhammad Abdul Alim Siddiqi (1892 — 1954) who visited Pakistan in mid - 1948. At a meeting of *Sunni* elite, in defunct East Pakistan a committee headed by Maulana Siddiqi was formed which prepared a draft of an Islamic constitution. A delegation led by Maulana Siddiqi waited on the Quaid-i-Azam, the then Governor-General of Pakistan and presented this draft to him. After a three-hour long discussion, the Quaid-i-Azam assured the delegation that after the adoption of this draft by the CAP, the constitution would be enacted. But this move was hampered due to the demise of the Quaid-i-Azam in September 1948.⁵ In its struggle for the establishment of an Islamic state, the MJUP observed a *Yaum-i-Shar'at* on May 7, 1948 in cooperation of the Jam'iyyat al-Masha'ikh (January 1948). The day was successfully celebrated in the defunct West Pakistan and the resolutions, adopted on the said day demanding an Islamic constitution, were sent to the Quaid-i-Azam and Khan Liaquat Ali Khan (1895 — 1951), the then Prime Minister of Pakistan.⁶

The first practical step in framing the Constitution of Pakistan was taken on March, 12, 1949, when the CAP adopted the Objectives Resolution. Qari Hakim Ahmad Philibhiti (1911 — 1976) who was present in the CAP, as an observer of the MJUP, supported the Objectives Resolution.⁷ In mid-April 1949, a Basic Principles Committee (BPC), representing all parties, was set up to report on the basic principles of the future constitution. Maulana Muhammad Abdul Hamid Badayuni (1900 — 1970) President of the Sindh and Karachi JUP, demanded representation of his party in the constitution making committee, however, there was no response from the government.⁸ On September 7, 1950, Liaquat Ali Khan presented the interim report of the BPC to the CAP, which was adopted on October 6, 1950 by the CAP. This report recommended that the future constitution should incorporate the Objectives Resolution as a directive principle of the state policy. The report further proposed that provision would be made "in many spheres of governmental activities," as to enable Muslims to order their lives according to the teachings of Qur'an and *Sunnah*.⁹

The leaders of the MJUP treated this interim report of the BPC as totally against the Islamic principles and the Ideology of Pakistan.¹⁰ This interim report was not also kindly received by the other religio-political parties. The Islamic provisions of this report were considered inadequate by them. So, the government was forced to withdraw its interim report on November 21, 1950.

After the withdrawal of the interim report, the BPC appointed a suggestions sub-committee, to consider proposals on the Islamic character of the constitution. Meanwhile, thirty-one *Ulama*, belonging to different religious-political parties and organisations, met at Karachi in January 1951 and formulated twenty-two points of an Islamic state. Although there were five *Sunni Ulama* and *Pirs* present in the meeting, the Maulana Abdul Hamid Badayuni and Mufti Muhammad Sahibdad Khan (1898 — 1965) were representing the MJUP.¹¹ The final report of the BPC, presented on December 22, 1952 by Khwaja Nazimuddin (1894 — 1964), was prepared on the basis of the recommendations of the suggestions sub-committee, which were centred around the twenty-two points of the *Ulama* Conference.¹² The MJUP after reviewing the Khwaja Nazimuddin's report, presented several amendments and demanded that the constitution based on the principles of Qur'an, *Sunnah* and *Fiqh-i-Hanafi*, must be enacted before the dawn of the new year, i.e., 1953, and Pakistan must be declared a social welfare and Islamic state.¹³ The Nazimuddin Report was also considered by the *Ulama* in a convention, held in Lahore on January 11-18, 1953. The convention suggested inclusion of five *Ulama* in the Supreme Court of Pakistan, who alongwith some judges should have the authority to take decision on the repugnancy matters. Maulana Abul Hasanat Sayyid Muhammad Ahmad Qadri (1896 — 1961) President of the MJUP and Maulana Abdul Hamid Badayuni attached a note of dissent, preferring an *Ulama* board chosen from a list of the names of the *Ulema* of Pakistan from such religious organisations of *Ulama* as have been working on Central and Provincial levels in a regular manner since the establishment of Pakistan, and where organisations are intact up until now and the Head of the State should notify their names.¹⁴ The *Sunni Ulama*, in fact, desired to make the status of the *Ulama* official and recognised by the government.

After the dismissal of the Nazimuddin ministry in April 1953, Muhammad Ali Bogra (1900 — 1963), the next Prime Minister, turned to the task of constitution-making. By mid-1953, it was leaked to the press that a interim constitution would be presented to the CAP at its next session. The contents of the interim constitution were not declared, but, according to the statement of Bogra, it was to contain provisions on the already agreed points.¹⁵ A week before the CAP's meeting, the MJUP demanded that the BPC report, as amended by the *Ulama* in January 1953, be adopted. However, it agreed that the provision for the distribution of the seats among the two wings of the country might be changed. The party also urged for the rejection of the interim constitution.¹⁶ Due to the opposition of the religious parties and the East Pakistan Muslim Leagues Parliamentary Party, the idea of the interim

constitution was dropped. The MJUP was critical about the delaying tactics used by the government in framing the future Constitution of Pakistan. The party made ruling elites responsible for deliberately delaying the constitution-making process. The MJUP blamed CAP for spoiling the national wealth and time as it was only making suggestions, recommendations and reports. The MJUP warned the CAP that the people were desiring a constitution based on the principles of Qur'an and *Sunnah*, so, it must be enacted immediately.¹⁷

On October 7, 1953 a constitutional formula drafted by Muhammad Ali Bogra, alongwith the report of the BPC was presented to the CAP. The members of the Pakistan National Congress (1947) vehemently opposed the Islamic provisions of the report. But the amended report, retaining the preamble, was adopted in October - November 1953. On September 21, 1954 the CAP finally adopted the constitutional report and adjourned to meet on October 27, to take up the Constitutional Bill.¹⁸

The *Sunni Ulama*, in their meeting held at Darul'ulum Markazi Anjuman-i-Hizbul Ahnaf, Pakistan (1926) in Lahore, reviewed the political situation prevailing in the country. They expressed their dissatisfaction over the Constitutional Bill of 1954 and in return, demanded the immediate enforcement of the Islamic constitution based on the principles of Qur'an, *Sunnah* and *Fiqh-i-Hanafi* and also to enact the monetary bills in the light of the *Shari'at*.¹⁹

When it was rumoured in Karachi that Governor-General Malik Ghulam Muhammad (1895 — 1956) intended to dissolve the Assembly, the *Ulama* started a vigorous campaign to prevent the possibility. On October 9, at a convention of the JUP Karachi, Shah Murid Husain Hashimi expressed his satisfaction over the progress in framing the constitution and hoped that it would bring into practice the principles of the Qur'an and *Sunnah* in Pakistan. He also highlighted the need for the opening of an ecclesiastical department to help implement the Islamic principles in matters of divorce, inheritance, religious education and maintenance of mosques. The Convention urged the passage of the Draft Constitutional Bill.²⁰ But the Governor-General dissolved the CAP, on October 24, 1954.

A new Constituent Assembly was elected in June 1955 which held its inaugural session in July. The *Ulama* of different religious parties resumed their pressure for an Islamic constitution. On appeal of the MJUP, on August 14, 1955, public meetings were held all over the country in which, it was demanded that the Islamic constitution should be implemented immediately.²¹ On December 10-12, 1955 an All-Pakistan *Sunni* Conference was held at

Mochi Gate, Lahore under the auspices of the MJUP. Maulana Abul Hasanat Sayyid Muhammad Ahmad Qadri, in his presidential address, appealed to the government to enact an Islamic constitution based on the principles of Qur'an and *Sunnah*, through which Pakistan must be declared as an Islamic Republic and the Head of the State must be a Muslim. Maulana Qadri also demanded that the *Ulama* must be appointed to the constitution making committee. He also expressed his dismay over the working and membership of the sitting committee.²²

Maulana Ghulam Muhammad Tarannum (1900 — 1959) President of the Punjab JUP, in his treatise *Dastur-i-Pakistan* observed that the solidarity and stability of the Pakistan depends upon the enactment of the Islamic constitution. He also demanded that Islam must be declared State religion and Objectives Resolution must be incorporated in the constitution.²³ Maulana Ahmad Sa'id Kazimi (1913 — 1986) *Nazim-i-A'la* of the MJUP in his key address, while highlighting the importance of a constitution, said that the constitution reflects the ideology and culture of a country. As Pakistan was established on the basis of Islamic nationalism, so, its constitution must reflect the idea of a society based on the Islamic norms and principles.²⁴ Maulana Kazimi observed that the followers of the *Fiqh-i-Hanafi* are majority in Pakistan, so, the *Fiqh-i-Hanafi* must be accepted as the third base of legislation in the Constitution of Pakistan. According to him, by doing this thing, the Pakistani Constitution will become particular and prominent in the World. Maulana Kazimi, while narrating the importance of giving *Hanafi* touch to the constitution, said that after this, no one can incorporate any unauthentic interpretation of Islam in the constitution. About the other religious sects of Islam, Maulana Kazimi, vowed that these sects would be free to follow their own personal laws.²⁵ Before concluding his address, Maulana Kazimi presented a resolution, which was adopted by the Conference after making some amendments. The resolution said :

"This meeting of the Markazi Jam'iyyat al-'Ulama'-i-Pakistan demands that the constitution should have an Islamic character, based on the principles of the Qur'an and *Sunnah*, keeping in view the Objectives Resolution; and that the Head of the State must be a Muslim; and *Fiqh-i-Hanafi* must be declared as the State law because the majority of the people (of Pakistan) is *Hanafi*.²⁶

On January 9, 1956 a Constitutional Bill was presented to the CAP which was welcomed by the MJUP and other religious parties.²⁷ On January 10, the MJUP appointed a sub-committee to review and make suggestions for the

improvement of the draft. This sub-committee, after its meetings, held between January 10-18, suggested some amendments in the draft to make the Centre strong, to introduce separate electorates, provide legal guarantees for the basic human rights and the Islamic (*Hanafi*) character of the Constitution.²⁸ On February 8, 1956 an All-Parties Islamic Constitution Committee called a convention of the *Ulama* and *Masha'ikh* at Dhaka which endorsed the amendments that had been proposed earlier by the different religious parties, including the MJUP, and also put forward further demands.²⁹ The Constitution enforced on March 23, 1956 made provision for some of these proposals. All the religio-political parties, including the MJUP, welcomed the first Constitution of Pakistan. However it has been observed that :

The 1956 Constitution described Pakistan officially as an Islamic Republic, but . . . neither of these references (Islamic provisions) made Pakistan into more of an Islamic state than it had been before the constitution was drafted.³⁰

After the enforcement of the 1956 Constitution formally, the religio-political parties, however, continued to demand that the constitution must be enforced in its true spirit. On June 1-3, 1956 a meeting was held at Darul Ulum Markazi Anjuman-i-Hizbul Ahnaf Pakistan, Lahore in which leading *Sunni Ulama* reviewed the political situation of the country. In a resolution, the meeting demanded to enforce the 1956 Constitution with letters and words.³¹ The Sixth Annual *Sunni* Conference was held on December 1-3, 1956 in Lahore. In its special session, the MJUP discussed different issues relating to the socio-political and religious condition of the country. In one of its resolutions passed in the session, the Conference demanded that under the Article 198-(3)³² of the 1956 Constitution, a *Ulama* Board should be appointed in order to supervise the legislation according to the teachings of Qur'an and *Sunnah* and that the MJUP be represented on the Board.³³

The *Sunni Ulama* and *Masha'ikh* enthusiastically participated in the independence struggle and the Pakistan Movement. They worked, almost as the religious wing of the AIML. After the creation of Pakistan, these *Ulama* were embarrassed by the political manoeuvring, the dirty politics and the vested-interests of the politicians, particularly of the ruling elites. However, as these gentle *Sunni Ulama* were committed with Islam and the Ideology of Pakistan and also lacking representation in the CAP, so, they continued to support the government in its 'struggle' for framing an Islamic Constitution. For this, the MJUP individually and in collaboration with other religio-political parties, demanded the immediate enforcement of the Islamic

provisions of the Constitution and did not permit the ruling parties to divert from the Islamic Constitution.

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Dera Ghazi Khan during the Muslim Rule

CH. BAHADUR KHAN MARATH

Abstract

Dera Ghazi Khan is the District that links all the four Provinces of Pakistan. Its geo-political importance and strategic position warrants a detailed study. This paper deals with the topography, physical features and a brief history of D.G. Khan during the Muslim Rule. The annals include the Sultanate period, the Langah rule, the rule of Miranie's and the Mughal suzerainty. During the Langah rule the Baluch tribes managed to gain considerable influence in the mountain ranges west of Multan Province. This is the period when Ismail Khan son of Sohrab Khan Dodai and Ghazi Khan son of Haji Khan Mirani founded Dera Ismail Khan and Dera Ghazi Khan respectively during the later half of 15th century. The paper concludes with a brief description of Nadir Shah's invasion, the rule of Gujars and the Sikh hegemony.

TOPOGRAPHY OF DERA GHAZI KHAN

The original town was founded at the close of the 15th century and named after Ghazi Khan, the son of Haji Khan, a Baluch Chieftain.¹ It is bounded on the north by the district of Dera Ismail Khan, and on the south by the province of Sindh, of which the upper Sindh Frontier district Jacob Abad touches it on one side of the Indus and the Shikarpur district on the other. The most part of the eastern boundary follows the deep stream of the Indus.

The Dera Ghazi Khan district lies between north latitudes 28^o-20' and 31^o-35' and east longitudes 69^o-35' and 70^o-59' occupying the extreme south west corner of the province.²

IMPORTANT PHYSICAL FEATURES

The Indus forms the principal feature in the topography of the district, because of its importance, from the military, political and mercantile point of view. Ch. Bahadur Khan Marath, Assistant Professor of History, Government Degree College, Mandi Baha-ud-Din.

view, which have been admitted from the remotest antiquity to the present day. The two great frontier districts of Dera Ismail Khan and Dera Ghazi Khan are intersected by this river, the one to the east and other to the west.³

The conformation of the district is largely due to the action of the torrents which drain from the Suleman mountains to the north of the district which rise into peaks as high as 10,000 feet above the sea, and two smaller chains run parallel with the main range between it and the plains and disappear in the north of Dera Ghazi Khan.⁴

The pachad (the hill torrents come down in flood heavily laden with detritus washed from the slopes of the hills, which deposited year after year over the space between the base of the hills and the Indus has formed the tract called the pachad) is continuous from the north to the south of the district, and slopes very gently from the pebble-covered base of the hills eastwards towards the river. From the method of its formation it follows that the soil is a rich loam, but the rain-fall outside the hill tract is so small that cultivation is only possible with the aid of water from the hill-torrents.⁵

The climate is exceedingly dry in the plains, during the summer and winter. In the hill tract the climate is cold and bracing from September till April, mild and pleasant in the summer months.⁶

The annual rainfall in the plains is very small and diminishes from an average of 8 inches at Taunsa in the north of district to 5 inches at Rajanpur. The average rainfall also varies considerably from year to year.⁷

Wheat, Barley, Pease, Tobacco, Sarson, Cotton, Rice, Gram, Sugarcane, Til, Mash, Mung, Chilies and Henna crops are grown in different areas of Dera Ghazi Khan.⁸

Cows and Buffaloes are kept along the banks of Indus, especially in the Rajanpur Tehsil. Sheep and goats are also very numerous, and thrive on the herbs bushes with which the extensive waste land of the district is studded. Camels are bred in the district and browse on Jal trees, which are abundant in the pachad.⁹

SINDH BEFORE THE ARAB INVASION

As regards political condition, there was no permanent power in the country which could check effectively the Arab Conquest of Sindh., Sindh was ruled by a Sunda dynasty when Hieun Tsang visited India, he found a Sunda

ruler in that region. The last Sundra ruler was Sahsi. He was succeeded by Chacha, his Brahman Minister, who established a new dynasty of his own. Chacha was succeeded by Chandra who in turn was succeeded by Dahir. It was this king who had to face the Arabs in Sindh.¹⁰

As regards the social condition caste system was becoming more and more rigid. The Hindu social system with its various divisions and mutual jealousies, was not strong enough to withstand the Muhammadan invasion. Monarchy was most popular. The law of primogeniture was usually followed.¹¹

MUSLIM CONQUEST OF SINDH

In 711 A.D. Muhammad Bin Qasim captured all the territories ruled by the Hindu Prince Raja Dahir after defeating him. Dahir's capital was at Alor near Bhakkar and he was in possession of the Derajat area. The country remained subject to the Arabs till 750 A.D. when they were expelled by an insurrection led by the Sumra tribe of Rajputs, and their Indian conquests were restored to the Hindus.¹²

In 750 A.D. there was a revolution at Damascus and the Omayyids were replaced by the Abbasids. The control of *Khalifas* became loose and the governors and Chiefs of Sindh became independent. By 781 A.D. the authority of the Caliph in Sindh became virtually extinct. The Arab Chiefs established two independent kingdoms, one in Mansurah or Sindh proper up to Alor on the Indus and the other comprising Multan.¹³

The rest of Sindh went to the Hindu Chiefs. This state of affairs lasted for about two centuries.

After the death of Alaptgin his slave Subuktgin became the king of Ghazni. In 986-87 A.D. Subuktgin attacked the Indian territory for the first time. He defeated Raja Jaipal of Lahore and his confederacy and annexed the country west of Indus. The lower Derajat area or greater part of it was included in the Province of Multan, which was ceded by Hindus to Hamid Khan Lodhi to induce him to Subuktgin and take up arms on their side. After the defeat of Jaipal, however, Hamid Khan submitted to Subuktgin and retained his hold upon Multan. His grandson Abdul Fateh Lodhi was the governor of that province when Mehmud of Ghazni first attacked India.

In 1186 A.D. the Province of Multan, in which the greater part of the lower Derajat continued to be included, passed along with the other dependencies of the house of Ghazni under the rule of Shahabuddin Ghouri who had conquered the territory up to Uch.

Till 1398 A.D. the Province of Multan remained subject to Delhi. Early in the spring of that year, Pir Muhammaed, the grandson of Taimur crossed the Indus near Uch and conquered Multan. During his stay at Jammu, Amir Taimur appointed Khizer-Khan his Viceroy for the Provinces of Lahore, Multan and Depalpur and returned to Samarkand by the Kabul route.

THE LANGAHS' RULE

In the confusion that followed the withdrawal of Amir Taimur while the Sayyads governed at Delhi, the Province of Multan became independent under a family of Langahs. They maintained independence or semi-independence from 1445 A.D. to 1526 A.D. during the rule of Lodhis at Delhi. *The Gazetteer of the Dera Ghazi Khan District* states that Langahs described themselves as Jats, but Raverty mentions them as Rajputs. He says Hussain, the Langah, ruled Multan in 1469 A.D. as an independent sovereign after succeeding his father who had been ruler of Siwi, and took the title of Qutbuddin on usurping the sovereignty over Multan. Hussain Langah ruled the Multan territory for thirty years.

Islam Khan, a relative of Lodhi king at Delhi cut himself adrift from the Langahs at Multan and set up a separate government at Sitpur. His territory included the southern part of the Derajat. Islam Khan and his descendents, although belonging to the house of Lodhi, are known as Nahars which in local language means wolves.

Sohrab Khan Dodaj alongwith his two sons, Ismail Khan and Fateh Khan, went to Sultan Hussain Khan Langah. The Baluch tribes had gained considerable influence in the mountain ranges west of Multan province and were permanent headache for the Multan rulers. When Malik Sohrab approached the Langah ruler, he gladly availed himself of the opportunity, "as a means of securing tranquility on the frontier." He assigned Sohrab a *Jagir* beyond the Indus in 1469 A.D. The whole area, which now constitutes the Dera Ismail Khan district, was made over to Malik Sohrab to manage and assigned to him and his tribe in return for their military services. Malik Sohrab's sons, Ismail Khan and Fateh Khan gave names to the respective Deras.¹⁴

THE RULE OF MIRRANIS

The success of Sohrab Khan induced other Baluch people to follow his example. Among the adventurers was Haji Khan Mirrani accompanied by his son, Ghazi Khan. He is said to have come from Dera Ismail Khan. He grazed his cattle for some time at the site of the former city at the location of Dera Ghazi Khan and liked the place so much that he decided to settle there permanently.

He soon conquered the nearby village and increased his fortunes. His son Ghazi Khan Mirrani, the Baluch founder of the town of Dera Ghazi Khan, ousted the Nahars from Harrand and Dajal in 1482 A.D. and annexed the area to his domain.

The King at Dehli heard of the ability and acumen of Ghazi Khan and officially bestowed upon him the area under his control. Mirrani Government included not only the major portion of lower Derajat but also the western part of the central portion of the present Muzaffargarh district. Ghazi Khan the First, died in 1494 A.D. He was buried in the outskirts of the present city of Dera Ghazi Khan in village of Chorratta. He was succeeded by his son Haji Khan and Haji Khan by his son Ghazi Khan. In this way for fifteen successive generations the descendants of Haji Khan and Ghazi Khan ruled Dera Ghazi Khan.¹⁵

THE MUGHAL DYNASTY

The rule of Mirranis and Nahars came to an end with the conquest of India by Babar in 1526 A.D. On Babar's death his conquest was divided between his two sons Kamran Mirza receiving Kabul and great part of the Punjab including west of Indus and Humayun the rest of India. The first *Jagir* to the Mirranis is said to have been made by Emperor Humayun. Haji Khan the second made further acquisition of territory towards south in addition to estates held by his father and grandfather.

All the Baluch tribes now occupying the Derajat, trace their settlement to the period of Emperor Humayun. The Mazaris ousted the Nahars from the south of Derajat, and Nahar domination was reduced to the tract ruled from Sitpur (to the north of Rajanpur and south of the present Alipur). The Mirranis acknowledged the sovereignty of the ruler at Delhi and the name of Ghazi Khan is found among those chiefs who appeared in Shahpur and tendered their

submission in 1540 A.D. to Sher Shah Suri when he was in power. On the accession of Akbar, the Mirrani accepted him as their sovereign and Nawab Ghazi Khan was one of the Chiefs who paid homage to him when Akbar was at Attock in 1586 A.D.¹⁶

The Baluch Chiefs of Dera Ghazi Khan paid lip service to various succeeding Mughal rulers afterwards. An expedition was despatched in December 1705 A.D. under Prince Muhammad Moizuddin who in consideration of his invaluable services in the reduction of Derajat territory held by Ghazi Khan received a robe of honour, an elephant and a horse as esteemed rewards from the Emperor, his grandfathers.¹⁷

THE INVASION OF NADIR SHAH

In January 1740 A.D. Nadir Shah reached Dera Ghazi Khan from Kabul. Nawab Ghazi Khan paid a tribute of fidelity to the Emperor who confirmed his fief under the same terms as he previously held under the Delhi Government, and henceforth, Dera Ghazi Khan came under the sovereignty of Kabul rulers.¹⁸

THE RULE OF GUJARS

The rule of Mirrani dynasty ended in 1769 A.D. and Mehmud Khan Gujar became the Nawab of the territory. Mehmud Khan was a shrewd man who was introduced to Haji Khan, the last by his religious mentor (*Pir*), recommending him for a suitable job. Mehmud worked very hard and soon became chief confidant of the Nawab. When Haji Khan, the last, died, his son and heir Ghazi Khan could not succeed him because of his tender age. So Haji Khan asked Mehmud Khan Gujar to look after the affairs of the state till Ghazi Khan, became able to take over his responsibilities. Mehmud Khan plotted against the young Mirrani chief and invited the Sindh ruler Mian Ghulam Shah Kalhora to attack the lower Derajat area. Mian Ghulam Shah attacked Dera Ghazi Khan in 1769 A.D. He took Ghazi Khan, as captive and he appointed Mehmud Khan Gujar as the new Nawab and ruler of Dera Ghazi Khan, ending the Mirrani dynasty forever.¹⁹

The Afghan rulers Nadir Shah and Ahmad Shah Abdali asserted their authority against Kalhoras. Mehmud Khan Gujar paid allegiance to them and continued as Governor of Dera Ghazi Khan. Mehmud Khan was succeeded by his nephew Barkhurdar, who was killed in 1779 A.D. after which governors

were directly appointed from Khurasan by the Durrani kings. The Gujars settled in Muzaffargarh after their fall and never came back to the area.²⁰

After the Gujars, however, anarchy became prevalent. Chaos ruled supreme. Inter-tribal warfare among the Baluch neglected the canals and cultivation was abandoned and the whole country sank into a condition more wretched and desolate than that which had prevailed upto the accession of Ghazi Khan the First, three centuries before.

During the second half of 18th Century there was going on a struggle for power in the Punjab among Mughals, the Afghans, the Marathas and the Sikhs. After the third battle of Panipat, the Marathas and the Mughals were almost eliminated. The struggle remained between Sikhs and Afghans. Ultimately the Sikhs emerged triumphant. The chiefs at Derajat were overpowered and overshadowed by the Sikh hegemony.²¹

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Book Review

M. Shams-ur-Rahman, *Administrative Elite in Bangladesh*,
New Delhi, Bharat, First Edition 1991, Pages 361, Price Rs. 325.

There is a general desire to know how Bangladesh is doing since it left Pakistan in 1971. The media is reckoned as the major source of information on the latest developments. Books such as these are the true and correct version as facts are stated after thorough scrutiny. This study is about the working of bureaucracy. The author spells out the objective of this research effort; "it refers to civil servants, both generalists and specialists, at the top and middle levels in charge of policy-making and implementation."

Bangladesh began its political life as a separate state with a parliamentary system of government. On the same pattern as Pakistan, it resorted to a presidential form and then experienced a military regime. At present, it is struggling to live with a parliamentary norm as the other two, presidential and the military rules, have lost attractions.

The bureaucracy in Bangladesh, despite political change, continued its firm control and remained a powerful force much the same way as it has been the case in Pakistan. Their training and experience puts them ahead of the political leadership. He finds the administrative elite open to rational influence regarding issues like modernity, family, religion and human relations. A large number of them assigned priority to development of agriculture. Industrial development comes after that. This class is also enthusiastic to build the system of local government for its active participation in the task of socio-economic development.

On political issues, there "exists an incongruence of opinion among the political and the administrative elite." Quite a large number would like to support a presidential system of government as it tends to provide political

stability, essential for development of the country. The majority view is that the political parties are "responsible for corruption, either wholly or partly." But they still hold the opinion that the politicians have the capacity to run the state. They also favour elections for electing true representatives of the people to run the affairs of the country. They also advocate free press for the healthy criticism.

The Public Service Commission, 51 per cent of the administrative elite held, has "failed to maintain impartiality." The bureaucracy expressed dissatisfaction over the administrative reforms. It pleaded the case of appointment of an Ombudsman.

Elites are development minded. Family background, socio-economic status and modernity exercise tremendous influence on their attitude. They generally bear a stamp of conservatism and they strive to keep themselves at a 'safe-distance' from the politicians.

There appears to be less attraction towards the service. Many would not like to opt for it if given a second chance as the administrative service has become less attractive.

The picture delineated of the bureaucracy in Bangladesh is much more similar to what is the position of this service in Pakistan. The struggle between the administrative elite and the politicians is a normal feature in both the countries. With the politicians, wrangling for power, and their misuse of the powers, Bangladesh strikes the same image as of other developing states. This political battle among the politicians provides opportunity to the administrative elite to run the country as it was done during the British colonial period, with only minor changes to accommodate the new realities. This is an illuminating study on a vital subject.

Prof. Dr. M. Aslam Qureshi

Statements

SOUTH ASIAN REGIONAL COOPERATION

July to December, 1994

TECHNICAL COMMITTEE ON SCIENCE AND TECHNOLOGY

New Delhi, India : May 13-4, 1994

The Committee considered the report of the first meeting of the Governing Board of the SAARC Documentation Centre (SDC) held in New Delhi on 13-14 May, 1994. It endorsed the report including the Centre's budget for the years 1994-95 and 1995-96, and the proposed programme and recommended it for approval of the Standing Committee.

Referring to the recommendations of the Eleventh meeting of the Technical Committee, the Committee noted that Central Food Technology Research Institute (CFTRI), Mysore has prepared the project proposal on design and manufacture of food processing equipment for consideration by the Council for SAARC Fund for Regional Projects (CSFRP).

While considering the proposal, the Committee took note of the decision of the Standing Committee at its Nineteenth Session that the CSFRP may make every possible effort towards identifying interested financiers and investors for projects before awarding future consultancies.

The committee felt that with the project proposal in its present might be difficult to attract financiers/investors. But in view of the importance of this sector, it felt the proposal could be reformulated focusing on two or three commodities like fruits, vegetables and fish.

As per the directive of the First Special Session of the Standing Committee (Colombo - 1992), the Committee evaluated its various programmes/activities.

These Statements have been prepared by Syed Karim Haider, Pakistan Study Centre, University of the Punjab, Lahore.

While noting that the programmes/activities of the Technical Committee had benefited the Members in many areas, it felt that there was considerable scope for further improvement.

In this connection, the Committee observed inputs for preparation of State-of-the-Art Reports, Directories, etc., were not received in time, which resulted in delays in completing the activities. It also noted that full participation from member states in various approved activities/programmes was essential for achieving maximum benefit.

The Twelfth meeting of the Technical Committee on Science and Technology was held at Kathmandu on 6-7 September, 1994. The meeting was inaugurated by Dr. Keshab Chandra Sharma, Academician, Royal Nepal Academy of Science and Technology (RONAST) and chaired by Secretary, RONAST, Rishi Shah. Delegates from Bangladesh, Bhutan, India, Nepal, Pakistan and Sri Lanka attended the meeting. SAARC Secretariat was represented by Director Humayun A. Kamal.

The Committee considered the reports of the activities held since its last meeting. It covered seminars and workshops on ore beneficiation, energy modelling techniques specially in rural areas, immuno-diagnostics; training course on molecular biology; and expert group meeting on plant tissue. . . . It also considered progress in the on-going preparation of the state-of-the-art reports on building materials and technology; integrated management of tannery waste; food prepossessing technologies and handicrafts; and local electronic products in the SAARC region. Progress in the compilation of directories on specialized analytical instrumentation facilities and techniques and process engineering/pilot plant facilities in agro-food processing area was also assessed. The Committee urged member states to expeditiously provide inputs towards the finalisation of the state-of-the-art reports and directories.

MALDIVIAN STUDENT OBTAINS M.B.,B.S. DEGREE UNDER SAARC SCHOLARSHIP SCHEME

Kathmandu, Nepal : July, 1994

Fathimath Nashida from the Maldives has graduated in Medicine and Surgery from the Tribhuvan University, Kathmandu, Nepal in July 1994. She joined the central campus of the Institute of Medicine at Mahrajgunj in 1989 on a SAARC Scholarship awarded by the Nepal Government and was enrolled in the M.B.,B.S. programme. She is the first Maldivian doctor to graduate from the Tribhuvan University.

TECHNICAL COMMITTEE ON HEALTH AND POPULATION ACTIVITIES

Thimphu, Bhutan : July 1-3, 1994

The twelfth meeting of the Technical Committee was held in Thimphu on 1-3 July 1994. The meeting inaugurated by Officiating Minister for Health and Education of Bhutan, Dasho Tsewang Rixin was chaired by Secretary, Health Services of Bhutan, Dasho Sangay Ngedup. All member states participated in the meeting and Director, Humayun A. Kamal represented the SAARC Secretariat.

The Committee considered the reports of the activities held since its last meeting and took decisions thereon. The activities relate to communicable diseases control, problems affecting disabled persons, AIDS, contraceptive technology, socio-cultural aspects of tuberculosis, and malariology training.

The Committee also reviewed the status of implementation of its earlier decisions particularly relating to establishment of networking arrangements in the eradication of malaria, and in the field of population research and training. Harmonisation of national laws in health and population was also discussed.

The Committee carried out the annual review on the situation of children in SAARC countries on the basis of annual reports received from member states.

COMMON FORMAT FOR ANNUAL REPORTS ON THE SITUATION OF CHILDREN

In order to keep child related endeavours in constant regional focus, the Bangalore Summit (1986) directed the Standing Committee to undertake annual reviews of the situation of children in SAARC countries, monitoring of programmes and exchange of experience. The annual review is an essential element in the broader regional initiative to have emerged from the Bangalore Summit, which has come to be known as the "SAARC process for Children." While the situation of children has been a recurring theme at successive Summits, the imperative need to fully utilise the potential of the annual review as a basis for collective policy decision was recognised in 1992.

A comparable framework of analysis was deemed necessary for mutual learning, regional cooperation and concerted action. The common Format, designed for this purpose will help to meet this need. As a framework for analysis, it has also a bearing on the approach to decentralised annual action

plans towards the goals for children, as agreed to in the Colombo Resolution on Children, particularly Paragraph 18.

The twelfth meeting of the Technical Committee on Health and Population Activities (Thimphu, July 1994) carried out the annual review for the year 1993 on the basis of country reports received from member states once common format prepared by Sri Lanka.

The amendments suggested by the Secretary-General to the format prepared by Sri Lanka have been subsequently approved by the Nineteenth Session of the Standing Committee (Dhaka, July 1994), which called upon member states to establish national committees for children for preparing annual country reports. At the regional level, the Standing Committee has decided that a one day meeting of the Technical Committee be devoted exclusively to undertake the annual review of the situation of children for submission to the Summit. These decisions were endorsed by the Fourteenth Session of the Council of Ministers (Dhaka, July 1994).

The approved common format for the country reports and the mechanism established is expected to substantially improve the reporting and review process.

The Committee considered the report of the third meeting of the Governing Board of the SAARC Tuberculosis Centre (STC), including the institutional and programme cost budgets of the Centre for the year 1994-95 and recommended them for approval by the Standing Committee. It also reviewed the progress in the implementation of the "Kathmandu Resolution on Women and Family Health" adopted by the SAARC Ministerial Conference on Women and Family Health (Kathmandu, November 1993), the "Report of the Ministerial Conference on Disabled Persons" and "Islamabad Resolution on Disabled Persons" (December 1993). It noted that various activities relating to disabled persons were held and urged member states to continue to implement the Islamabad Resolution with a view to maintaining the momentum generated.

The Committee finalised the calendar of activities for the year 1994-95, which included workshops, seminars, etc., on Formulation, Monitoring and Implementation of Legislation on infant Milk Substitutes, Building of Linkages among SAARC member states in the field of Disability, Rehabilitation Programmes on Immunisation, Essential Drug Programmes, Rehabilitation Techniques for Disabled Persons, and Integrated Family Planning and Maternal and Child Health Activities.

JOINT PROMOTION OF SAARC REGION AS A TOURIST DESTINATION

Bandos, Maldives : July 5-6, 1994

As decided by the third meeting of the SAARC Technical Committee on Tourism, a meeting of Group of Experts on Joint Promotion of SAARC Region as a Tourist Destination was held in Bandos, Maldives on 5-6 July 1994. The meeting was inaugurated by the Minister of Tourism of the Maldives, Ibrahim Hussain Zaki who in his statement underlined the imperative to further strengthen regional cooperation in the tourism sector which was crucial for economic growth and development of SAARC countries. Assistant Director, Marketing and Promotion of the Ministry of Tourism of the Maldives, Abdulla Saeed chaired the meeting. Participants from all member countries attended the meeting. The Secretariat was represented by Director, R. M. Roy.

At the end of their deliberations, the Group of Experts identified areas where concrete action was required on a long term basis for joint promotion of SAARC region as a tourist destination. The Group also finalised Joint Tour Packages and evolved a project proposal for joint participation in Japan Association of Travel Agents (JATA) tourism fair to be held in Tokyo in November/December 1995. WTM 1995 and ITB 1996.

FINANCE/PLANNING MINISTERS FOCUS ON POVERTY ERADICATION

Dhaka, Bangladesh : July 10-11, 1994

A meeting of SAARC Finance/Planning Ministers was held in Dhaka on 10-11 July 1994 under the Chairmanship of the Bangladesh Finance Minister, M. Saifur Rahman. The meeting convened in pursuance of the decision of the Thirteenth Session of the Council of Ministers, was inaugurated by Begum Khaleda Zia, Prime Minister of Bangladesh and Chairperson of SAARC. In her inaugural address, Begum Khaleda Zia said, *inter alia*, "the Consensus on Eradication of Poverty in South Asia adopted at the Seventh SAARC Summit at Dhaka emphasizes the pivotal role of national antipoverty plans in poverty reduction and alleviation. However, it also recognises that there are real, if latent, regional linkages on the problems of poverty. Hence there is a genuine need to concert our national programmes on a regional basis."

Finance/Planning Ministers

The Agenda of the meeting included review of global economy, the on-going economic reforms and their impact on poverty situation in South Asia, national experience in poverty alleviation, formulation of national pro-poor plans and their harmonization with open economy structural adjustment strategies.

The Ministers reiterated their commitment to policies and programmes for alleviating poverty in the short term leading eventually to its eradication by 2002; affirmed their resolve to mobilized adequate resources for this purpose; decided that a three-tier SAARC institutional mechanism should be set up which would meet annually for exchanging information on experiences in the implementation of poverty alleviation programmes, particularly on technologies relevant to poverty eradication.

The Ministers were of the view that this process could be strengthened by sharing and exchanging relevant studies carried out by institutions, experts and NGOs.

The three-tier institutional mechanism decided by the Ministers consists of (i) group of Secretaries to Ministries/Departments essentially concerned with poverty alleviation and social development, (ii) Finance and Planning Secretaries, (iii) Finance and Planning Ministers.

The Finance and Planning Ministers meeting was preceded by a meeting of Senior Officials who held preliminary discussions on the Agenda. The Senior Officials also visited poverty alleviation projects in and around Dhaka.

FOURTEENTH SESSION OF COUNCIL OF MINISTERS

Dhaka, Bangladesh : July 30-31, 1994

The Fourteenth Session of the Council of Ministers was held in Dhaka on 30-31 July, 1994. The Session was inaugurated by the Prime Minister of Bangladesh and Chairperson of SAARC, Begum Khaleda Zia, and chaired by A.S.M. Mostafizur Rahman, Minister for Foreign Affairs of Bangladesh.

In her inaugural address, Begum Khaleda Zia, highlighted the significance of the Fourteenth Session of the Council as yet another important step towards building more bridges among SAARC countries and a clear evidence of the growing commitment to the SAARC spirit as well as a fresh opportunity to evaluate the achievements and limitation in the collective efforts

to strengthen SAARC institution. She added that the collective wisdom of SAARC member states had to harness the opportunity of the next century, and the creativity of the regional leadership needed to address the socio-economic ferment within South Asian societies and the lingering psycho-political reservations among member countries.

The Agenda of the two day Council Session focused on the follow-up of the Summit mandates and implementation of its own earlier decisions, which included issues relating to eradication of poverty, trade liberalisation, children, youth, and cooperation with other regional organisations. The proposed dates for the Eighth Summit and the observance next year of the Tenth Anniversary of the founding of SAARC were among the other important matters discussed by the Council.

- (a) Endorsed the recommendations of the Islamabad Ministerial Conference and Resolution on Disabled Persons and decided to transmit them to the Heads of State or Government.
- (b) Commended the report of the SAARC Ministerial Conference on Youth in South Asia and decided to transmit it to the Heads of State or Government.
- (c) Commended the report of the SAARC Finance/Planning Ministers meeting and decided to transmit it to the Heads of State or Government.
- (d) Approved the establishment of a Governing Board of the SAARC Meteorological Centre (SMRC).
- (e) Approved the establishment of a Unit (Special Permanent Office) in Sri Lanka to function as an effective data bank and dissemination centre for combatting terrorism in the region.
- (f) Urged member states to exchange request lists containing the size and nature of trade concessions well in time before the next session of the inter-governmental group (IGG). Urged those member states which had not done so to expedite ratification of SAPTA.
- (g) Decided on new procedures for more effective projection of SAARC collective position at international fora.
- (h) Decided to recommend to the Heads of India for Eighth SAARC Summit, viz 15-17 April 1995.

- (i) Decided to mark the 10th anniversary (1995) of the founding of SAARC by implementing appropriate programmes and activities.
- (j) Approved the financial statement of SAARC Secretariat for 1994 and the proposed budget for 1995.

The Council Session was preceded by the Nineteenth Session of the Standing Committee on 27-29 July 1994 and the Fourteenth Session of the Programming Committee on 26 July 1994.

The Programming Committee reviewed the Calendar of Activities for the year 1994 and finalised the proposed Calendar for 1995. It discussed the operationalisation of the SAARC Regional Fund (SRF), reviewed the SAARC Audio Visual Exchange (SAVE) Programme, and also examined the budget estimates of the Secretariat for 1995.

The Standing Committee approved the report of the Programming Committee. It reviewed the progress in implementation of the Integrated Programmed of Action (IPA) based on the Analytical Report presented by Secretary-General, Y.K. Silwal and reports presented by the Chairpersons of Technical Committees on Agriculture, Communications, Environment, Health and Population Activities, and Meteorology. The Committee approved their reports with some observations.

The Standing Committee also discussed the implementation of the Regional Convention on Suppression of Terrorism, SAARC Convention on Narcotic Drugs and Psychotropic Substances, and Operationalising SAARC Preferential Trading Arrangement (SAPTA). Pursuing cooperation with international, regional and other organisations, annual review of the situation of children and catting of recognition to regional apex bod figured prominently in the Committee's deliberations .

Major Decisions of the Standing Committee

- (i) Approved the revised Calender of Activities for 1994, and the proposed Calender for 1995.
- (ii) Granted recognition to the regional apex body—SAARC—LAW an association for persons of legal communities.
- (iii) Directed that a meeting of experts be held at the SAARC Secretariat in December 1994, to:
 - (a) Discuss cooperation with International, Regional and other Organisations.

- (b) Formulate guidelines for cooperation with international Non-Governmental Organisations (NGOs).
 - (c) Review Salaries, Allowances and other Entitlements of the Secretariat's staff.
 - (d) Undertake an evaluation of the functioning and structure of the SAARC Regional Centers.
- (iv) Hold one special working session at its Twentieth Session to review the role of the Secretariat and the institutional mechanism and activities of SAARC.

TWELFTH SAARC LETTER WRITING COMPETITION

Kathmandu, Nepal : July 31, 1994

The Twelfth Letter Writing Competition was conducted by Nepal on 31, July 1994 as part of the 1994 Calendar of Activities of the Technical Committee on Communications. A total of eighteen entries selected through national competitions were assessed at the regional competition this year, which was on the theme — "Letter, You and the World". Miss Mehwish Zahoor from Pakistan was awarded the first prize, while Master Rupiyoti Goswami and Master Prashant Nair from India won the second and third prizes respectively. Miss Fathimath Aunana, from the Maldives and Miss Karuna Rana from Bhutan were awarded consolations prizes.

The SAARC Letter Writing Competition, which is open to children under the age of 16, is intended to promote regional understanding and is being organized annually, by member countries on a rotational basis. The next SAARC Letter Writing Competition is to be organized by India in 1995.

ROUND TABLE ON "WHICH WAY APEC? NAFTA, ASEAN AND SAARC"

Bali, Indonesia : August 29, September 1, 1994

At the invitation of the American Committee on Asian Economic Studies, Secretary-General, Y.K. Silwal presented a paper at the round table on "Which Way APEC? — NAFTA, ASEAN and SAARC," held in Bali, Indonesia from 29, August to 1, September 1994.

The paper mainly dealt with the complementarities between the two regional fora, APEC and SAARC, and stressed the necessity to explore, as and when APEC becomes operational as an institution, the possibilities of establishing linkages between the two organizations.

Secretary-General, Silwal pointed out in his paper that if APEC constituted a huge source of capital, market and technology, SAARC was a reservoir of skilled and semi-skilled manpower, besides the vast potential it had in terms of market and resources. The paper further noted that the ongoing economic reforms in the SAARC region and the sustained manner in which these were being pursued would enable SAARC as a regional grouping to establish a meaningful relationship with APEC in future.

SAARC SECRETARY-GENERAL VISITS JAPAN

Japan : September 8 - 14, 1994

At the invitation of the Government of Japan, SAARC Secretary-General Y.K. Silwal paid a visit to Japan from 8 to 14 September, 1994. During his visit the Secretary-General had discussions with the Japanese officials on ways and means of strengthening an expanding cooperation between SAARC and Japan. The discussions focused *inter-alia* on the operation of the SAARC Japan Special Fund established in 1993 with the contributions from the Government of Japan, to finance selected SAARC activities and intellectual exchanges between SAARC and Japan. Views were exchanged on the selection of appropriate programmes and activities for financing under the Fund, which has been increased by the Government of Japan for financial year 1994-95.

Secretary General, Silwal had meetings with high ranking officials including Vice Minister for Parliamentary Affairs, Hakuo Yanagijawa; Vice President of LDP, Keizo Obuchi; and Members of Parliament during his visit to Japan. He also met representatives of the business community and media. His programme in Japan included visits to important industrial and business centres as well as historical and cultural sites.

NEW DIRECTOR FROM INDIA

New Delhi, India: October 3, 1994

Mr. Ashok K. Attri from India will join as new Director in the SAARC Secretariat with effect from 3rd October 1994. He will succeed R.M. Roy, who is due to complete his term of office at the Secretariat shortly.

A career diplomat since 1975, he has been assigned several responsible positions in the Ministry of External Affairs, New Delhi. In his long career he has had positions in Indian missions at Nairobi, Lusaka, Ottawa and Hanoi. He is at present Counsellor at the Embassy of India in Berne.

TECHNICAL COMMITTEE ON TOURISM

Kathmandu, Nepal : September 14-15, 1994

The fourth meeting of the SAARC Technical Committee on Tourism was held in Kathmandu on 14-15 September 1994 under the Chairmanship of L.P. Upadhyay, Joint Secretary, Ministry of Tourism and Civil Aviation of Nepal. All Member countries participated in the meeting. SAARC Secretariat was represented by Director, N. Navaratnarajah.

The committee reviewed the progress made in the implementation of the Action Plan on Tourism since its third meeting. It held in-depth discussions on the report of the meeting of the Group of Experts on Joint Promotion of SAARC Region as a Tourist Destination held on 5-6 July 1994 in the Maldives. The committee made several concrete recommendations which, *inter-alia*, included proposals for :

1. Production of joint brochure, joint tour packages and SAARC travel guide with Sri Lanka as the coordinator.
2. Joint production of tourism documentary films with Nepal as the coordinator.
3. Distribution of publicity material through the diplomatic missions of SAARC member states and their national tourism offices;
4. Joint participation in JATA to be held in Tokyo in November/December 1995.

The committee proposed that SAARC Food Festival in Dhaka and Familiarisation Tours in the Maldives, Nepal and Sri Lanka be held as part of the SAARC calendar of activities for the year 1995.

The committee also reviewed progress towards operationalising the SAARC Scheme for Promotion of Organized Tourism. It considered the availability of training facilities in member states, transportation, exchange of information, joint ventures.

SAARC CONFERENCE FOCUSES ON ECONOMICS OF HIGHER EDUCATION

Islamabad, Pakistan : September 13-15, 1994

The SAARC Conference on Higher Education was held in Islamabad, on 13 - 15 September 1994 under the auspices of the National Academy for Higher Education of the Pakistan University Grants Commission. It focused on the theme—Economics of Higher Education. Five member countries (Bangladesh, India, Nepal, Pakistan and Sri Lanka) participated in the conference, which was inaugurated by M.M. Usmani, Secretary, Ministry of Education, Pakistan.

The discussions centred on various aspects of higher education in the member states, which *inter-alia*, included the mobilization of resources; its impact on economic growth; women in higher education; management, access to higher education through distance means and technology. Internal and external efficiency in the management of higher education; an analytical approach to access to higher education, educated unemployed (and under employed) and manpower planning; higher education for scientific and technological development; tuition fees structure; and problems and prospects of higher education through distance learning received particular attention during the deliberations.

The delegates presented country papers encompassing various dimensions of higher education in their respective countries. In addition, the following theme papers were also presented at the conference :

1. Higher education of women and their contribution to society (Sri Lanka).
2. Cost benefit analysis; higher education of women (Pakistan).
3. Education and industrial growth in Pakistan.
4. Higher education in Pakistan.
5. Political economy of higher education : study of Pakistan.
6. Extending horizons of higher education through distance education (Pakistan).

The conference also made several recommendations to intensify cooperation in the field of higher education. In pursuance of the decision of the

Technical Committee on Education and Culture, the conference extensively discussed the various aspects of the SAARC Chairs, Fellowships and Scholarships Scheme. It was of the view that the scheme had not been able to significantly promote the exchange of students and interaction among scholars. In order to remedy this situation, the conference made recommendations which included wider dissemination of the terms and conditions, expeditious processing of applications within a specified time schedule, improving the terms and conditions to make it more attractive and continuous monitoring of the implementation of the scheme.

SECRETARY-GENERAL SILWAL VISITS GERMANY

Germany : September 19-22, 1994

At the invitation of the German NGO Friedrich-Naumann-Stiftung, Secretary-General Y. K. Silwal visited Germany from 19 to 22 September 1994. He was accompanied by Director, R. M. Roy. Among the participants in the programme, were representatives from the SAARC Chamber of Commerce and Industries (SCCI).

The programme was aimed at apprising government officials, business and academic community in Germany of SAARC activities in different sectors. The on-going liberalization of the South Asian economies and the emerging consensus among the SAARC countries to establish meaningful linkages with other regional organizations like EU, and ASEAN were among the significant development which figured prominently in the discussions. In this context, the importance of promoting intra-SAARC trade within the framework of SAPTA and establishing cooperation with the Chambers of Commerce in Germany was emphasised by all participants.

The programme included seminars, round table talks and discussions with the German Chambers of Commerce and Industry as well as with senior officials in the Federal Ministry of Foreign Affairs and the Ministry of Economic Cooperation and Development.

The visit to Germany (current Chairman of EU) took place against the background of a new Asia Concept Strategy being pursued by that country, which gives due importance to the SAARC region.

**ADVANCED TRAINING COURSE FOR LAW
ENFORCEMENT OFFICERS****Colombo, Sri Lanka : September 27-30, 1994**

A SAARC Advanced Training Course for Law Enforcement Officers was held in Colombo, on 27-30 September, 1994. All member countries, except Bhutan, participated in the Training Course. Details of the Training Course will be included in the next issue of the Newsletter.

**EXPERTS FOCUS ON NETWORKING MODALITIES
IN THE FIELD OF MALARIA****Lahore, Pakistan : September 24-26, 1994**

A meeting of Experts in the field of malaria to work out modalities for an effective networking arrangement was held at the National Institute of Malaria Training and Research at Lahore from 24 to 26 September 1994, financed under Component-I of SAARC-Japan Special Fund for the year 1994-95. All member countries participated at the meeting. Details of the recommendations of the meeting will be included in the next issue of the Newsletter.

SAARC SEMINAR ON ROPEWAY TRANSPORT**Kathmandu, Nepal : September 27-28, 1994**

A seminar on ropeway transport was held in Kathmandu from 27-28 September 1994. The seminar was attended by delegates from Bangladesh, India, Nepal and Sri Lanka. Details will be included in the next issue of the Newsletter.

**ACTIVITIES FINANCED UNDER
SAARC - JAPAN SPECIAL FUND****Lahore, Pakistan : September 24-26, 1994****Meeting of Malaria Experts**

A Meeting to Malaria Experts of work out Modalities for Networking was held at the National Institute of Malaria Research and Training, Lahore, Pakistan from 24 to 26 September, 1994. The meeting, which was organized to assist member states in their efforts to control/eradicate malaria through

coordination/collaboration of research and training activities and through promoting the exchange of operational information.

The meeting specifically focused on the important aspect of increasing coordination among member states in research and training programmes and exchange of information and unique experiences among experts by organizing regional meetings, seminars and workshops.

The meeting provided a forum for the identification of problems in malaria control/eradication and discussion of possible solutions. Formulation of well coordinated malaria control/eradication policies and strategies, training of technical staff involved in malaria control/eradication programmes, and the promotion of local manufacture of insecticides/anti-malaria drugs in the region were some of the areas which received particular attention.

Workshop on Rehabilitation Techniques for the Disabled

A five-day workshop on Rehabilitation Techniques for the Disabled was held in Hyderabad from 28 November to 2 December 1994. The workshop was financed under the Component-I of the SAARC Japan Special Fund. The workshop included six technical sessions, along with visits to institutions, during which participants were able to observe and obtain first hand experience about special education and rehabilitation programmes. Cultural programmes were also incorporated in the workshop to demonstrate the skills and capabilities of people with disabilities.

The participants were given information on developments in the area of community based rehabilitation, science and technology initiatives for rehabilitation of people with disability, recent trends in early intervention and early detection of childhood disabilities, education of the deaf-blind, training of children with multiple handicaps. It also covered rehabilitation of people with orthopaedic disability by using assistive devices such as below-knee modular prosthesis, rehabilitation of arm amputees, lower limb prosthesis, rehabilitation programmes for people with visual handicaps with special reference to rehabilitation of the rural blind, vocational rehabilitation, training of people with mental retardation. The role of family and employment opportunities for successful rehabilitation of people with mental retardation, human resource development, education of the deaf and communication for people having hearing impairment also received the attention.

The participants shared experiences and gave an account of rehabilitation practices followed in their respective countries. The workshop recommended that strategies and action oriented programmes be worked out with the objective to enhance cooperation amongst member states in the area of disability rehabilitation, while at the same time, programmes be formulated by each of the respective countries which could be implemented through bilateral agreements for technical cooperation.

Short Course on Technology Assessment and Technology Diffusion

A short course on Technology Assessment and Technology Diffusion was held in Dhaka under the auspices of Ministry of Science and Technology and Institute of Appropriate Technology, University of Engineering and Technology of Bangladesh on 18-24 December, 1994. Participants from Bangladesh, Bhutan, Pakistan and Sri Lanka attended the Course.

The course served to create awareness among the scientists, engineers and development planners about different aspects of technology, and introduced them to various concepts, forecasting, diffusion. It also served to focus on interlinkages of various agencies in the need for indigenous R&D and dissemination of their results in national development programmes.

BHUTAN RATIFIES SAPTA

Thimphu, Bhutan : September 29, 1994

After Nepal and Sri Lanka, Bhutan is the third member state of SAARC to ratify the Agreement on SAARC Preferential Trading Arrangement (SAPTA). A copy of the Instrument of Ratification dated 29th September 1994 and signed by the Foreign Minister of Bhutan has been received by the SAARC Secretary-General, Y. K. Silwal.

The other member states are in the process of completing the formalities to ratify the Agreement.

The next meeting of the inter-Governmental Group on Trade Liberalisation, established for the purpose of carrying out trade negotiations is expected to be held in Islamabad for finalising the trade concessions which would expedite the process of ratification by other member states.

The signing of SAPTA was indeed a landmark achievement at the Seventh SAARC Summit in Dhaka which was intended to pave the way for gradual dismantling of trade barriers and expansion of intra-regional trade among SAARC countries. It will play a catalytic role in promoting sustained contacts among traders and entrepreneurs in the region.

For the purpose of disseminating information and enhancing awareness about the content and scope of SAPTA among the business community of the region, national seminars on SAPTA have been held in the member countries. The last three national seminars on SAPTA were held in Dhaka (24 July 1994), Colombo (3 August 1994) and Male (7 August 1994). Director, R. M. Roy contributed discussion papers as a resource person for the seminars.

A regional seminar on SAPTA will be organized in Kathmandu in early December 1994 by the Federation of Nepalese Chambers of Commerce and Industry in cooperation with the SAARC Chamber of Commerce and Industry and Friedrich-Naumann-Stiftung.

ADVANCED TRAINING COURSE FOR LAW ENFORCEMENT OFFICERS

Colombo, Sri Lanka : September 27-30, 1994

The Advanced Training Course for Law Enforcement Officers was held in Colombo on 27-30 September 1994. The course was organized by the National Dangerous Drugs Control Board (NDDCB) of Sri Lanka. Bangladesh, India, Maldives, Nepal and Sri Lanka participated in the training course.

The Advanced Training Course was inaugurated by the Deputy Solicitor General and Acting Chairman of NDDCB, Ashok de Silva. The Deputy Inspector General of Police Narcotics Range and the Course Director, Anton Jeyanathan outlined the objectives of the training course.

The topics covered were, money laundering with emphasis on commodity exchange, barter, freezing of foreign assets, confiscation and cooperation among SAARC countries; Control delivery; disposal of seized goods; collection, collation and dissemination of intelligence; handling of informants and legal implications. Evaluation at the end of the course revealed that it was a fruitful experience.

**INTER-GOVERNMENTAL GROUP ON SOUTH ASIAN
DEVELOPMENT FUND MEETS****SAARC Secretariat : October 25-26, 1994**

The second meeting of the SAARC Inter-Governmental Group (IGG) on the establishment of a South Asian Development Fund (SADF) was held at the SAARC Secretariat on 25-26 October 1994. The meeting was attended by all member states and Directors of the SAARC Secretariat. Leader of the Bangladesh delegation, Alimul Haq chaired the meeting. Director, Ashok K. Attri read out Secretary-General's message at the inaugural session.

Munir-uz-Zaman, Consultant appointed by the Secretary-General presented to the Group his report on the establishment of proposed SADF. After detailed discussions, the group recommended that a three-window SADF may be established with the merger of the SAARC Fund for Regional Project (SFRP), the SAARC Regional Fund (SRF) and a third window for social development and infrastructure building. The resources of the proposed fund may consist of the balance of US\$ 5 million contributed to SFRP as well as augmentation of the resources as may be decided upon by member states.

THIRTEENTH MEETING OF THE SAVE COMMITTEE**Islamabad, Pakistan : October 25-27, 1994**

The SAARC Audio-Visual Exchange (SAVE) Committee held its Thirteenth meeting on 25-27 October 1994 in Islamabad, with the participation of Bangladesh, Maldives, Nepal, Pakistan and Sri Lanka.

The Federal Minister for Information and Broadcasting of Pakistan, Khalid Ahmad Khan Kharal inaugurated the meeting, which was chaired by the Deputy Managing Director of Pakistan Television Corporation, Suleman Ghani. SAARC Secretariat was represented by Director, Nima Ome.

While reviewing the progress in the implementation of decisions taken at its previous meeting, the committee noted the progress regarding the Joint Productions on "SAARC Year of the Youth" for TV and Radio. It decided that the coordinating countries, i.e., Bangladesh and Sri Lanka will circulate the final programme to all the member countries by the second week of December 1994 for telecast/broadcast before the end of the year.

The committee also noted that the third 'SAARC TV Quiz' and the second 'SAARC Radio Quiz' coordinated by Pakistan Television and Radio

Bangladesh respectively were under preparation. The meeting decided that the final production for both the TV and Radio Quiz would be recorded in the last week of March 1995.

The new master titles for SAVE programmes submitted by the member countries were previewed and discussed. The title submitted by Pakistan was selected as the new master title for SAVE programmes, after making the changes proposed by the meeting. The new master title will be introduced with effect from January 1, 1995 for TV programmes and January 15, 1995 for Radio programmes.

To commemorate the first decade of SAARC in December 1995, the committee decided that each member state would produce a 30-minute TV programme and a 15-minute Radio programme on cultural themes. The next meeting of the SAVE Committee would preview and audition the programmes prior to transmission in December 1995.

The other subjects discussed were the establishment of a permanent SAVE Programme Bank at the SAARC Secretariat and the preparation of a single comprehensive project proposal for submission to the SAARC Japan Special Fund. The committee also finalised the schedule of TV and Radio programmes for the period December 1994 - October 1995.

Schedule of SAVE Programmes

Television

Country	Title	Duration	Date
Bhutan	On the Wings of Prayer	21 : 53	December 94
Maldives	From Me to You	28 : 24	January 95
Pakistan	Fragrant Mountain	21 : 35	February 95
Sri Lanka	Lime and Life	25 : 00	March 95
Bangladesh	Songs to Remember	24 : 00	April 95
Nepal	Dolls from Nepal	26 : 40	May 95
Maldives	Today, Tomorrow and The	33 : 41	June 95
Pakistan	Thar after Rain	26 : 14	July 95
Sri Lanka	Pulse of Sri Lanka	25 : 00	August 95
Bangladesh	Sundarban	24 : 00	September 95
Nepal	New Adventure	27 : 19	October 95
Sri Lanka	Blossoming Youth	25 : 00	**

Radio

Country	Title	Duration	Date
Co-production	Mobilization of Youth	22 : 00	December 94
Sri Lanka	Melodies and Rhythms of Sri Lanka	15 : 00	January 95
Bangladesh	Green o'my green	15 : 00	February 95
Pakistan	Marriage Songs of Pakistan	15 : 00	March 95
Bhutan	Tourism in Bhutan	14 : 20	April 95
Nepal	Messages in Music	14 : 48	May 95
Pakistan	Welcome to Pakistan	15 : 00	June 95
Bangladesh	The Charm of Magic Bean	15 : 00	July 95
Maldives	Women in the Spotlight	13 : 00	August 95
India	In Harmony with Nature	14 : 45	September 95
Pakistan	Folk Musical Instruments of Pakistan	15 : 00	October 95

INTERNATIONAL CONFERENCE ON ENERGY

New Delhi, India : November 17-18, 1994

SAARC Secretary General, Y.K. Silwal delivered a keynote address at the inaugural session of the International Conference on Energy held in New Delhi on 17-18 November 1994. As a fore-runner to the Sixteenth World Energy Congress to be held at Tokyo in October 1995, the conference was organized by the Indian Member Committee of the World Energy Council on the theme "Energy for Tomorrow's World Concerns and Issues of Developing Countries."

In his keynote address, the Secretary-General under-lined the need to focus on the impact of rapid industrialization and high energy consumption on environment. He also emphasized the importance of tapping environment — friendly new and renewable energy sources.

The Secretary-General also apprised the conference of the work being done in the field of environment energy, and science and technology under the framework of SAARC.

REGIONAL SEMINAR ON SAPTA

Kathmandu, Nepal : December 18, 1994

A Regional Seminar of SAARC Preferential Trading Arrangement (SAPTA) was held in Kathmandu on 18th December 1994. The seminar was organized by the Federation of Nepalese Chambers of Commerce and Industry

(FNCCI) in cooperation with SAARC Chamber of Commerce and Industry (SCCI) and Freidrich-Naumann-Stiftung. It was the culmination of a series of National Seminars on SAPTA held in member countries during 1994 for the purpose of dissemination information about the objectives, scope and potential of SAPTA.

Prime Minister of Nepal, Manmohan Adhikari inaugurated the seminar. In his inaugural address the Prime Minister highlighted that Nepal retained the distinct honour of being the first country of ratify the agreement on SAPTA, which testified Nepal's commitment to regional cooperation and development. He added, "the ultimate responsibility to ensure that the concept of SAPTA does not remain a mere slogan but translate into a blue-print for action lies with the member nations and no one else."

Secretary-General, Y.K. Silwal in his address at the inaugural session, provided an overview of the objectives, the institutional structure as well as the programme of activities of SAARC and outlined the steps towards the operationalisation of SAPTA. Director at the SAARC Secretariat Ashok K. Attri gave an overview of the national seminars at the opening of the working session. The seminar made following conclusions and recommendations :

1. Initiate action to seek and obtain deeper tariff reductions than that accorded under the Bangkok Agreement or agreed tariff reductions in the recently concluded Uruguay Round Multilateral trade negotiations, in order to make SAPTA meaningful.
2. Initiate action to pursue the responsibility of achieving sectoral/across the board tariff reductions simultaneously with the ongoing product-by-product approach.
3. Initiate action to work towards eliminating/phasing out non-tariff barriers within SAARC countries.
4. Stud, and recommend action to grant special emphasis to selected sectors in agriculture, industry and services. Explore possibilities for specialization within sectors.
5. Initiate action to explore possibilities to negotiate preferential access into non-SAARC trading blocs such as NAFTA, AFTA and EEA, etc., as a collective SAARC body.

WORKSHOP ON FISHERIES AND AQUACULTURE**Kathmandu, Nepal : November 22-23, 1994**

A two-day workshop on Fisheries and Aquaculture was held in Kathmandu on 22-23 November, 1994. It was attended by participants from Bangladesh, India, Nepal and Sri Lanka. Country papers were presented by the participants.

Nothing that due to environmental degradation, Trans-Himalayan fish species like Asala, Mahaseer and Katle, etc., were declining, the workshop viewed that a network among the member countries to study these species was essential.

Fish health issues like Epizootic Ulcerative Syndrome (EUS) was one the common problems raised by all member countries. It was agreed that detailed information on the status of EUS should be included in the country paper in the next SAARC workshop.

It also recommended that necessary action be taken by respective governments to ensure that single/multiple ownership of water bodies, if necessary, be utilised for aquaculture. Fish crop losses due to disease and natural calamities was another serious problem discussed and the workshop felt that it was necessary to introduce fish insurance policy by all member countries.

To promote aquaculture and fisheries activities amongst small-scale entrepreneurs, the workshop was of the view that bank interest on loan be lowered and loan procedures simplified.

It also recommended that the theme for the next SAARC workshop on Fisheries and Aquaculture be "Fish Health Management for Sustainable Aquaculture Development."

**SAARC CHAIRPERSON UNDERTAKES
VISITS TO MEMBER COUNTRIES****Maldives : November 23-24, 1994**

Begum Khaloda Zia, Prime Minister of Bangladesh and current Chairperson of SAARC began her tour of member countries with a visit to the Maldives from 23-24 November 1994. She was accompanied by Foreign Minister, A.S.M. Mostafizur Rahman and senior officials. During her visit,

the Prime Minister had extensive discussions with President of the Maldives, Maumoon Abdul Gayoom, on matters relating to SAARC. The two leaders reaffirmed their conviction that SAARC as a forum for regional cooperation could contribute significantly towards strengthening relations among the member states in the interest of promoting peace, progress and the well-being of their peoples.

To two leaders expressed satisfaction at the steady progress in the implementation of the decisions adopted at the Seventh SAARC Summit. In this regard, they noted the successful outcome of the SAARC Planning/Finance Ministers' Meeting, the Fourteenth Session of the Council of Ministers and the Ministerial Conferences on Youth, the Disabled, and Women and Family Health. They stressed that the issue of poverty alleviation should continue to remain on the SAARC Agenda. They noted the progress made towards implementation of the SAARC Preferential Trading Arrangement (SAPTA).

The two leaders felt that efforts may continue for developing cooperation between SAARC and other regional bodies, such as ASEAN and the European Union. They observed that such cooperation between the regional bodies could help improve the well-being of the peoples of these regions. In this regard, they discussed the outcome of the recent visit of the Prime Minister of Bangladesh to Malaysia, a member of ASEAN. They also underscored the importance of projecting a SAARC position on issues of common concern at various international fora. Discussions between the two leaders were held in an atmosphere of friendship, mutual understanding and goodwill reflecting the close relations existing between the two member countries.

SAARC Chairperson is scheduled to visit Sri Lanka from 25-26 January 1995.

MEETING ON HUMAN RESOURCES DEVELOPMENT

Bangkok : November 24-25, 1994

SAARC Secretary-General, Y.K. Silwal attended a meeting of the Panel of Eminent Persons on Human Resources Development in Bangkok, on 24 and 25 November 1994. The Panel, constituted by ESCAP, was chaired by the former Prime Minister of Thailand, Anand Panyarachun and consisted of many distinguished personalities, scholars and experts from the Asia-Pacific region.

The meeting finalized proposals relating to strategic areas and modalities for strengthening regional cooperation in human resources development in the Asia-Pacific region, with special reference to the social implications of sustainable economic growth, which will be the theme topic for the fifty-first session of the ESCAP to be held in April 1995.

TECHNICAL COMMITTEE ON PREVENTION OF DRUG TRAFFICKING AND DRUG ABUSE

Dhaka, Bangladesh : November 27-29, 1994

The ninth meeting of the Technical Committee on Prevention of Drug Trafficking and Drug Abuse was held in Dhaka on 27-29 November 1994. All member countries participated in the meeting. Director, N. Navaratnarajah represented the SAARC Secretariat at the meeting. The meeting was inaugurated by Minister of Home Affairs of Bangladesh, Abdul Matin Chowdhury who graced the occasion as chief guest. In his inaugural address the Minister said that the incidence of drug trafficking had risen alarmingly over the past few years, and that his menace had become a threat to human civilization. He further said that it was only through very active combined efforts, global as well as regional, that the challenge of its eradication could be faced.

The committee noted that the following activities had been held since its last meeting. Training Programme for Middle-rung Officers Engaged in the enforcement of Drug Related Laws, New Delhi. Training Workshop on the Role of NGOs in the Treatment and Rehabilitation of Drug Addicts, New Delhi. Advanced Training Course for Law Enforcement Officers, Colombo. It also noted that the Seminar on the Evaluation of the Experiences and the Performance of Nodal Agencies in the Enforcement of Drug Related Laws and Prevention of Drug Abuse, would be held in Dhaka on 18-20 December, 1994. The committee decided to reschedule the Workshop on Preventive Education with emphasis on curriculum development for schools in Colombo for 1995.

Regarding the exchange of useful information on programmes of drug abuse control and prevention, the committee recognized the considerable potential for further expansion of this process and discussed ways and means of improving the exchange of information. It recommended that a central data base be established in the SAARC Secretariat which should include information on both supply and demand reduction. The committee was also of the view that there should be a direct exchange of information between the

concerned nodal agencies, and that opportunities provided by the various SAARC meetings should be fully utilized to personally exchange relevant up-to-date information.

The committee underlined the importance of completing expeditiously the enactment of enabling legislation at the national level to give effect to the SAARC Convention on Narcotic Drugs and Psychotropic Substances. It urged member states which had not yet done so, to enact enabling legislation to give full effect to the convention as early as possible. The committee decided that a new comparative study of drug legislation could be undertaken after the proposed amendments had been brought into force by individual member states. It accepted the offer of India to host in 1995, a meeting of experts on the administrative and legal arrangements for control of medicinal drugs and for intensifying weaknesses in the system and suggestions for improvement.

It considered the Draft Memorandum of understanding for cooperation between SAARC and UNDCP and decided to recommend its approval by the Standing Committee. It also recommended acceptance of the proposal from the Colombo Plan Bureau to establish a working relationship with SAARC to identify and collect data on the existing training, resources and facilities in the region. Colombo Plan Bureau's Project Proposal "SAARC Forum on the Role of NGOs in Drug Demand Reduction" was also endorsed by the committee. The committee formulated its Calendar of Activities for 1995.

The committee evaluated its functioning since inception and noted that the regional programmes had strengthened law enforcement through the establishment of appropriate legal regimes at regional and national levels. It was of the view that the cooperation and been more effective in law enforcement. However, on the demand reduction side, SAARC activities had helped raise public awareness, NGOs' participation, research and publications. It felt that in future more emphasis should be given to training and transfer of technology, training of trainers and epidemiological surveys of the extent and trend of drug abuse.

**SAARC SECRETARY - GENERAL CALLS ON
SRI LANKAN PRESIDENT AND NEPALESE PRIME MINISTER**

Colombo, Sri Lanka : November 29, 1994

Secretary-General, Y. K. Silwal called on the Sri Lankan President, Chandrika Bandaranaike Kumaratunga on 29 November, 1994, during his official visit to Sri Lanka. At the meeting, Secretary-General informed the

Sri Lankan President of the progress the Association had achieved since its inception and the on-going SAARC programmes and activities. The early operationalization of SAPTA and matters relating to the forthcoming Eighth SAARC Summit, to be held in India in April 1995, also figured prominently during the meeting.

While in Sri Lanka, the Secretary-General called on Prime Minister Sirimavo R. D. Bandaranaike and briefed her of the present work programme of the Association.

Earlier the Secretary-General met Foreign Minister, Lakshman Kadirgamar and Foreign Secretary, R. C. A. Vandergert and had wide ranging discussions on current developments in SAARC.

SAARC Secretary-General, Y. K. Silwal paid a call on the Prime Minister of Nepal, Manmohan Adhikari on 7th December 1994. During the talks the Prime Minister emphasized the need to accelerate economic growth and social progress in the region in pursuit of SAARC objectives. He also reiterated His Majesty's Government's commitment to the SAARC Charter and assured that full cooperation would continue to be extended towards promoting the welfare of the peoples of the SAARC region.

REGIONAL SEMINAR ON TEACHER EDUCATION

Lahore, Pakistan : December 1, 1994

SAARC Secretary-General, Y. K. Silwal inaugurated on 1st December 1994 the Regional Seminar on Teacher Education organized by the Ali Institute of Education, Lahore with the support of UNDP, UNESCO and Sweden. The two-day seminar which brought together Teacher Educators from South Asian countries focused on developing an agenda for mutual cooperation and exchange for improving the quality of primary and secondary education in the region.

In his inaugural address, the Secretary-General commended the Ali Institute for taking the initiative in convening the seminar which provided an excellent opportunity for fruitful interaction, sharing of experiences and information in this important field. Underlining the central importance of education in promoting overall human development and sustainable economic growth, the Secretary-General recalled SAARC commitments to achieving the goal of universal primary education and eradicating illiteracy. Outlining the various programmes implemented by SAARC to promote cooperation in the

field of education, the Secretary-General expressed the view that non-governmental initiative such as this seminar would supplement and reinforce inter-governmental efforts.

SEMINAR ON MINERALS AND MINERAL-BASED INDUSTRIES

Kathmandu, Nepal : December 6-9, 1994

SAARC Secretary-General, Y.K. Silwal delivered a keynote address in the Valedictory Session of the "International Seminar on Minerals and Mineral-based Industries in ESCAP Region : Trade and Technology Cooperation" held in Kathmandu on 6-9 December, 1994.

In his address, the Secretary-General highlighted the work being done under the framework of SAARC to promote economic and trade cooperation in South Asia, with special emphasis on cooperation in the fields of mineral and mineral-based industry.

WORKSHOP ON YOUTH VOLUNTEERS

Hyderabad : December 6-8, 1994

The Workshop on Youth Volunteers in Rural Development Projects was held on 6-8 December 1994, in Hyderabad with participation from Bangladesh, India, Maldives, and Pakistan.

The two-day workshop provided an opportunity for the participants to understand the strategies and programmes of rural development in the SAARC region, and also the role of student and non-student youth, youth institutions, youth organizations and other relevant bodies. It also provided them the opportunity to analyse the problems and constraints in the involvement of the youth, particularly the rural youth in planning and implementation of rural development programmes.

The workshop emphasized that self-employment programmes, programmes for skill development and non-formal education programmes should be given high priority. It viewed that the major problem facing the youth in rural areas was employment. The workshop recommended that vocational training and skill building must be given to youth.

It noted that the SAARC countries programmes for weaning youth away from anti-social activities drug abuse, AIDS, etc., were being organized in the form of campaigns.

The recommendations of the workshop include the establishment of a separate wing for youth in the SAARC Secretariat, creation of youth welfare/development fund, formulation of youth charter, plan of action for youth and organization of youth hosted in the SAARC regions.

TECHNICAL COMMITTEE ON TRANSPORT

New Delhi, India : December 9-10, 1994

The thirteenth meeting of Technical Committee on Transport was held in New Delhi on 9-10 December 1994. All member countries participated at the meeting. SAARC Secretariat was represented by Director Prabal SJB Rana. The meeting was inaugurated by Director-General (Road Development) Ministry of Surface Transport, India, M.V. Sastry. Chief Engineer, Ministry of Surface Transport, R.L. Koul, chaired the meeting.

The committee reviewed the progress in the implementation of its earlier decisions and noted as follows :

- (i) Updating the Compendia of information on roads to be undertaken by India in 1995 : Sri Lanka circulated its data at the meeting. Other member states were requested to furnish the relevant data as early as possible.
- (ii) Updating the data on Rail Transport to be undertaken by Sri Lanka in 1995 : All member States were requested to furnish the updated data at the earliest.
- (iii) A review of the functioning of the Sub-Committees on Air Transport would be undertaken at the meeting of the Directors of Civil Aviation scheduled to be held in Sri Lanka during the second quarter of 1995.
- (iv) India circulated at the meeting, its lists of Centres of Excellence and Consultants and Experts in the field of Transport for inclusion in the respective directories. Other member states were requested to furnish their respective lists as early as possible.
- (v) India offered to exchange lists of films and scripts on highway safety with other member states.

Statements

- (vi) On the four new agreed areas of cooperation in the transport sector, viz., Information sharing and awareness raising on rural transport issues; Safety in Transport; Environmental Issues in Transport and Energy Conservation, the committee noted that the status papers on these subjects had been sent by Maldives and Bhutan. Sri Lanka furnished its status paper during the meeting. Other member states were requested to do so preferably within six months.
- (vii) Regarding Sri Lanka's proposal to establish joint venture operations to provide Container Liner Shipping Services for Long Haul Trade Routes, nominations for the experts from all member states for the Working Group meeting had been received and that the new dates for the meeting were to be intimated by Sri Lanka by January 1995.
- (viii) Comments on the concept paper of Nepal on Consultancy/ Contracting Joint Ventures in the Transport Sector in the SAARC region, had been received from Bhutan, India, Maldives and Sri Lanka and other member states were requested to furnish their comments within two months.

The committee also undertook an evaluation of its functioning since inception. It noted that 54 short-term programmes had been organized in various fields of transport since its establishment in 1983. These programmes helped in fostering better cooperation among member countries and resulted in the exchange of data, expertise, information and experiences.

As regards the long-term programmes, the committee noted that to improve the transportation system in the SAARC region, a beginning was made in the early 90's in the fields of Civil Aviation and Shipping. However, the activities identified in these sectors could not be completed as scheduled due to unavoidable circumstances. The committee expressed confidence that with the identification of the four new areas of cooperation, the desired objective would be achieved.

In the light of the areas of implementation of the Calendar Activities for 1994 the committee formulated its Calendar of 1995.

TECHNICAL COMMITTEE ON WOMEN IN DEVELOPMENT

Dhaka, Bangladesh : December 10-11, 1994

The ninth meeting of the SAARC Technical Committee on Women in Development was held in Dhaka on 10-11 December 1994, with the

participation of all member states. SAARC Secretariat was represented by Director, Ahmed Latheef.

Minister of State for women and Children Affairs of Bangladesh, Sarwari Rahman inaugurated the meeting, which was chaired by Additional Secretary-in-Charge of the Ministry of Women and Children Affairs, Mohammad Matiur Rahman. In her inaugural address, the Minister highlighted the necessity and importance of regional cooperation among SAARC countries in making a combined effort to alleviate poverty among women. She also emphasized the need to make use of the vast resources of women, through empowering them socially, economically and politically.

The committee reviewed the status of implementation of the SAARC Plan of Action on Women adopted in 1994. All delegations presented their respective status reports highlighting the current situation and recent developments in this regard. The committee felt that significant steps had been taken by member states towards achieving the goals outlined in the Plan of Action. The committee also reviewed the status of implementation of the Plan of Action for the Observance of "1991—2000 AD as the SAARC Decade of the Girl-Child" and noted with satisfaction that almost all member states had completed formulating their National Plans of Action and were in the process of implementing them. Member countries presented their progress reports on the implementation of their National Plans of Action. The committee expressed satisfaction at the progress achieved in this respect.

While discussing the problems faced by the Girl-Child in the region, the committee noted with concern the serious threat faced by Girl Children in Especially Difficult Circumstances (GCEDC) in South Asia who are subjected to sex trade, bonded for work, exploited as labourers, orphaned, disabled. It decided that their rapidly deteriorating conditions as victims of hazardous, unhealthy and immoral situations required urgent attention and appraisal. It recommended that a workshop on GCEDC be held to focus on the issue and based on its findings, a regional overview be prepared and presented to the Ninth SAARC Summit.

The committee discussed in detail the publication of the third issue of the *SAARC Solidarity Journal on Women in Development*. It decided that the third issue devoted to the "Girl-Child" would be published by India to coincide with the Eighth SAARC Summit, in New Delhi in April 1995.

A project proposal on the establishment of a SAARC Emporium for Marketing of Handicrafts, which was submitted by Bangladesh, was finalised

by the committee for submission to the Council of the SAARC Fund for Regional Projects for its consideration.

The committee considered two project proposals, viz., (i) Feasibility Study for training in Women in Development in SAARC countries, and (ii) Regional Cooperation for Mass Awakening and Awareness Generation on Women in Development, presented by Bangladesh to be financed under the SAARC-Japan Special Fund. It accepted the offer of Pakistan to host a workshop as a further step towards the preparation of the details of the first proposal, and decided to include it in its Calendar of Activities for 1995. The second proposal was deferred for consideration at the Tenth Meeting of the Committee.

The committee, while addressing the issue of enhancing inter-sectoral coordination, expressed its view that the SAARC Audio Visual Exchange (SAVE) Programme should be better utilised to create mass awakening on issues and concerns relating to Women in Development. It requested the SAVE Committee to consider inclusion of such programmes in its future schedule.

While undertaking the evaluation of its functioning, the committee was of the view that member states had already initiated a number of activities in Women in Development and completed a number of studies and plans of action at the national level. The committee expressed the hope that those decisions arrived at its previous meetings, as well as the relevant decisions of the Standing Committee and other bodies, which had remained unimplemented either individually or collectively would be expeditiously attended to by all member countries.

It reviewed the Calendar of Activities for 1994 and noted that all activities approved for the year were held. It also draw up the Calendar for 1995-96.

WORKSHOP TO FORMULATE COLLECTIVE POSITION FOR THE WORLD SOCIAL SUMMIT

New Delhi, India : December 12, 1994

A workshop was held in New Delhi on 12 December 1994, to formulate a collective position by member states for presentation in the forthcoming World Summit for Social Development in Copenhagen in March 1995.

All member states participated at the workshop and Director, Humayun A. Kamal represented the SAARC Secretariat. It was inaugurated by K.R. Venugopal, Secretary, Prime Minister's Office of India. Prof. S.R. Hashem, Principal Advisor, Planning Commission of India chaired the proceedings.

The workshop addressed key social development issues in the SAARC region and identified the basic elements of a common SAARC approach to the issue before the World Summit. It noted, *inter-alia*, "approximately one third of the population of the SAARC countries live in poverty; nearly half of that population goes hungry; millions of persons are unemployed and underemployed; a large number of the peoples of South Asia do not have access to safe drinking water; illiteracy is widespread and malnutrition and disease continue to stalk most of the region : women, who constitute half of the region's population are subject to varying degrees of discrimination."

The collective position formulated by member states incorporates :

- (a) SAARC's commitment to the eradication of poverty by the year 2002 and affirmation of resolve to mobilize resources required for this effort commensuration with the magnitude of the problem, through policies conducive to such resource mobilization.
- (b) Determination of member states to pursue a course of economic development that is consistent with maximizing productive and freely chosen employment and achieving full employment.
- (c) Promoting social integration by fostering inclusive, participatory, just and safe societies for all their people and respecting and accommodating their diversity.
- (d) Recognition and acceptance by governments that the task of social development as well as the attainment of the goals and targets in first and foremost a national responsibility, to be supported by regional and sub-regional, as well as international initiatives as appropriate.
- (e) Convergence of social development should be a common objective of governments, their agencies, NGOs, voluntary organizations and local communities.
- (f) To mobilize adequate resources implement social development initiatives which will produce tangible results, the need to explore

new and innovative sources of financing, including the possibility of establishing a special fund named International Fund for Social Development.

TECHNICAL COMMITTEE ON EDUCATION AND CULTURE

Colombo, Sri Lanka : December 16-19, 1994

The second meeting of the SAARC Technical Committee on Education and Culture was held in Colombo on 16-19 December 1994. All member countries participated in the meeting. SAARC Secretariat was represented by Director Ahmed Latheef.

Professor Wisva Warnapala, Deputy Minister of Higher Education of Sri Lanka inaugurated the meeting, which was chaired by the Secretary, Ministry of Education and Higher Education of Sri Lanka, M. D. D. Pieris. In his inaugural address the Deputy Minister of Higher Education emphasized that the function of the general education system was not only to produce trained personnel for specific jobs, but also to produce persons with trainable skills. He further stressed the urgent need to address the pressing problems in the identified priority areas of women and education, universal primary education, literacy, post literacy and continuing education, education for the underserved areas and distance education.

While reviewing the implementation of activities in the education sector since its first meeting, the committee noted that four activities had been completed during 1994 — viz., Workshop on Teacher Training, Dhaka; SAARC Seminar on Higher Education, Kathmandu; SAARC Seminar on Book, Production and Marketing, Dhaka; and SAARC Conference on Higher Education, Islamabad.

It decided to reschedule for 1995 the three activities which could not be held in 1994, i.e., Seminar on the Role of Media Communications for Literacy, Post Literacy and Continuing Education, India; Workshop for Educational Planners and Administrators on District Primary Education Projects, India; Workshop on Distance Education, Pakistan.

The committee reviewed the current status of implementation of the recommendations in the identified seven priority areas/themes. It urged those member states which had not yet done so, to expedite furnishing to the Secretariat, information on specific contact points within the nodal agencies/clearing houses including postal address, telex, fax, telephone, cable

address, etc. The committee also urged member states to submit all relevant information including their respective national plans to the Regional Coordinator by the end of first quarter of 1995, to enable them to prepare the regional action plans.

The committee considered the recommendations of the Islamabad Conference on Higher Education, for fuller utilization of the SAARC Chairs, Fellowships and Scholarships Scheme. While endorsing these recommendations, the committee noted the need for working out more specific details and accepted the offer of Sri Lanka to host an expert group for this purpose.

In the field of Sports, Arts and Culture, the committee noted that the SAARC Squash Coaching Camp and Clinic (Rawalpindi) had been held. The committee decided that the Sixth Archaeological Congress (Kathmandu) and Expert Group meeting on Preservation of Monuments and Archival Material (Colombo) would be included in the 1995 Calendar.

Since all participating member states had sent their contributions for the preparation of an Anthology of Poetry, India was requested to publish it as soon as possible.

The committee evaluated its functioning since inception and noted that the over-all functioning of its work was satisfactory. While highlighting that several important initiatives had been taken in the areas covered by the committee including identification of priority areas, it felt that there was an urgent need to activate the various nodal agencies so that the preparation of the regional action plans in the identified priority themes could be expedited. The committee noted that the SAARC Chairs, Fellowships and Scholarships Scheme had not been able to significantly promote the exchange of students and interaction among scholars in the region.

It endorsed the proposal of Sri Lanka to hold a South Asian Festival of Traditional Drumming in 1996. The committee also formulated its Calendar of Activities for 1995-96.

**SCCI EXECUTIVE MEMBERS CALL
ON SECRETARY - GENERAL**

Kathmandu, Nepal : December 18, 1994

The Members of the Executive Committee of SAARC Chamber of Commerce and Industry (SCCI) met Secretary-General Y. K. Silwal on

19th December at the SAARC Secretariat. During their meeting, the President of SCCI, S. M. Inam presented a copy of the report containing the final recommendations of the Regional Seminar on SAARC Preferential Trading Arrangement (SAPTA) held on 18th December 1994 in Kathmandu. The members held discussions with the Secretary-General and the Directors of the SAARC Secretariat on the steps being taken for expeditious operationalisation of SAPTA.

GROUP OF EXPERTS MEETS AT THE SECRETARIAT

Kathmandu, Nepal : December 20 - 22, 1994

A Group of Experts met at the SAARC Secretariat, Kathmandu on 20-22 December, 1994 to :

- (i) Consider SAARC-EU cooperation.
- (ii) Formulate guidelines for SAARC cooperation with International Non-Governmental Organizations (INGOs).
- (iii) Evaluate the functioning and structure of the regional centres.
- (iv) Consider revision of the salaries, allowances and other entitlements of the Secretariat's staff.

The meeting was attended by representatives from all member states, Directors of the SAARC Regional Centres and Directors of the SAARC Secretariat. SAARC Secretary-General addressed the opening session of the meeting and outlined the background of the issues on the agenda and emphasized their importance.

With regard to SAARC-EU cooperation the group was of the view that the possibility of assistance be explored for training the national nodal points in the existing networking arrangements under the SAARC framework and for upgrading the skills and expertise of the personnel in the SAARC Regional Centres. The group felt that assistance from EU should constitute an additionality to the existing and future component of bilateral cooperation between individual SAARC countries and EU Improving market access conditions in the member states of the EU for the exports of SAARC countries

was identified as a critical area for cooperation. The group was of the view that the proposed Draft Agreement on Inter-Institutional Cooperation Agreement between EU and SAARC may be revised taking these into consideration.

Regarding SAARC cooperation with International Non-Government Organizations (INGOs), the group was of the view that the existing SAARC recognized NGOs in the region may cooperate appropriately with the INGOs within certain broad parameters which promote the aims and objectives of the SAARC Charter.

The group discussed in detail the evaluation of the functioning and structure of the existing four regional Centres, viz., SAARC Agricultural Information Centre (SAIC), Dhaka; SAARC Tuberculosis Centre (STC), Kathmandu; SAARC Documentation Centre (SDC), New Delhi; and SAARC Meteorological Research Centre (SMRC), Dhaka. The Director of each Centre presented his Working Paper and gave a brief overview of its activities highlighting the constraints faced and suggesting possible remedies. The group noted that the Regional Centres were at different stages of development and differed in their objectives, functions and organizational structure.

The recommendations of the group covered, *inter-alia* conclusion of Headquarters Agreements, restructuring of budgetary expenditure to reflect a clear programme orientation rationalisation of salary structures, streamlining of remittances from member states, and the question of dual responsibility of the Directors. These recommendations will be placed before the next meeting of the respective Governing Board for its comments.

The group's recommendations on the revision of salaries, allowances and other entitlements of the Secretariat's staff will be placed before the Twentieth Session of the Standing Committee.

TECHNICAL COMMITTEE ON RURAL DEVELOPMENT

Bhutan : December 31, 1994

Regarding the compilation of a SAARC Directory of Experts in Rural Development, the Committee requested Bhutan to have the Directory printed by 31 December, 1994. The Committee reviewed progress in the Research

Studies on Rural Housing, and Transfer of Technology and approved the revised designs for the studies. It requested India to complete the studies based on the revised designs, well in time before the next meeting of the Committee.

While considering measures for promoting effective involvement of Non-Governmental Organizations (NGOs) in its work, the Committee decided that member states should encourage involvement of NGOs wherever possible in rural development programmes. It also recommended that the member states forward to the SAARC Secretariat, for circulation, lists of major NGOs active in the field of rural development in their respective countries to facilitate exchange of information in this regard.

The Committee reviewed the implementation of the Calendar of Activities since its last meeting. It noted that the Workshop on Disaster Preparedness and Management (Bangladesh, 17-19 October, 1993) and Workshop on involvement of Community in Rural Development (Pakistan, 13-16 June, 1994) was held and the three other activities included in the Calendar would be held in the latter part of the year.

The Committee also formulated the proposed Calendar for 1995, which included workshops and seminars on Rural Employment in the Non-Farm Sector, Production Credit for Rural Women, and Enhanced Role of NGOs in Rural Development. Study Tours of Senior Officials dealing with Rural Development activities have also been included in the Calendar. In addition programmes relating to youth have also been included as part of the SAARC Youth Volunteers Programme (SYVOP).

The Committee decided that the evaluation of the functioning the Technical Committee since its inception, as mandated by the First Special Session of the Standing Committee, would be carried out by the Chairman of the Committee for presentation to the Standing Committee at its next session.

The Thirteenth meeting of the SAARC Technical Committee on Rural Development was held in Male on 12-13 September, 1994. The meeting was inaugurated by Minister of Atolls Administration of the Maldives Abdul Rasheed Hussain. Assistant Director, Ministry of Atolls Administration, Ahmed Thasmeen Ali chaired the meeting. All member states participated in the meeting and the SAARC Secretariat was represented by Director Ahmed Latheef.

The Committee discussed the proposal to establish a Shelter Information Network - "SHELTERNET" and decided that the proposed arrangements contained in the report of the New Delhi Expert Group meeting (June 1993) will be finalised in the next meeting of the Committee in the light of comments thereon from member states.

The Committee also reviewed progress in the establishment of Networking Arrangements among institutions in SAARC member countries dealing with appropriate Rural Technology and requested Bhutan to compile the final lists of all such institutions by 3rd December, 1994, after which a workshop will be held in India to formulate precise modalities for the networking arrangement.

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Chronology of Important Events

SOUTH ASIAN REGION

July to December, 1994

BANGLADESH

- July 31* Foreign Minister Sardar Aseff Ahmad Ali held meeting with his Bangladesh counterpart A.S.M. Mostafizur Rahman in Dhaka and exchanged views on matters of bilateral interest.
- August 4* A four-member Pakistan's delegation led by Chief of the Army Staff, General Abdul Waheed, called on Bangladesh's Prime Minister Begum Khaleda Zia in Dhaka. The delegation lauded the economic breakthrough and development in different sectors of Bangladesh under the leadership of Prime Minister Begum Khaleda Zia.

INDIA

- July 11* Pakistan lodged a strong protest with the Indian government on the physical mishandling of an official of Pakistan's High Commission in New Delhi by the Indian authorities.
- Pakistan's security agencies arrested an Indian diplomat, V.S. Chauhan, while receiving sensitive documents from a Pakistani agent in Islamabad.
- The Government of Pakistan asked the Indian government to withdraw V.S. Chauhan, an official of the Indian High Commission in Islamabad, and Ernest Alexander Adams, an official of the Indian Consulate General in Karachi within seven days.
- 12* India lodged a strong protest with the High Commissioner of Pakistan in New Delhi against the torturing of an Indian diplomat V.S. Chauhan in Islamabad.
- 13* According to a Foreign Office spokesman in Islamabad, Pakistan accepted India's proposal for talks on implementing the existing code of conduct

signed between the two countries in August 1992. The decision was taken in the aftermath of the expulsion of two embassy officials from each side.

- July 22 Pakistan's Deputy High Commissioner Shahid Malik and Joint Secretary Bhadrakumar in the Indian Ministry of External Affairs held a meeting in New Delhi to review the code of conduct for treatment of diplomats of the two countries.
- 26 According to the Foreign Office in Islamabad, Pakistan and India agreed on a number of measures aimed at ensuring the proper implementation of the code of conduct for treatment of their diplomats.
- 29 Indian Minister of State for Foreign Affairs R. L. Bhatia, talking to newsmen in Dhaka, said that India was ready for negotiations with Pakistan for the solution of all bilateral issues including Kashmir.
- 31 Foreign Minister of Pakistan Sardar Asaff Ahmed Ali and Indian Minister of State for External Affairs R.L. Bhatia held talks in Dhaka on matters of mutual concern including Kashmir.
- August 5 The Indian Home Minister S.B. Chavan alleged that several documents incriminating Pakistan in planning and carrying out the Bombay blast were seized from Razak Memon.
- A Pakistan's Foreign Office spokesman rejected Indian allegations of Pakistan's involvement in Bombay bomb blasts last year, blaming New Delhi for hiding connections between Indian politicians and organized crime.
- 6 A Pakistan's Foreign Office spokesman said that Pakistan was not 'worried' about the 'concocted charges' the Indian Home Minister S.B. Chavan had levelled against Islamabad's alleged involvement in the March 1993 Bombay bomb blasts.
- 8 Minister of State for External Affairs R.L. Bhatia said that India had ruled out an early resumption of its sponsored peace talks with Pakistan. He further said that Islamabad was trying to link future talks to their dispute over Kashmir and had set preconditions not acceptable to India.
- 11 A Delhi Court sentenced an official of India's Defence Ministry to 14 years in prison for 'symp for Pakistan.' The Court convicted S.D. Pachohave, working at Naval Headquarters, for supplying copies of secret documents to an official of the Pakistan's High Commission's in Delhi.
- 15 A Pakistan's Foreign Office spokesman expressed 'deep disappointment' at the Indian Prime Minister Narasimha Rao's Independence Day speech. Mr. Rao devoted half of his August 15 speech to accusing Pakistan of giving material support to the people of Kashmir which according to him was and will always remain an integral part of India.

- August 30* India expelled a Pakistani diplomat hours after Islamabad declared its Consul in Karachi *persona non grata*. First Secretary at the Pakistan's High Commission Javed Ahmed was asked to leave for "indulging in activities incompatible with his diplomatic status."
- 31 A Pakistan's Foreign Office spokesman said in Islamabad that India was introducing terrorism in South Asia. He accused India of promoting terrorism in the Pakistan's province Sindh.
- September 8* A Pakistan's Foreign Office spokesman said in Islamabad that, part from escalation of tension between Pakistan and India, an increase in violations of the Line Of Control (LOC) from Indian side could trigger off an 'accidental war.'
- 12 The Pakistan's Foreign Office expressed 'deep disappointment' at the insinuations made by Indian Army Chief General Joshi, alleging Pakistan of involvement in attacks leading to the death of 10 Indian personnels serving in the UN peace keeping forces in Somalia and urged New Delhi to desist from such 'disinformation campaigns.'
- 15 The US Assistant Secretary of State, Robin Raphel, speaking on US Foreign Policy at a meeting in Washington, said that the decades-old rivalry between Pakistan and India threatened to enter a potentially more dangerous phase as the two countries continued to develop their nuclear weapons and missile capabilities.
- 21 Pakistan's Foreign Office spokesman told that Islamabad called upon New Delhi to refrain from carrying out its threats of further escalating tension along the LOC. This would have 'disastrous consequences.'
- 22 Speaking at a seminar in Washington, Pakistan's Foreign Minister Sardar Aseff Ahmed Ali asked warned India not to deploy the Prithvi Missile, and, he warned, if New Delhi continued proceeding with its rocket programme, this would invite "a matching response from Pakistan."
- The President of Pakistan Farooq Ahmed Khan Leghari, called upon the international community, especially the United States and Russia, to force India to stop its massive missile development programme so far as to ensure peace and stability in the South Asian region.
- 27 Inaugurating a seminar on Space Technology in Lahore, Pakistan's President Farooq Ahmed Khan Leghari urged the West to put pressure on India to stop its missile programme, which, he said, posed a great threat not only to Pakistan but to the entire region from the Pacific Ocean to the Mediterranean.
- October 13* Indian Foreign Secretary Krish Srinivasan, at a meeting with foreign correspondents in New Delhi, turned down Pakistan's proposal for proximity talks under the aegis of the UN Secretary-General. He maintained

that Pakistan and India had diplomatic relations with each others, there was no need for a third party to act as an intermediary.

October 20 India rejected Pakistan's proposal for proximity talks on Kashmir and said it was ready for bilateral dialogue to discuss the entire gambit of issues between the two countries.

November 3 A spokesman of Pakistan's Army in Azad Kashmir disclosed : cease-fire violations by the Indian Army on the Line Of Control (LOC), dividing two parts of Kashmir, had increased rapidly and could lead to a 'bigger conflict' between the two countries.

17 A spokesman for the Pakistan's Ministry of Foreign Affairs expressed concern over the threat given recent statement by the Indian Minister of State for Home Affairs, Rajesh Pilot, that "If Pakistan were to stretch our patience beyond a limit, there would be no Tashken or Simla. It would be a fight to the finish." The spokesman said that such threats would only enhance the tension between the Pakistan and India.

India failed to block a resolution jointly sponsored by Pakistan and Bangladesh in the First Committee of the UN General Assembly, which called for the establishment of a nuclear weapon free-zone in South Asia. The resolution was adopted with 140 votes, with 9 abstentions and India, Bhutan and Mauritania casting negative votes.

20 A Pakistan's Foreign Office spokesman disclosed in Islamabad, that Pakistan rejected Indian Prime Minister Narasimha Rao's invitation to Islamabad for bilateral talks on contentious issues because of New Delhi's insincerity to resolve the Kashmir dispute.

25 In an interview with a Pakistan's daily, *DAWN*, Indian Foreign Secretary Krish Srinivasan said that India was ready for talks with Pakistan on Kashmir issue with no preconditions, but would not accept any 'pre-determined' solution of the problem.

30 Indian Foreign Secretary Krish Srinivasan said in New Delhi that recent Indian proposal for bilateral talks with Pakistan had been turned down by the latter.

December 26 Pakistan asked India to close down its Consulate - General in Karachi.

An Indian Foreign Ministry's spokesman said that the move to close the Consulate in Karachi (Pakistan) "was a matter of greatest regret." He further said that Islamabad's claim that Indian officials were involved in violence in Karachi was completely unfounded.

SRI LANKA

September 22 Special envoy of Prime Minister Benazir Bhutto, Senator Kamal Azfar, called on President of Sri Lanka D.B. Wijetunga in Colombo. President

Wijetunga expressed appreciation for Pakistan's economic progress and reforms being carried out by Ms. Benazir Bhutto's government.

SOUTH ASIAN ASSOCIATION FOR REGIONAL COOPERATION (SAARC)

- October 25* Pakistan's Federal Minister for Information and Broadcasting, Khalid Ahmed Khan Kharal, while inaugurating a three-day 13th Session of SAARC Audio-Visual Exchange Committee in Islamabad, reiterated Pakistan's abiding commitment to the principles and purposes of SAARC which sought to promote mutually beneficial, regional cooperation in South Asia. He further said that Pakistan continued to offer a hand of goodwill and cooperation to the other member states in that Association.

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