# Misc.

## Fault lines

* <https://tribune.com.pk/story/2292296/time-to-put-our-own-house-in-order>

# General

* Pakistan is a very important country. Geographically, it spans South Asia and Central Asia, lies at the mouth of the Persian Gulf, and provides land access to China.
* Bordering Afghanistan, this region was the pivot of the Great Game between Britain and Russia. After its creation, Pakistan has been a front-line state in the Western coalition against the Soviet Union in the 1960s and 1980s and in the war on terror in the first decade of the new century.
* Demographically, it is the sixth-largest country in the world. Militarily, it has the eighth-largest standing army with reportedly the fastest-growing nuclear arsenal in the world.

# Ideology of pak/Two nation theory

Ideology in a philosophical term means the “Science of Ideas”. The idea is again a very comprehensive term. But it is unnecessary to go into the details of the term Suffice it to say that “Idea” means a basic concept and that the basic concepts on which any “System” is built constitute its “Ideology”. Thus, the meaning of Islamic Ideology is a State based on the code of Natural laws according to which the Muslim Ummah will form the government. Pakistan’s emergence was not just the emergence of a new state, but it was created on the basis of Islamic Ideology.

The general understanding of two nation theory is that Hindus and Muslims are two distinct nations, indeed two different civilisations, that are unique, as Jinnah put it, in their “culture and civilisation, 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…outlook on life and of life.” The co-existence of two such foundationally different, almost antithetical, peoples is not possible. Therefore, it was necessary for Muslims of India to have a separate homeland—which eventually became Pakistan.

The rationale for the creation of Pakistan, a claim to nationhood on the basis of religion, is still questioned to this date. If, for example, Hindus and Muslims were so incompatibly distinct, how was it possible that so many Muslims—almost 35 million at the time of partition—stayed back in India? In the opinion of many, the secession of East Bengal, the frontline state in the Pakistan Movement, brought forth the inherent inadequacy of the Two-Nation Theory. Were Muslims really a “nation”—given that apart from ‘Islam in danger’ providing a source of mutual worry, the Muslims of India were conspicuously diverse people and had hardly anything beyond religion that united them? Furthermore, the fact that so many Hindus were part of Pakistan after partition necessitated an exegesis of two-nation theory that could accommodate them in Pakistan as equal citizens of state. Such an interpretation of Two-Nation Theory would have posed a question mark on Pakistan’s very raison d’etre: how could people who till yesterday were fundamentally incompatible now be told that they could co-exist in the new state?

A simple explanation based on incompatibility of faiths and therefore of peoples was way too simplistic. Ayesha Jalal’s ‘The Sole Spokesman’ rejected that proposition 35 years ago. Over the years, many authoritative historians on South Asia have said the same in one way or another. Being ‘simplistic’ did not mean it was wrong; it was simply insufficient. A more wholesome explanation was, therefore, essential. This article argues that there is another side of the Two-Nation Theory, which when neglected renders the meaning of the thesis inadequate.

Two-Nation Theory is analogous to a coin that like every other coin has two sides. One side is ‘Islam in danger’: that Muslims of Muslim-minority provinces of subcontinent felt that Islam was in danger and therefore demanded a separate space or homeland in order to prosper without being subjugated or suppressed. The question arises: if Islam was in danger, what was endangering it? The answer to this question is the other side of the Two-Nation coin: Islam was endangered by the majoritarianism of Congress.

A complete statement of two-nation theory would make a case for a separate homeland not just on the basis cultural or civilisational uniqueness of Islam, but also on the basis of the legitimate fears of subjugation of numerically weak Muslims of India vis-à-vis numerically strong Congress and Hindu nationalists.

It is true that two nation theory espoused the incompatibility of two nations of Muslims and Hindus. But to read it exclusively as religious/cultural incompatibility is a partial reading of the idea. It leaves out or ignores a very significant argument that was extended throughout the history of the Pakistan Movement: **the fear of majoritarianism**. Notwithstanding the ‘Islam in danger’ paradigm, the fear of being subjugated to Hindu rule for perpetuity given the numerical weakness of Muslims in subcontinent was the bedrock of the case that All India Muslim League built for the necessity of having a separate homeland.

The aversion towards majoritarianism can help us understand why Jinnah was reluctant to describe Pakistan as a theological state. Why, one wonders, would a leader who was so clear about the distinctive character of Muslims as to declare them to be a “nation” shy away from describing Pakistan as an Islamic state when the entire case for Pakistan was apparently based on religious nationalism? That is the whole point. The rationale for the creation of Pakistan was not hatred for Hindus or Hinduism. It was anti-majoritarianism—in the Subcontinent’s case, religious majoritarianism. Since Jinnah had fought against the religious majoritarianism of Congress, he was not ready to impose the same on Hindus (or minorities of Pakistan) by declaring Pakistan an Islamic state. To a liberal constitutionalist like Jinnah, doing so would have simply meant repeating the principle of religious majoritarianism of Congress in Pakistan. If Jinnah had built a case exclusively on the basis of religious distinctiveness, he would not have felt any qualms in declaring Pakistan what the logic demanded it to be—a nation-state for Muslims or an Islamic state. His reluctance to do so is proof that anti-majoritarianism, not hatred towards Hindus, was the basis of Two-Nation Theory, or at least formed a very significant part of it.

Jinnah’s idea of Pakistan was a lofty one then. It was to be a heaven for those against majoritarianism in all its manifestations, and not just people who believed in Islam. The minorities of Pakistan were to be part of Pakistani fabric as thoroughly as Muslims were. The dislike for majoritarianism was something that Pakistanis were to pride themselves in. It was to be a counter-model, a state where, unlike in Congress-led India, exclusionary anti-majoritarianism would not be practiced. Pakistan was to provide a better, higher, version of state governance that would show Congress how to run a country democratically and inclusively.

All these ideals were lost, forgotten, erased from national memory after Jinnah departed and religious right began to claim the monopoly of interpreting the Two Nation Theory.

It is imperative that in order to create a democratic, forward-looking, twenty-first century Pakistan, we revisit our roots and reinterpret them, rather reclaim them, in light of modern knowledge and as per the necessities of the circumstances that we find ourselves in.

Reading the Two-Nation Theory as a verdict against anti-majoritarianism can help us build a thoroughly democratic narrative. The struggle against majoritarianism was a struggle for defending the rights of Muslims who were in numerical minority as compared to Hindus. From this historical fact, a case can be built that accommodating the rights of all, regardless of class, creed, religion, on anything else, is antithetical to history of Muslims of India—as it is to Islam. Therefore, Pakistan would be a state that would accommodate everyone. Wishful as this may sound, such an inclusive narrative can help Pakistani state reinstate democratic culture and initiate a process of social change by rethinking and reinterpreting history. If our nation can learn to pride itself in their struggle against majoritarianism, they can also come to see that authoritarianism or any kind of model of governance that disregards widespread consensus in making decisions is irreconcilable with their history.

If materialised, such an interpretation will certainly facilitate our long-pending desire for national integration. The distinct cultures, ethnicities, religions that call Pakistan their home can come together and identify that Pakistan is not a land exclusively reserved for Muslims of India; rather, it is a home for all those who rejected majoritarianism in favour of pluralism and respect for minority voices by associating themselves with the Muslim League. The anti-majoritarian ethos of Pakistan Movement can be seen in the fact that of the five seats reserved for Muslims on Viceroy’s Executive Council in 1946, Muslim League gave one to Jogendra Nath Mandal, a leader of the Scheduled Castes (Dalits).

It is about time that we recast our national narrative and reframe it in democratic terms. Otherwise, as democracy entrenches itself, future generations would find it difficult to buy the exclusionary narrative of incompatibility of Muslims and Hindus given their long history of co-existence prior to British advent in India and given the increasingly negative connotations attached to identity politics.

## Quaid

“Few individuals significantly alter the course of history. Fewer still modify the map of the world. Hardly anyone can be credited with creating a nation-state. Mohammad Ali Jinnah did all three,” writes Wolpert in what is arguably the most fitting tribute ever paid to Jinnah.

In the presidential address at the Lahore Session of All India Muslim League in 1940, the Quaid-i-Azam declared:

“Musalmans are not a minority, as. It is commonly known and understood… Musalmans are a nation according to any definition of a nation, and they must have their homeland, their territory, and their state.”

The question as to why Hindus and Muslims could not coalesce into one nation although they live together for centuries, the Quaid in his speech at Aligarh on March 4, 1944, answered this question:

“Pakistan started the moment the first non-Muslim was converted to Islam in India long before the Muslims established their rule.

In his presidential address at the special Pakistan Session of the Punjab Muslim Students Federation, on March 2, 1941, discussing the ideological difference of two nations the Quaid further said:

“Our demand is not from Hindus because the Hindus never took the whole of India. It was the Muslims who took India and ruled for 700 years. It was the British who took India from the Musalmans. So, we are not asking the Hindus to give us anything. Our demand is made to the British, who are in possession. It is an utter nonsense to say that Hindustan belongs to the Hindus. They also say that Muslims were Hindus at one time. These nonsensical arguments are advanced by their leaders. They say, supposing an Englishman becomes a Muslim in England, he does not ask for Pakistan. Have you got eyes to see and don’t you have brains to understand that an Englishman, if he changes his religion in England, he, by changing his religion, still remains a member of the same society, with the same culture, same social life and everything remains exactly the same when an Englishman changes his faith.

In his presidential address at the Special Pakistan Session of the Punjab Muslim Students Federation on March 2, 1941, the Quaid said:

“We are a nation, (Cheers) and a nation must have a territory. What is the use of merely saying that we are a nation? Nation does not live in the air. It lives on the land, it must govern the land, and it must have a territorial state, and that is what you want to get. (Cheers).

Hinduism and Islam “are not religions in the strict sense of the word, but are in fact different and distinct social orders. […] they neither intermarry nor interdine [...] they have different epics, the heroes are different and they have different episodes. Very often, the hero of one is the foe of the other and likewise their victories and defeats overlap”.

## Sir Syed

The slogan of one Indian nation from the platform of the Congress did not appeal to the Muslims of the sub-continent. It made Sir Syed Ahmed Khan and other Muslims realise that actually, the Hindus constituted a separate nation, having nothing common with the Muslims and that they could not live together anymore with Hindus Sir Syed Ahmed Khan had predicted this in 1867, when a few influential Hindus at Banaras, contemplated the removal of Urdu and Persian languages from courts and offices to replace them by Hindi and Devnagri script. After this incident, Sir Syed expressed his views before Mr. Shakespeare, an English officer and his friend at Banaras as under:

“It was not possible for the Hindus and Muslims to progress as a single nation and anyone to work for both of them simultaneously. I am convinced that both these nations will not join whole-heartedly in anything. At present, there is no open hostility between the two nations. But on account of the so-called educated people, it will increase in future, and he who lives will see.”

The later happenings convinced Sir Syed Ahmed Khan to plead the two-nation theory. In one of his lectures at Ludhiyana he said:

“Remember, a nation is nothing unless it is a nation in real sense. All individuals joining the fold of Islam together constitute a nation of Muslims. As long as they follow and practice this beloved religion, they are a nation, remember you have to live and die by Islam, and it is by keeping Islam that our nation is a nation.

## Iqbal

Allama Iqbal, our national poet, and philosopher went a step further and vigorously proclaimed the need for a separate state for the Muslims of the subcontinent. Claiming that the communal problem of India is international and not national, Dr. Iqbal argued:

“We are 70 million, and far more homogeneous than any other people in India. Indeed, the Muslims of India are the only Indian people who can fitly be described as a nation in the modern sense of the word. The Hindus, though ahead of us in almost all respects, have not yet been able to achieve the kind of homogeneity which is necessary for a nation, and which Islam has given you as a free gift.”

## Others

Other Muslim leaders who often referred to the Muslim community as a nation or nationality were Sir Agha Khan (1877-1951), Justice Ameer Ali (1849-1928), Choudhry Rahmat Ali (1895-1951), and others. Later on, at the beginning of the twentieth century, Maulana Muhammad All Johar (187E3-1931) also declared that there were two nations in the subcontinent.

# History

## Pre-Partition

### WOI 1857

Trek To Pak 14

* **Importance**: eventual collapse of Mughal empire; new phase; transitional period btw two civilization
* **WOI or mutiny/rebellion?** Participants were not only soldiers; Lord Salisbury in House of Commons stated not possible massive movement triggered only by cartridges; justice carthey; indeed a religious and national war; Indian soldiers had revolted before for instance in madras in 1806 for ban on using tilak; if 1857 was revolt why villages and towns burnt to ashes?
* **Causes of war**
  + Military revolt: soldiers fed up with inhumane treatment meted out to them; huge diff in salaries and lifestyle; no chances of promotion;
  + Religious cause: forceful conversion to Christianity; E Edmond priest: since india had come under one govt it should have only one religion; through orphanages; syed ahmed believed intervention in religion most imp cause
  + Political cause: after defeating muslim targeted their culture; malign their history and religion; treatment of Bahadar Shah Zafar
  + Accession of states: forcible annexation of states under Lord Dalhousie (GG) such as Avadh; Nawab refused to surrender; frustrated and jobless soldiers of Avadh fought desperately during WOi
  + Injustice with Nana Sahib: Hindu religious law gives same rights to adopted son; nana sahib was adopted son of last peshwa and ranni of Jhansi Lakshmi bai; after death of Bajirao broitish stopped sending pension to nana sahib; nana participated in war
  + Economic exploitation: all key posts reserved for brith; after retirement officers transferred their assets to England; so-called Clive of India; exploited native industries such as silk; bought in cheap rates and better quality than France and Italy
  + Immediate cause: intro of Enfield Rifle introduced in india in 1856; cartridges had greased shells; rumors they are soaked in cow and pork fat;
* **Causes of Failure**
  + Changes in the Plan: Plan to start the WOI through country simultaneously on may 31; started prematurely because of cartridge incident
  + The treachery of the Sikhs: Sikh states of Jind and Patiala gave financial and military assistance to their English masters; John Lawrence if sikhs and Gorkhas hadn’t helped impossible to recapture india
  + Absence of an active and efficient leader: fighters pledged their loyalty to bahaadur who was in 80s couldn’t play an active role; surrounded by traiotrs working for company; role of ahsanullah and zeenat Mughal was suspicious
  + Company control over the means of communidcaitom and transport: fighters lacked this; an English man wired the news of mutiny in delhi to ambala and other places; enabled company to make defence arrangement Robert Montgomery: india was saved by the electronic wire
  + Economic conditions
* **Results**
  + First and direct challenge to British rule on extensive scale
  + Inspired national movmt for ind started half a century later
  + India came under direct rule of British empire from Mughals
  + BOD od EIC were disbanded and SOS was appointed to manage affaris
  + Muslims fucked

### Aligarh Mvmt and Sir Syed

Page 1 history notes

#### Questions

1. What is Aligarh Movement? What are the educational services of this movement? Why didn’t Muslims study English and how Hindus got the jobs? Did Sir Syed ignore Urdu? Why was Muhammadan College Fund Committee established? When Aligarh College became uni? Why was Muhammadan Educational Conf was established?
   1. (Movement to bring education, social, religious reform to muslims,
   2. thought English bad for religion,
   3. $$No he focused heritage,
   4. for muslims own school,
   5. 1920,
   6. To bring awareness to muslims)
2. What are the social services of Sir Syed? What Tehzeeb ul Akhlaq preached? Why he wrote Loyal Muhammadans of India? Why he taught new ways of living to muslims?
   1. (Established orphanage-education magazine,
   2. taught modern ways of dressing eating, cultural coherence with brits
   3. to tell English muslim contributions,
   4. so they can work in modern world without friction)
3. $$What are the religious services of Sir Syed? Why he wrote Tabayen-ul-Kalam, Ahkam-e-Tuam-e-Ahle-Kitab and Khutabat-e-Ahmadiya?
   1. (removed misunderstanding-bring british close to muslims and educate muslims in reason and logic,
   2. Published quran translation in logical and scientific light)
4. What are the political services? Why he wrote Causes of Indian Revolt? What were the reasons to the outbreak of WOI acc to him? What advice he gave to muslims? What changed his view regarding hindu-muslim unity? Why he saw British parliamentary form of govt as a failure in India? Why quota is important for Muslims?
   1. Ill treatment in army,forced conversions,no Indian representation in legislature
   2. Study and grow,lack education
   3. After hindi-urdu controversy Became suspicious of hindus
   4. No single nation
   5. Far Less in numbers
5. What are his literary services? What made him to establish Urdu Defence Society? Why he wrote History of the Bijnor Rebellion and Asaar-Alsanadeed?
   1. Progress and protect urdu
   2. Hindi urdu controversy
   3. circumstances and events of war of Independence; information of old buildings, ruins and historical places. A copy of it was presented to Royal Asiatic Society London, and Sir Syed was awarded the honour of fellowship
6. What were the effects of Aligarh movement?
   1. Engl-musl reconciliation
   2. Political rights
   3. Educational clout
   4. Concept of separate nation
   5. Muslim unity
7. Give brief bio of Sir Syed. Where Sir Syed opened schools? How Sir Syed gained British confidence? Why muslim sentiments were hurt that led them to detest English culture? Why he set up United Indian patriotic association? What was the purpose of Mohammedan Anglo-Oriental Defence Association?
   1. Muradabad ,ghazi pur,society of scientific knowledge
   2. Saving lifes during 1857 war
   3. British killed Mughals and decimated muslim civilization,ill treatment
   4. Meet propaganda of congress
   5. Protect muslim religious,social and political rights
8. How Urdu-Hindi controversy changed Sir Syed view of Hindu-Muslim unity? Who pressed hindu members of Scientific Society to replace urdu by hindi as a language of translation in the society and the publication of the AIG in hindi as well? Why Sir Syed considered Bhasha a dead language? Page 43 Trek to Pak
   1. Hindus pushed for devnagri script hindi language
   2. Babu shiv prasad
   3. Because it did not exists in literature poems, songs, stories
9. Why Sir Syed opposed Congress? What he wrote to Badruddin Tyabji? What were the demands of Congress and Why did Sir Syed oppose those demands? Explain with his example of dice and Irish parliamentarians. Page 44 Trek to Pak
   1. He believed hindu muslims 2 nations. Congress dominated by hindus,
   2. Civil service exams,election
   3. Muslims too weak education and wealth
   4. Number of muslims to little.said in british parliament “It will be a game of dice one man has 4 while other 1” if both in same house would resemble British and irish members in British parliament; where there are always outvoted

### Indian Council Act 1861 and 1892

Page 9 notes

* **Legislative Council Act, 1861**
* Background: 1858 British Parliament passed a law for complete takeover of all rights of the East India Company over India. Post of Secretary of State for India was created through the cabinet. The Secretary of State for India was empowered about government and revenues of India.
  + Lord Canning GG was given the title of “Viceroy”; continued in office but not as company representative but British crown;
* Salient Features
  + First ever constitutional structure.
  + Indian people included first time in GG’s council
  + The number of the members of the Legislative Councils was increased.
  + The Governor was given authority to nominate at least six persons to his Council.
  + The Legislative Council was to make laws.
  + The nominated members were not authorized to criticize the actions of the Council and also could not put questions to the members of the Councils about the functions of the Legislative Council.
  + The Governor-General could issue ordinances and was authorized to veto provincial legislation.
  + SS aHmed khan was nominated as the member of Legislative council
* **Legislative Council Act** **1892**
  + Background: INC demanded more representation for the Indian people in the legislative and admin bodies; demanded nomination to the central and pro legislative councils through elections not nomination; appointment to govt service through competitive exam; Sir syed criticized congress demand; argued democracy would impose hindu rule; competitive exam hindus were more advanced in modern edu
* **Salient Features**
  + The number of the non-official members, in the Central and Provincial Legislative Councils was increased. However, the official members were still in majority.
  + members of the Legislative Councils were given the right to put questions. They were also authorized to discuss the annual budget.
  + The local bodies were given right to send their elected members to the Legislative Councils
* **Shortcomings of the Act**
  + The inability to influence admin on imp matters such as Indianisation, red of mil expenditures, admission of Indians in the exec councils caused frustration to the non-official mem
  + Non-official mem were a permanent minority before official bloc; impossible to press any demand against them
  + Info was denied if answer involved official in lengthy preparation; 1905Gokhale’s quest wasn’t answered on this plea
  + Govt passed bills disregarding opp of Indian members’ 1905 indian uni bill was passed
* **Muslim reaction:** The Act of 1892 could not ensure the maximum safeguards to the Muslims. The Muslim leaders now rightly felt for a separate electorate to protect the Muslim interest.

### Urdu-Hindi Conflict

Page 64 trek to pak

#### Questions

1. What Renowned French orientalist Garcine De Tassi said regarding Hindus? What created unbridgeable chasm btw hindus and muslims?
   1. The hindus because of their prejudice resist everything that may remind them of muslim rule
   2. This mental animosity created the bridge betw hindus and muslims
2. Give brief intro of urdu in subcontinent and how it developed. Was it a foreign lang? How hindu writers contributed in the development and propagation of the Urdu lang? What two assumed the status of a dogma among the Muslim populace? When Urdu became official lang? What was its position in UP? What was the reason behind formation of Ram Raj by bigoted Hindus? What they demanded regarding script of the lang? What was the purpose behind establishment of Banaras and Allahabad Institute? Was Hindi more popular among the masses? Prove with The help of the Chief Commissioner of Avadh’s report. Did Congress themselves used Hindi? Discuss the incident of wedding card of Jawaharlal Nehru. $What was the reason behind formation of Central Association at Allahabad? Which newspapers took the responsibility of defending urdu? What was the role of Lt. Gov of UP Anthony MacDonnell in this fiasco? Why script of a lang is imp? Explain in the words of Nehru and Toynbee.
   1. Born during Mughals era,
   2. mixture of bhasha persian and Arabic born and matured inside india
   3. Wrote pamplets, journals ,editied novels hindus writes munshi prem chand,krishan chandar
   4. In 1860 urdu with persian script formed a sense of national identity between muslims only ,to muslims/hindus It reminided them of glory and rule of muslims in india
   5. 1837
   6. Baba shiv prasad said “urdu will assume the status of our national language ?”
   7. Change persian script to nagri script
   8. To oppose urdu
   9. No in 1874 alone 172 books were in urdu 41 in hindi
   10. Congress used urdu; shadi ka invitation card urdu use hoyi thi
   11. Al absar, ali garh news gazette
   12. Condemned urdu as foreign, made hindi as official language in an effort to damage muslim standing in society because afraid of muslim mutiny again
   13. Nehru said ‘Script is most vital part of a language. Change the script and different word pictures arise, emotions and ideas.’
3. How muslims reacted to the Gov’s orders? What was the role of Nawab Mohsin-ul-Mulk? What were Gov actions against him?
   1. Engaged(write letters) and resisted(street protests) govt orders against urdu through dialogue.
   2. Nawab also called Mohsin ul mulk created Urdu defence association sole purpose to serve urdu language
   3. Govt threatened nawab to either remain secretary of MAO college or part of Urdu defence association other wise govt grant from Mao would be taken away. Nawab resigned from MAO as secretary
4. What is Hindustani language acc to Gandhi? How Congress ministries availed the opportunity to settle scores with muslims?
   1. Gandhi said hindi only capable of becoming nation language so conflate persian and nagri script and call it Hindustani language
   2. Congress created propaganda regarding Hindustani and in an effort to damage urdu’s popularity
5. Why was Anjuman-e-Taraqqi-e-Urdu formed in 1903? What AIML did for Urdu? What were the remarks of Shaikh Abdul Qadir and Moulvi Mahboob Alam? Why AIML kept on building pressure and mobilised the public opinion? What were the remarks of Moulvi Wahid Husain in a resolution moved in the Lucknow session of the AIML in 1916? What were 1937 session remarks and by whom?
   1. Propogation of urdu
   2. Mobilize support in an effort stall govt in it goals to sideline urdu
   3. Growth of Urdu is synonymous to growth of muslims in india.
   4. Urdu occupied pos of lingua franca
   5. Raja of Mahmudabad.Make urdu used in every sphere of life to safeguard its interests
6. What were the effects of urdu-hindi controversy?
   1. Polarized Muslims and hindus
   2. Created unity among muslims
   3. Paul brass: Critical in development of a sense of separate identity

### Partition of Bengal

Notes 17

* Background: biggest province, 78 mil pop, vast area, under one Lieutenant Gov, major portion of the province remain neglected; size and pop divided into two to facilitate administration
* Process: Lord Curzon became viceroy in 1899; efficient administrator, extensive tour of Bengal, felt and provincial gov had already complained; prepared comprehensive plan in 1905 sent eng for approval, crown approved, 16th oct divided into Western and Eastern
* Muslim Reaction: In combined Bengal muslims were supressed; hindus had monopolized trade and Government services; bad eco condition; new provine brought happier prospects; turned into majority overnight; 18 mil out of 31 mil in new province; chance to rehabilitate their social position; ecosoc uplift
* Benefits to muslims:
  + Education: before partition east was backward in edu; 1905 it had 3 colleges compared to west’s 26
  + 1912 colleges opened in all five divisions of the province; gspecial attention to female edu
  + Communication and transportation: btw 1906 and 1911 200 miles of railway track was laid down; 140 miles of branc-lines were under construction; not only transportation gave boost to commerece and trade
  + Chittagong port never received attention before; later modernized, foreign ships enter to load and unload cargoes; intolerable for hindu traders of calcutta
* Hindu Reaction: hostile and violent; launched an intensive mvmt; religious colour was given to it; partition termed as the dissection of the Sacred Cow Mother to arouse opposition in hindu masses; day of partition was declared as a national tragedy; INC jumped in; people disobeyed govt orders by refusing to pay taxes; communal clashes erupted; Swadeshi mvmt was organized foreign goods were boycotted; an failed attempt was made on the life of viceroy
* Reasons for opposition
  + They would become minority and lose superior position in new province
  + Hindu landlords, capitalists and traders did not like the partition as it was to put an end to their exploitation of the poor Muslims.
  + Erstwhile Hindus enjoyed dominant position in the political sphere of the province over the Muslims; new step put an end to it
  + Hindu press and media believed now onward muslim point of view would be projected
* Annulment of the partition: govt couldn’t withstand pressure; hindus threatened to boycott tour of india of king George; annulled on 12th dec 1911 at royal meeting known as delhi darbar where king George announced the decision
* Conclusion: The events incidental to the partition of Bengal and its subsequent annulment proved instrumental in making the Muslim realize about their distinct position in comparison to Hindu Majority an that the interests of both the nations runs counter to each other.

### Simla Deputation 1906

Notes 20

#### Questions

* Discuss background of Simla Deputation.
  + Congress strive for cause of hindus, pro hindu activities, Hindu opposition of urdu,partition of Bengal,Rise of a separate sense of identity
* Discuss the Simla deputation features. What made it unique? How was it the most representative Muslim Delegation? Who led it? Why the delegation emphasized that the Muslims should not be viewed simply in numerical terms? Why diversity is important?
  + 35 muslims, led by Sir agha khan and nawab Mohsin ul mulk to viceroy at simla Lord Minto
  + First systematic and unified effort by muslims to present terms to the british
  + Muslim not to be view numerically but on basis of their contribution to British india
  + India is not monolith but comprising of different people with different interests
* What were the demands of the Deputation? Page 88 TTP
  + Separate electorate
  + Position in executive for muslims and appoint muslims judges
  + Seats in senate for muslims
  + Establish muslim universities through funding
* What were the results? Notes
  + Minto said as long as I am viceroy interest of muslims would be safeguarded
  + Hindus maligned simla deputation as govts effort to break national unity
  + Downplay the importance of simla deputation
  + Hindu historians allege that it was british who master minded separate electorate
  + At this time the Muslims had left the Congress and had not political platform to project their demands. They badly needed a forum for the projection and safeguard of their interests to counter the false propaganda of the Congress. This led to the formation of All India Muslim League.
  + Separate electorate forefront 1909 minto morley main accept

### Formation of AIML

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* Background: success of simla deputation led muslim leaders to desire a permanent political forum; congress’ anti-muslim activities too emphasized its need; so interests of muslims could be projected
* Process: The annual session of All India Muslim Educational Conference was held in 1906 at Dacca. When the meeting ended, Nawab Saleem Ullah Khan of Dacca, convened a meeting of the Muslim leaders at his residence. The objective of this meeting was to discuss the possibilities of forming a political association for the Muslims. The meeting was presided by Nawab Viqar-ul-Malik on 30th December 1906. Nawab Viqar-ul-Mailk in his presidential address stressed the need for a political platform for the Muslims. He said that Congress political activities were highly injurious for the Muslims for which Sir Syed Ahmed Khan had asked the Muslims to keep away from the Congress politics. He said the Muslims form only onefourth of the total population of India. It is obvious that if the British leave the country at any time, the Muslims will come under the domination of that nation which is four times bigger than the Muslims. The other participants also expressed their views in favour of forming a political organization for the Muslims.
* Nawab Saleem Ullah Khan of Dacca, therefore, proposed Muslim League which was supported by Hakim Ajmal Khan, Maulana Zafar Ali Khan and other participants. The first regular session of the Muslim League was held at Karachi on 29th and 30th December, 1907 exactly after one year of its formation. Sir Adamjee Pirbhai, a prominent leader of Bombay, presided over this session. The draft Constitution prepared by the committee was placed before the session for approval. The Constitution was adopted after a further scrutiny by the members of the Constitution Committee present at Karachi session.
* The Karachi session of the League was adjourned after adopting the Constitution. The session resumed after a few months and met again on 18th March, 1908 at Aligarh. Agha Khan was formally elected as the President and Major Hassan Bilgrami as the Secretary.
* London branch: Syed Ameer Ali to responf misunderstandings and conspiracies of the hindus against the muslims
* Objectives of ML:
  1. Protection and promotion of political rights and interests of the Muslims.
  2. Cooperation with other communities without prejudice to the above goal.
  3. Fostering sense of loyalty, among the Muslims, towards the government.
* Changes in objective in 1913; despite of early success like separate electorate in Minto Morley reforms; ML couldn’t assume political significance which INC had; British weren’t considerate towards muslims; annulment of partition of Bengal; western aggression towards muslim countries, Libya-italy war weakend muslim faith in British; 1913 changed its goals
  1. Self government under the British Crown keeping in view the peculiar conditions in India.
  2. Good relations with other communities’ cooperation with any party working for similar goals.
  3. Effect: change brought ML and Congress closer against British; role of quaid is noteworthy in bringing them together, quaid joined ML in 1913.
* Hindu reaction:

### Govt of India Act, 1909/Minto-Morley Reforms

TTP 102

#### Questions

* What has been the link between agitation and constitutional reforms in India? Explain with examples. When did the process of constitutional reform began in India and what role Congress played? How formation of AIML helped muslims?
  + Bring to end the agitation(by hindus) against separation of Bengal,assuage the feelings of different factions in india (Muslims wanted separate electorate back in simla deput)
  + With minto morley reforms,congress divided the Indian sense of nationalism by being pro hindu
* What were the political conditions when Lord Minto became the GG? Why Minto was keen to win moderate elements of Congress and Muslims towards his side? Which were the two factions of Congress at that time? How Lord Minto wanted to win the support of the Indians? What were the Minto’s views regarding Muslim representation? Discuss salient features.
  + Political turmoil, hindus agitating against pariton of Bengal
  + To bring stability and please various factions in india
  + Moderate and extremist
  + By including all factions in the govt
  + Reforms would have no attraction to muslism if separate electorate is not given in it
  + Major features of reforms are: Muslims given separate electorate, first time indian in viceroy executive council and additional members added to various provinces in executive council : upto 50 in madras, Bombay etc, legislative council could move resolutions
* What was the reaction of moderate and hardliners in Congress? Why Madan Mohan Malvia critiqued the reform? How AIML reacted?
  + Extremist factions inside congress bitterly opposed these reforms. AIM welcomed them
  + Madan believed that beaurucracy was a hindrance in reforms of india
* $$What were the defects and significance of reforms? How it helped in creation of Pak? 13 notes
  + Defects: indirect Elections, councils were only consultative so no real power, ggovt ignored resolutions by council
  + First steps toward constitutional evolution of india,system of election introduced ,level of political discourse improved

### Lucknow Pact 1916

TTP 118

* **Background**: annulment of Bengal led to ML changing its goal which led to bringing INC and ML closer; decided to present a united front to the British and to adopt collective measures for the attainment of their fgoal
* Process: in dec 1916 parties met in lucknow; attended by Fazlul haq, zafar ali khan among others; presidential address Quaid emphasized the need for the intro of self govt; if the Indians are not the priah of nature… then the only future for them is self-govt
* Features:
  + India to be treated as an independent unit of the Empire, as a self-autonomous state with equal rights and responsibility.
  + Hindus agreed to separate electore for muslims first and last time; Hindus conceded that the muslims would have one third rep in the imperial legislative council
  + The elected members of the Imperial Legislative Council were to be elected by elected members of the Provincial Legislative Council.
  + Provinces should be autonomous in their respective spheres. The Imperial Government could only have a general right of supervision of the provinces but not to interfere in their local affairs. Generally the government should not reject the bill passed by the Legislative but could veto it.
  + Half the members of the Viceroy’s Executive Council should be Indians elected by the elected members of the Imperial Legislative Council.
  + No bill could be introduced in the Legislative Council if it affected the interest of any community, and such a bill could not be passed if it was opposed by three-fourth of that community.
  + Defence, foreign affairs and political relations of India, i.e., making of war, peace and signing of treaty were to be excluded from the control of the Imperial Legislative Council.
  + Judiciary should be separated from Executive. Members of the Judiciary in every Province should be placed under the control of the highest court of that Province.
* Reaction of the muslims and the hindus:
  + Hindus of UP opposed on the grounds of separate electorate; All India Mahasaba criticized but opposition ineffective as hindu leaders like Motilal nehru Chintamani were part of the pact
  + Mian M Shafi opposed it so much that his Punjab ML scuttled from AIML and Mian Fazal hussain provincial muslim league was accorded the status of Punjab ML
  + Bengali muslims opposed because their majority in the provincial legislative council was turned into minority; Bengali league leaders left the Bengal league and formed Indian muslim association; they opined they were entitled to percentage of seats coincident with their population 52.6%
* Importance: culmination of quaid’s efforts for the hindu-muslim unity; Saronji Naidu gave title of ambassador of hindu-muslim unity; exploded the myth of cong it was sole spokesman of whole india; parties exhibit for the sake of self govt in india they could sacrifice their personal interests; by geeting separate elctoate incorporated in the lucknow pact; quaid lifted the issue beyond controversy and paved the way for its presentation in the Montford reforms

### The Montagu-Chelmsford Reforms/Govt of India Act 1919

TTP 125

#### Questions

1. What was Lord Minto aiming while introducing Minto Morley reforms? What was Britain policy regarding political reforms in India? What gave trigger to self-government movement? In what circumstances Lord Chelmsford were sent to India?
   1. Win support from moderate faction of congress,
   2. Keep polity of sub continent happy through mometary relief in time so they do not start agitation,
   3. First world war and Hindu muslim unity made self govt popular, British also championed about being democratic infront of the world
   4. Sensed unease from populace of india
2. What led to Secretary of State Montagu visit to India? The report prepared by Lord Chelmsford and Montagu in July 1918 gave what reason as a hurdle in the establishment of responsible govt? How could it be introduced? Which system they presented? What was the reaction to the report?
   1. Increase association of Indians in every branch of government gradually leading to self government
   2. Lack of education and political consciousness as reason
   3. So process was started from self rule in provinces but no transfer of power in the central govt
   4. Dyarchy system: System produced heated debates in india upon the subject
3. Discuss the salient features of the reform. Explain the system of Dyarchy. Why could this system not succeed?
   1. Increase Indians in governer generals executive council
   2. Bicameral legislature
   3. Role of Indian legislative council was all but advisory
   4. Financial powers were restricted to discussion of budgets
   5. Legislative was divided into central() and provincial
   6. Right of separate electorare for muslims kept intact
   7. After 10 years a commission would be setup to check success or failure of this reform
   8. System: Division of system in to provincial and central subjects. Provincial further divided into reserved subjects(civil service under governer general) and transferred subjects (provincial assembly)
      1. Diagram, text, letter

         Description automatically generated
   9. System did not succeed because : Governors given unlimited powers like veto laws of legislative assembly, bad circumstances Jallianwala Bagh massacre, ottoman empire break made muslim alienated to british,All income producing $$provinces were declared reserved which were under the governer general

### The Khilafat Movement

Notes 28

* **Intro**: religio-political mvmt for the retention of the ottoman caliphate; for not handing over the control of Muslim holy places to non-muslims; turkey sided with Germany in ww1; Indian muslims considered caliphat symbol of unity of ummah and worried about its future
* **Nwespapers and magazines**: provoked sentiments in muslims;Zamindar Zafar Ali Khan, Comrade/Hamdard maulana m ali Jauhar; al-hilal abul kalam azad prominent
* **Khilafat delegation**: dec 1919 congress and khilafat committee held their sessions at Amritsar; consensus a delegation to England be sent to put forth demands; maulana m ali syed suleimn aqvi among others;
* **Demands**:
  + Sultan of turkey as caliph of muslim kept as a sovereign ruler of an ind state comprising of constaniople thrace Anatolia and Armenia
  + Hijaz syira Palestine and iraq had holy places protacted from the rule of non muslims
* **Delegation met with brithish pm** Lloyd George rejected their demands; delegation used all resources a magazine Muslim Outlook was stalled from London; enlighten people of pariws itlay London; returned to india witouht any achievement;
* this led muslims to realize freedom of india was imperative to secure the freedom of islam; self-deception to rely on any British party on question of khilafat or freedom of india
* **Fatwa**: new strategy to reinvograte the zeal and zest for freedom; launch the movmt; meeting of jamiat-ul ulama-i-hind; fatwa of tark-e-mawalaat was issued; following injuntions:
  + Boycott of courts; govt schools and colleges which received govt grants; renounceing govt jobs and titles; disassociation from all executive and legislative councils
* **Hindus reaction:** Hindus it was dream come true; manipulated situation to their benefit; vacuum left by muslims filled by hindus
* **Hijrat mvmt**: muslim ulema termed india as darul harab and to migrate to dar ul salam; abul kalam azad maulana abdul bari issued a fatwa declared migration from india; 30000 muslims had left for Kabul by the second week of fatwa; hindus bought properties at throw away prices; afghan govt initially welcomed later closed its frontiers
* **Moplah Revolt**: Moplahs were the descendents of the Arab Muslims settled in the Sub Continent even before the arrival of Muhammad Bin Qasim. In August 1921, they revolted against Hindu landlords whose treatment was very brutal with them.
* Results:
  + established foundations to launch further Muslim Freedom movement on stable and firm basis
  + Hindu mind can never be sincere to the Muslims.
  + effectively demonstrated the religious enthusiasm of the Muslims to the British.
  + immensely strengthened the Two-Nation Theory which became the basis of establishment of Pakistan
  + added much to the economic miseries of the Muslims who resigned their jobs.
* Reasons for failure:
  + Gandhi’s action of calling off the Non-Cooperation movement at a moment when the Government was about to make major concessions
  + The Government arrested all important leaders of the movement which left the Muslims leaderless who drifted aimlessly from one side to the other (Maulana m ali)
  + The Grand National Assembly of Turkey elected Mustafa Kamal as their leader who abolished the institution of Caliphate and the last Caliph Sultan Abdul Majeed was banished from Turkey.
  + The extremist Hindu movements, Shuddi and Sanghtan, began converting the Muslims to Hinduism which provided a new cause of bitterness between Hindus and Muslim

### The Simon Commission

TTP 158

#### Questions

1. What conditions led to amend section 84A of the 1919 Act? What were the two reasons for the Commission’s before time appointment? What was the role of Quaid?
   1. According to montegu chelms ford 10 year period was set for reevaluation but precarious situation led the a commission to estimate the success of the montegu reforms within 10 years.
   2. British conservative party feared labour party would use india issue in upcoming 1929 elections so they created a commission and 2nd nehrus swaraj party was severaly criticizing the british govt in the assembly so to assuage them.
   3. Jinnah also demanded a commission as mentioned in montegu reforms
2. What was the major issue with Commission? How Congress and Quaid reacted to it? What were Quaid’s two proposals to the viceroy in order to deal with the situation?
   1. No single Indian was in simon commission.
   2. congress urged the british govt to withdraw its decision otherwise they would boycott .Quaid said that appointing a commission for india which did not contain any Indian member is a blunder and boycott is the only option by a self respecting indian.
   3. Proposalsby quaid: Simon commission should be changed into joint commission or an Indian commission be promulgated with on the same terms of powers as simon commission.
3. What was the British justification for the exclusions of Indians? What was Indian viewpoint? Which major parties and newspapers boycotted it? Those who were favour in cooperating with the commission explained this how? What led to the division of ML into two groups and Iqbal joined whom? How was commission treated when it visited India twice? When was the report published? What two volumes put forth? What were the recommendations?
   1. One 2 3 indian could not represent all political religious and economic interests of Indian people
   2. Indians said if we could be added to lee commission and Skeen committee why not simon ?
   3. All major Indian parties boycotted it: ML, Bengal muslim league,congress ,All Indian khilafat committee , Newspaper bande matram denigrated it
   4. Favour side argued that simon commission was meant to be the basis of future constitution making in india and if Indians did not cooperate in this exercise it could be damaging for them
   5. Divided ML in jinnah league and shafi league. Muhammad shafi was into cooperation and Jinnah into boycott.Jinnah league held session to boycott the commission and while shafi league did the same at Punjab session
   6. First time simon commission : a general strike was called in india. Slogans like `simon go back` whereever it held meetings.Protests and clashes with police like in lahore.
   7. Report publishedMay 1930
   8. First volume issues were : constitutional, communal, administrative,educational system. 2nd volume issues: Constitutional reforms
   9. Recommendations: Abolish dyarchy system and hand over portfolios to provincial govts,Introduce federal form of govt,extend right of vote to more people,establish committee regarding separate of Sindh from Bombay,
4. How muslims reacted to it? What were Quaid and Iqbal views?
   1. Simon report was against muslim majority rule in Punjab and Bengal and also separate electorate. This made them annoyed and exasperated.
   2. According to quiad the report was totally unsatisfactory and unacceptable. According to Iqbal: `A death blow has been struck to muslim majority in Punjab`

### Nehru Report 1928

32 notes

* **Background**: an answer to the challenge thrown to Indians by Lord Brikenhead that the composition of the Simon Commission had to be purely British because Indians were incapable of arriving at an agreed solution as regards the constitutional problem of India. formed committee with the task to draft const headed by Motilal nehru.
* **Feature**s:
  + India would be given Dominion status. This means independence within the British Commonwealth.
  + India will be a federation which shall have a bicameral legislature at the centre and Ministry would be responsible to the legislature.
  + Governor General of India would be the constitutional head of India and will have the same powers as that of British Crown.
  + There will be no separate electorate.
  + Hindi should be the official language of India.
  + Equal rights for men and women as citizens.
  + No state religion.
  + It agreed to the Muslim demands for the separation of Sindh from Bombay and the raising of the North-West Frontier Province to the status of other provinces.
  + The provinces would be created along linguistic lines.
* **Reaction**: against the muslims; Gandhi took it as great achievement; convention of all parties national convention met in Calcutta to consider; jinnah proposed three amendments
  + One-third of the elected representatives of both the houses of the Central Legislature should be Muslims.
  + That the residuary powers should be vested in the provinces and not in the Centre.
  + That Muslims in Punjab and Bengal should be represented on the basis of population for ten years subject to subsequent revision of this principle.
* When put to vote jinnah amendments were rejected by hindu majority; led diff factions of muslims in All India Mulsim conf under chairmanship of agha khan to pass resolution. Which were later integrated in jinnah points
* **Afterwards**: The Quaid-e-Azam declared: “The Nehru Committee has adopted a narrow-minded policy to ruin the political future of the Muslims.” Sir Agha khan said it degrading proposals; congress threatened to launch a non-cooperation movmt if govt didn’t accept
* **Consequences**: report conferred power upon hindu majority; lucknow pact had been forgotten; unity of congress-league was buried deep under the debris of communal riots; in retrospect a blessing in disguise to muslim nationalism; united the muslims; nothing as Indian nationalism was left in muslims a separate muslim national feeling had been grown

### Fourteen points 1929

#### Questions

* What lessons Quaid learned from Nehru Report? Define 14 points. What is its importance?
  + On nehri report quaid said”from now onwards, this is parting of ways”
  + Lessons:
  + Points:
    - Federal system of const
    - Uniform Autonomy of provin
    - effective representation of minorities
    - 1/3 muslim central in legilature
    - seperate electorate CHOICE
    - no effect territory of punjab nwfp and bengal
    - religious liberty
    - No legistlation if 3/4 of community against
    - sindh seperate from bombay
    - reforms in baloch nwfp provincial status
    - muslim equal share in services
    - constitution adequate protection of muslims
    - 1/3 repre in cabinet central and prov
    - no change const with approval of prov
  + Muslims rallied under these points and united .
* How Congress and Hindus reacted? What lesson their reaction gave to Muslims? 175 TTP
  + Gandhi reneged on promise of accepting the 14 points and get it accepted from congress. Congress opposed it. Hindu bitterly opposed.hindu press criticised 14 points. Hindus said these points were against Indian nationalism.

### Allahabad Address dec 1930

Notes 38

* **Background**: by 1930 muslioms ahd developed sense of identity; Iqbal delivered his address in this background
* **Iqbal**: Iqbal returned to india in 1908 from wurope; he sought salvation through islam; first proponent of hindu muslim unity was now an ardent supporter of independent homeland
  + mulla ko jo hind main hai sajday ki ijazar nadan ye samjhta hai k islam hai azad
* **Address**: presented a review of socio-political situation of india and sol of ills befalling india; importance of role of islam; europen view of duality of religion and state doesn’t work here(qoum mazhab say hai) islam offers complete way of life; muslims fear domination of hindus; British want internal harmony communal question miust be settled
  + If the Muslims have an opportunity to develop in accordance with their Islamic civilization and tradition, they would be willing to sacrifice their lives for India.
  + Territorial redistribution of British India on the basis of religion has become a need of time.
  + Punjab, NWFP, Sindh and Balochistan be amalgamated into a state, self government within the British empire or without it.
* **Importance**: Iqbal’s address is a forceful and logical presentation of the Muslim case in India
  + Territorial adjustments will enable the Muslims to develop themselves in accordance with their ideals and serve the cause of Ummah.
  + Redistribution of territory developed later on concept of Muslim homeland.

### The Govt of India Act, 1935

TTP 198

#### Questions

* Give background and briefly list salient features of the Act. On What Indian States had agreed to during the RTC but later refused? How power was divided in new act? What charges were given to the central govt and who would administer them? What about remaining subjects?
  + Backgorund: $$
  + Salient features:
    - Establishment of all India federation
    - A semi responsible govt at center
    - Provincial autonomy
    - Special powers for governers and governer general
    - Establishment of federal court,bank,railway authority,public service commission
  + During round tables conference states agreed to join the federation but later refused
  + Powers were divided into federal,provincial and concurrent subjects
  + Defense,religion,finanace and tribal affairs GG k pass
  + Remaining to provincial ministers govts
* Discuss the structure of federal assembly. Was it a bicameral? Explain its membership rules, meeting limit, election of President and Vice criteria, life of the Assembly. Explain the structure of the Council of state. How legislature was a sham body?
  + Number of members 375.250 represent biritsh india and 125 chosen by Indian states
  + Yes
  + Life of assembly was 5 years, 1/3 members would retire every 3 years, 1 meeting per year
  + No more than 260 members in council of state. Members from bitish india were elected while from Indian states were chosen by them
  + Was sham because the governer general could veto any laws passed by the assembly
* List the powers of the GG in the constitution. What were the powers of provincial governors?
  + Issue ordinance, suspend constitution,appoint of sack council of ministers,disallow debate on any bill,interfere in provincial matters,Incharge of defence ,tribal and religious affairs
  + Normal governers also had unlimited powers: maintain law and order,protection of the state,protect minorities
* Why was India council established and what happened to it in Act of 1935? How act reduced the powers of SOS?
  + India council was made to help secretary of state with his affairs.
  + Abolished india council and reduced sos powers
* What were the effects? Did it transfer significant powers to the Indians? How GG and Indian States were prioritized? What were the reactions of ML and INC? How Jinnah. Maulvi A.K. Fazlul Haq and Nehru equated the act?
  + No significant change. Most powers were held by governer general and provincial governors.
  + States could chose their representatives.while from british india had to be elected. Their election was incumbent upon their loyalty to the crown
  + League and congress expressed their dis-satisfaction because governors could meet out preferential treatment to states.No solid way to legislate because governor general could veto anything he deemed unsavoury
  + Jinnah: “thorougky rotten,fundamentally bad and totally unacceptable”. According Ak Fazlul this act ensured not hindu raj not muslim raj but English raj.Nehri said it was a machine with strong brakes but no engine.

### The Congress Raj 1937-39

Notes 42

* **Implementation of GOI Act 1935**: not fully promulgated but only provincial part was introduced; ML and Cong criticized but agreed to contest provincial elections.
* **1937 election**: held with the restricted franchise and separate electorate. The Congress projected itself as an all-India force representing all religions and factions of the society. The Muslim League contested for the Muslim seats. The Congress got majorities in five provinces, Madras, U.P., C.P., Bihar, and Orissa. The Muslim League performed poorly in the elections and got only about 21 percent of Muslim seats without winning majority anywhere. due to the organizational problems and opposition by local Muslim groups
* **Policies of the congress govts:** launched anti-muslim drive;
  + Bande Matram to strengthen hindu nationalism**;** adopted as a national anthem to be recited before the start of official business every day.
  + Wardha Scheme: introduced in schools to develop respect among young minds about the hindu heroes and religious leaders
  + Vidya Mandir Scheme: erase the muslim culture; a mean to convert non-hindus; students were asked to bow before gandhi’s pic; both schemes sought to isolate young gen from their religion, culture and civilization; dr zakir Hussain congress muslim was author of scheme
  + Hoisting of tiranga: the hoisting of three-coloured flag with the British Union Jack to prove that there were only two powers in India
  + Hindu-muslim riots: muslim massacres and plundering of their localities were the scene of the day
  + Muslim Mass Contact campaign: to crush the popularity of the Muslim League amongst the Muslims.
* **ML activism**: mobilized muslims to counter; proteste against the reduction of status of urdu; created realization among muslim what can happened under hindu raj; underneath real obj of congress; urged the need of unity among the muslims under the banner of ML
  + The Pirpur report: It tried to dig out the cruelties of the Congress ministries in seven provinces. 8 member committee under the Raja Syed M Mehdi of pirpur
  + Sharif report: ill treatment of govt with the muslims in bihar
  + Fazl-ul Haq report: published a pamphlet entitles Muslims under the rule of congress; alarming revelations: forbidding of azan; cow slaughter; all reports congress attempt to create hindu raj
* **End of Congress Rule:** ww2 began; govt appealed for help; congress put forth demands
  + The British Government should explain the objective of the war
  + The Government should announce that the elected legislature would draft the constitution of India.
  + The members of the Viceroy’s Executive Council should be those only who enjoy the support of the Central Assembly.
* **Brits reaction**: acceptance of demands would have meant transfer of power to Congress; Congress was asking for right of const making; govt could not accede to these demands; viceroy said that dominon status would be given to india after the war; congress didn’t believe and announced to resign from the ministries
* **Day of Diliverance**: Muslims were happy; quaid appealed people to observe day on 22 dec 1939; took a sigh if relief; eradicated their organizational weaknesses and refined their objectives keeping the experiences of the Congress ministries

### Lahore Resolution

* Intro: first muslim demanded separate electorate later they realized it wasn’t enough; need a long term solution; Iqbal Allahabad address made it clear that Islam has its own social and economic system, and to implement it a political entity was required.; Iqbal through letter tried to persuade jinnah; jinnah was convinced by 1930s; he was not ready to announce the new plan until he was confident muslims were behind; day of deliverance was vote of confidence
* Quaid address: venue was Minto Park near Badshahi Masjid;
  + Hindus and the Muslims belong to two different religious philosophies, social customs and literature.
  + They neither inter-marry nor inter-dine together, and, indeed, they belong to two different civilizations that are based mainly on conflicting ideas and conceptions.
  + They have different epics, different heroes and different episodes. Very often the hero of one is a foe of the other, and likewise, their victories and defeats overlap.
  + “Mussalmans are a nation according to any definition of a nationhood. We wish our people to develop to the fullest 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”.
* The Resolution: On March 23, A.K. Fazul Haq, the Chief Minister of Bengal, moved the historical Lahore Resolution. The Resolution consisted of five paragraphs and each paragraph was only one sentence long.
  + No constitutional plan would be workable or acceptable to the Muslims unless geographical contiguous units are demarcated into regions which should be so constituted with such territorial readjustments as may be necessary.
  + That adequate, effective and mandatory safeguards shall be specifically provided in the constitution for minorities in the units and in the regions for the protection of their religious, cultural, economic, political, administrative and other rights of the minorities.
  + That geographically contiguous units are demarcated into regions which should be constituted, with such territorial readjustments as may be necessary that the areas in which the Muslims are numerically in a majority as in the North Western and Eastern Zones of (British) India should be grouped to constitute 'independent states' in which the constituent units should be autonomous and sovereign.
* Irony: The name Pakistan was not used in the resolution and the official name of the resolution was Lahore Resolution. It was the Hindu newspapers
* Hindu reaction: vivisection; above all, they denounced it as imperialist – inspired to obstruct India’s march to freedom.
* Conclusion: undoubtedly the most important event that changed the course of Indian history and left deep marks on world history. changed their demand from “Separate Electorates” to a “Separate State.”

### The Cripps Mission

https://historypak.com/cripps-mission-1942/

Congress wanted immediate self-rule so the Congress stopped talks with Cripps and, guided by Gandhi, the national leadership demanded immediate self-government in return for war support. Gandhi said that Cripps' offer of Dominion Status after the war was a "post-dated cheque", while Nehru added that it was a "post-dated cheque drawn on a crashing bank". According to Cripps proposals, provinces could opt out of the Indian Union, which was definitely not acceptable to Congress Nationalists.

#### Questions

* What led British govt to send a mission to India under Sir Stafford Cripps? What were the proposals of the mission? Why Quaid rejected it? Was Cripps biased? How Congress reacted? What is Quit India Movement? Notes 48
  + Japan joined allies and was threatening india and this made England and usa agitated.
  + Constitution body will be made after the war,a province can choose to follow the new constition or follow the old one,his majesty would retain the control of defence,suggestion to be accepted or rejected as whole,recommendations to be accepted if both ML and congress accept,members of constitution making body would be elected by members of provincial assembly
  + Quaid rejected because plan was based on the idea of a single union of india
  + Congress rejected the idea because the plan included idea of non accession of the provinces which their view was virtual acceptance of the idea of Pakistan. And governer general would act as constitional head only in defence and not other departments

### Jinnah-Gandhi Talks

If, however, Pakistan had to be conceded, the areas in which the Muslims are in an absolute majority should be demarcated by a commission approved by both the Congress and the Muslim League. The wishes of the people of these areas will be obtained through referendum. These areas shall form a separate state as soon as possible after India is free from foreign domination. There shall be a treaty of separation which should also provide for the efficient and satisfactory administration of foreign affairs, defense, internal communication, custom and the like which must necessarily continue to be the matters of common interest between the contracting countries”.

This meant, in effect, that power over the whole of India should first be transferred to Congress, which thereafter would allow Muslim majority areas that voted for separation to be constituted, not as independent sovereign state but as part of an Indian federation.

Wavell Plan/Simla Conference

https://historypak.com/wavell-plan-1945/

<https://historypak.com/simla-conference-1945/>

* Proposal by lord Wavell who was previous commander of Indian armies.
  + Purpose to resolve the Indian issue amicably which was acceptable to congress and muslim league
  + Ideas:
    - If political parties would help the British in the war then the British Government would introduce Constitutional Reforms
    - Viceroy’s Executive Council would changes and its number increase
    - equal representation of high-class Hindus and Muslims
    - low-caste Hindus, Shudders, and Sikhs would be given representation in the Council
    - All the members of the Council, except the Viceroy and the Commander-in-Chief, would be Indians.
    - Indian would be of Foreign Affairs in the Council. However, a British Commissioner control trade matters
    - Defense of India was to be in the hands of a British authority till transfer of powers
    - Viceroy would convene a meeting so Ml and congress can choose members for the council
    - popular ministries comprising of the political leaders would be formed in all the provinces

### Elections of 45-46

* Background: first simla conf was broken on the issue of the representative culture of ML; ww2 new govt in Britain; new instructions to viceroy; lord Wavell announced elections for central and provincial legislatures in coming inter; first stage dcentral then to provincial assemblies
* League position was totally diff than 1937; well-established; ML fight on two issues
  + Pak is the national demand of muslims and ML their sole representative
* Central legislature: dec 1945; franchise was limited turnover was extraordinary; league won all 30 reserved seats for muslims
* Provincial: Congress won most of non-muslim seats ML approx. 95 per of muslims; league celebrated jan 11 1946 day of victory
* Importance: last variable that made pak possible; clear to Cong ML was only tru represent of muslim but neither accepted nor openly challenged its position; end to the idea of Akhan Hindustan

### The Cabinet mission plan/Interim Govt 1946

93 pak studies complete

* Intro: WW2 over; Churchill defeated; Atlee new PM; labour [party manifesto solve sub-continent future; sent mission to india to bring all parties an amicable formula
* Members:

1. Sir Stafford Cripps
2. E.V. Elaxander
3. Sir Pathick Lawrence

* Dialogue with parties: separate meetings with major leaders; ML emphasized partition and creation of pak; congress opposed; PM earlier declared in parliament no minority would be given veto power, hindering of political process won’t be tolerated
* Proposals:
  + Indian union: sub-continent status of union; consisting of main provinces and princely states; system federal; centre deal with foreign, defence and communication; all other provinces; taxes levied by centre
  + Group of provinces:
    - A: Bombay, Madras, U.P. Urisas and C.P, Bihar
    - B: Punjab, Sindh and NWFP
    - C: Bengal and Assam
  + Nature of federation: unique; three tiers to exist; centre, group of provinces, province; strange issue: powers of central and provincial org were specifically mentioned in the Plan but the power of ‘Group of Provcines’ were not defined.
  + Represention: provicnes will get representation in the federal assembly and cabinet acc to their respective pop
  + Constituent assembly: members of provincial assemblies will form constituent assembly; CA will form const for whole sub-continent; afterwards provincial groups will frame theirs
  + Interim govt: till the formation of the const; representatives of major parties will be included in the interim setup; no brit will be a minister
  + Separation from the Group: province wishes, authorized to quit the group; free to join any other group
  + Separation from Indian union: authorixed after ten years; possibility of the creation of pak was ten years away
  + Veto power: option to reject plan givn to every party, but ownt be able tp join interim govvt; congress was pleased to see this cond
* Reaction
  + INC: extremely positive; plan was a defeat of ML; Gandhi in press talked about supremacy of parliament; expressed parliament would be able to bring changes in the system; hindu majority in parliament would dicate terms; safeguard provided by plan to muslims could be withdrawn; Gandhi statement frustrated muslim nation
  + ML: The Quaid-e said, “I am sorry to see that the demand for Pakistan has been ignored by the Mission Plan. We still believe and say with full confidence that the solution of political problems lies in the creation of two Independent sovereign states.”
* Final Decision: council of ml gave ful mandate to quaid to declare policy; he accepted plan (surprised all others); brits were about to leave sub-continent, could play havoc with muslim nation; five members who took oath as minister were
  + Liaquat Ali Khan ii. Abdur Rab Nishtar iii. I.I. Chundrigar iv. Raja Ghazanfar Ali Khan v. Jogindar Nath Mandal
* Reason for failure:
  + ML agreed to the proposals and did not wish any changes, Congress party did not agree to all the proposals. against the idea of grouping provinces on the basis of religion; argued for a stronger centre.
  + Governments were formed by the Congress in most provinces including the NWFP. The League formed the governments in Bengal and Sind. It agitated against the new central government.
  + It urged Muslims to demand and agitate for Pakistan. Jinnah called for ‘Direct Action Day’ on 16th August 1946.
  + Now the call for the country’s partition became more aggressive. Even those opposed to it accepted that this could be the only solution to end the brutal riots in the country.

### June 3rd plan

96 pak studies complete

<https://www.deccanherald.com/national/explained-what-is-indian-independence-act-1018856.html>

* Appointment of Mountbatten: simla conf and cabinet mission failed to produce an amicable sol; lord Wavell couldn’t unite parties; govt replaced him mountbatten; half of the plan could be imple,ented; grouping of provinces was abandoned; ml joined the govt but didn’t too part in const making; whole sys was supended; joint venture of Gandhi and Wavell failed; govt dec British rule in sub cont to end by June 1948; whole process of transfer of power to to be conducted by new viceroy
* Meeting with political leaders: met quaid realized ML would never accept any formule except partition of india; convinced congress to create weak and moth-eaten pak not able to survive for a long time;
* Imp points: June 3rd was an elaborate one; govt took final decision to divide into two ind states; details were laid down to decide future of provinces and small states
  + Partition of Punjab: muslim majority area to pak; other bharat
  + Bengal: same principle; East to Muslims West to India
  + Sindh: members of provincial assembly got the right to join either
  + Baloch: not given status of full-fledged province; decided that shahi jirga and municipal committee quetta would decide future
  + NWFP: referendum
  + States: 565 princely states were officially recognised in the Indian subcontinent, apart from thousands of zamindari estates and jagirs. Factors: religion; proximity;
* Implementation: Many Muslim majority areas were given to Bharat and Pakistan was deprived of its right share. As the Muslim League had accepted Sir Radcliffe as arbitrator so the Quaid-e-Azam did not raise any objection to the decision of the Boundary Commission.
  + Kashmir: Disputes erupted in the states of Hyderabad Daccan, Junagarh, Manavadar and Jammu and Kashmir. The majority of first three states was non-Muslim and the u1ers were Muslims, by faith. All three Muslim rulers thought either to maintain their independent states or to join Pakistan. Bharat invaded all the three states one by one and forcibly brought them into its own fold. The position of state c Jammu and Kashmir was just the Opposite. Here the ruler was a non-Muslim and a large majority of Kashmiris was Muslim. Pakistan supported the right of self-determination of the Kashmiris Geographically the state seems to be a natural part of Pakistan All the elements favoured the Pakistani stand but Bharat committed aggression and sent its forces to bring Jammu and Kashmiris under her control,

### The Radcliffe Award

* Background: Sir Cyril Redcliffe, a prominent British lawyer, was appointed as the chairman of both the boundary commissions who would have the power to make the Award which may be called as the perfidious Redcliffe Award.
* Radcliffe never visited the area. He did not meet even once his 3 assistants in the task (Boundary Commission). The Commission sat at Lahore and the proceedings were wired to Radcliffe sitting at Delhi,
* Bengal: city of Calcutta carried immense importance; biggest industrial, commerce and educational centre; most developed area; Without Calcutta Eastern Bengal would prove to be a rural slum; Mountbatten was in favour of giving Calcutta to India; Calcutta had been built mainly on the resources of East Bengal
* Punjab: chopped off a number of contiguous Muslim majority areas from Pakistan. In case of India not a single non-Muslim area was taken away from her. In Gurdaspur district two contiguous Muslim majority tehsils of Gurdaspur and Batala were given to India alongwith Pathankot tehsil to provide a link between India and the State of Jammu and Kashmir. The Muslim majority tehsil Ajnala, in the Amritsar district was also handed over to India. In Jullundur district the Muslim majority areas of Zira and Ferozpur in the Ferozepur district, were also given to India. All of these areas were contiguous to the western Punjab

## Pakistan Mvmt

* Foundations of Pak: muslim insecurity (loss of power and office); intro of representative govt (hindu domination)
* Jinnah willing to accept cabinet mission plan for a federated ind; cong refused because of weak centre
* the strategy adopted by the Muslim elite, especially after the abortive 1857 War of Independence, can be summarized as sullenness and opposition to the British, giving way to the gradual adoption of Western education; the Simla Deputation pushing for separate electorates (1906); forming a separate political party – the All India Muslim League (AIML) in 1906; coming to an agreement with the Congress on separate electorates via the Lucknow Pact (1916); Jinnah’s break with the Congress and the fourteen points (1929); Iqbal’s ‘imagining’ and Rehmat Ali’s articulation of Pakistan (1930–34); Jinnah’s return to India from Britain (1935); the dismal performance of the Muslim League in the 1937 elections in the Muslim-majority areas; Muslim League capitalizing on the resignation of the Congress ministries in 1939 on the outbreak of World War II; the League’s demand for ‘independent and separate’ states (1940); the stunning performance of the Muslim League in the elections of 1945–46; the Muslim League’s acceptance and then rejection of the Cabinet Mission plan for a united India; violence unleashed through Direct Action (1946); and Partition of the subcontinent.
* Britain pit ML and Cong against each other to preserve their empire; ‘Hindu-Muslim antagonism was “a bulwark of British rule in India,” Churchill.
* Cooperation from local pop was achieved through education; “We must at present do our best to form a class who may be interpreters between us and the millions whom we govern; a class of persons Indian in blood and colour, but English in tastes, in opinions, in morals and in intellect”, Macaulay, through his minute of February 1835 had stated this.
* Hindus took to Western education, Muslims did not, the ulemas played a major role red-flagging the dangers to the community of Western culture, learning, language and sciences, initial educational and intellectual imbalance continued for several decades increasing the insecurities of the Muslim elite.
* Sir Syed story; early 1880s believer in Hindu-Muslim unity, Yet by 1888, Syed Ahmad was saying that India was inhabited by two different nations, which would inevitably struggle for power if the British left. In one of his speeches at Lucknow he said: *Let us suppose first of all that we have universal suffrage as in America … And first suppose that all the Mahomedan electors vote for a Mahomedan member and all Hindu electors for a Hindu member… It is certain that the Hindu member will have four times as many because their population will have four time as many … and now how can the Mahomedan guard his interests? It would be like a game of dice in which one man had four dice and the other only one.*
* **Partition of Bengal** on religious grounds set the precedent for the creation of Pak
* **Simla 1906:** Jaswant Singh notes that the meeting helped to crystallize the Muslim identity in political terms and ‘contributed to a “separation” mentality. And indisputably this rejection of personal enfranchisement and acceptance of the device of reservation, based on religion, finally moved the Muslim political personality of India towards an eventual separation.
* Agha Khan confirmed this truth in his memoirs that the acceptance of the demands of his delegation was the foundation of all future constitutional proposals made for India by successive British governments and its final, inevitable consequence was the Partition of India and the emergence of Pakistan.
* The results of the Simla Deputation were visible in the 1909 **Minto– Morley Reforms** that introduced the system for separate electorates which institutionalized a communal basis for politics. Henceforth, Hindus and Muslims would electioneer on religious instead of on political grounds. This became the role model for future constitutional advances in India. Thereafter, when additional instalments of self-governance were granted under the Government of India Acts of 1919 and 1935, the demand for protecting minority interests would only grow.
* The word **Pakistan** (literal meaning Land of the Pure) was first used in a four-page leaflet entitled ‘**Now or Never**’, published in January 1933 and signed by Rehmat Ali and three other students in Cambridge. According to Rehmat Ali, Pakistan was an acronym composed of Punjab, Afghania (NWFP), Kashmir, Sindh and Balochistan.
* The weakness of the Muslim League was reflected in the elections of 1937 when it won only 4.6 per cent of the total Muslim votes. The results of the 1937 elections were a huge setback for Jinnah, the Muslim League and the British. The Congress was able to form governments in seven out of eleven provinces.
* after the shock defeat in the 1937 elections, he exchanged his Saville Row suit for the dress of Muslim elite in the United Provinces – a sherwani and a Karkul cap. But it was ultimately the use of religion that won the Muslim League 460 of the 533 reserved seats for Muslims in the 1945–46 elections. Islam and Pakistan became synonymous.
* in response to Gandhiji’s statement that Hindus and Muslims were brothers and equals, Jinnah, echoing Syed Ahmad, stated in his 1940 presidential address: ‘ … brother Gandhi has three votes, I have only one. (Foundations of Pak)
* **WW2**: the resignation (in September 1939) of the Congress from the provincial governments for not being consulted at the declaration of war against Germany and without any war aims being enunciated was, in hindsight, a huge tactical miscalculation. The Quit India movement (August 1942) further compounded matters. The British viewed the resignations of the Congress and launch of an agitation with a great deal of suspicion.
* By the end of WWII, the British wanted the Congress to recognize the League as the sole representative of the Indian Muslims. This was the note on which Viceroy Wavell concluded the abortive **Simla Conference** in 1945

### Questions

## Post Partition

* the administrative machinery of the new Pakistan government was overwhelmed by the mass migration and the magnitude of violence that had not been anticipated
* Given the imbroglio over Kashmir, the legacy of Partition was to make the physical defence of Pakistan a priority, and the practice of defence spending taking the biggest chunk of the national budget began at birth.
* **Gurdaspur** was sought for Pakistan on the grounds of it being a 51 per cent Muslim-majority district. Ironically, Qadian, which is the spiritual headquarters of the Ahmadiyas, isin Gurdaspur district. Since Pakistan does not consider Ahmadiyas to be Muslims, it is indeed hypocritical to allege a ‘conspiracy’ of the British to have awarded Gurdaspur to India or to continue to claim it on the grounds of being a Muslim-majority district. **NOT AT THAT TIME**!
* Jinnah’s early demise created a leadership vacuum. the assassination of Liaquat Ali in 1951, there was a dearth of political leaders. Not surprisingly, there were four governors general and seven prime ministers between 1947 and 1958, just when Pakistan needed political stability the most.
* it was the strategic importance of the north-west of India for Britain that made them agree to Partition, when faced with the possibility that India under Nehru may plough a different furrow. The importance of their strategic location was not lost on the Pakistan leadership right from the beginning.
* Over the long term, as this book would show, it is precisely this geographical location that Pakistan has tried to exploit, but, equally, it is this strategic location that has warped its development.

### Objective Resolution

### Identity dilemma

* Seeking **parity with India**, especially military parity, has been perhaps the single most important factor that has warped Pakistan’s development.
* **Four instruments have been used to try and forge a common identity** – religion, centralization, Urdu and playing up a supposed threat from India
* East Pakistan was the most homeogeneous province, ethnically and linguistically. In the west, however, there was considerable ethnic and linguistic diversity. Moreover, each province did not contain a single ethnolinguistic group. Thus, Balochistan had the Baloch, but also a significant number of Pakhtuns in the north; NWFP had Pakhtuns but also significant numbers of Hindko-speakers; Punjab, dominated by the Punjabis, had a significant Seraiki population; Sindh had Sindhis but, post-Partition, saw a massive influx of Mohajirs from India who settled in the urban areas. The challenge for the new state was to weld these disparate identities into one Pakistani identity.
* There was no common history, culture, language or ethnicity. Here the impulses of ethnolinguistic nationalism were far stronger and have become even more so after the creation of Pakistan due to the policies of its rulers and the dominating role of its largest province – Punjab.
* Prof. Waheed-uz-Zaman graphically enumerated Pakistan’s identity dilemma in these words: ‘… the wish to see the kingdom of God established in a Muslim territory was the moving idea behind the demand for Pakistan. If we let go the ideology of Islam, we cannot hold together as a nation by any other means. If the Arabs, the Turks, or the Iranians give up Islam, the Arabs yet remain Arabs, the Turks remain Turks, the Iranians remain Iranians, but what do we remain if we give up Islam?
* Strictly speaking, Muslims in India are not one community; they are divided among many well-entrenched sects. You can unite them by arousing their anti-Hindu sentiment but you cannot unite them in the name of Islam. To them Islam means undiluted loyalty to their own sect. Maulana Abdul Kalam Azad
* This **centralizing** policy of the Pakistani state was meant to forge a common identity by suppressing any provincial aspirations. Unfortunately for Pakistan’s leaders, such attempts at centralization had the reverse effect and were to give encouragement to provincial discontent. For example, the one-unit scheme adopted in 1955 was a crude effort of the West Pakistan elite to join all the provinces in West Pakistan in order to neutralize the electoral influence of the Bengali majority in East Pakistan. While the Bengali majority could not be neutralized, the smaller provinces of West Pakistan chafed at being denied autonomy. One consequence of centralization was that the ruling elite did not feel the need to evolve a consensus over crucial political and economic issues like provincial autonomy, distribution of resources, etc. Policies were rammed down the throats of the smaller provinces, which only had the effect of bringing out in greater relief the multiple identities constituting Pakistan.
* **Urdu** was made the national language in 1947. Liaquat Ali Khan told the Constituent Assembly in February 1948: ‘It is necessary for a nation to have one language and that language can only be Urdu and no other language.’ The enforcement of Urdu was to have disastrous consequences in East Pakistan and was to prove to be the first nail in the coffin of Pakistan’s unity. Bengali nationalism took shape during the language riots of 1952. As Ian Talbot puts it, ‘Urdu has proved much less effective in promoting a national Pakistani identity than Bengali, Sindhi, Pashto, Seraiki or Balochi have been in articulating ethnic identity.’
* Islamization put the people in a dilemma concerning their identity: whether they were first Muslims and then Pakistanis, or first Pakistani and then Muslims. 19 For example, a survey of 2,000 young Pakistanis in the 18–27 age group found that three quarters identified themselves first as Muslims and only secondly as Pakistanis. Just 14 per cent defined themselves as citizens of Pakistan first.
* Created in the name of **Islam**, the emphasis on an Islamic identity was natural. However, the rulers were to find that Islam was not nearly as effective a glue to keep the country together as it was in creating one. We are divided on ethnic, linguistic, political, religious, education and provincial lines. We gather together under different political flags. We pray in masjids that are 100 feet from each other because of slight differences in the way we practice Islam.
* The tactical use of Islam sanctified by Jinnah was to have a fundamental impact on the new state, and almost immediately on its creation. Pakistan has not been able to put the genie back in the bottle ever since. Jinnah’s early demise ensured that confusion continued on whether Pakistan was to be modelled on his 11 August 1947 speech to keep religion out of politics or Pakistan would be an Islamic state as per the League’s own statements just before Partition.
* There is no precedent in the history of South Asia for a state consisting of the five ethno-linguistic regions that made up Pakistan as originally constituted in 1947, or even for the truncated Pakistan consisting of the four regions that remained after Bangladesh seceded in 1971. Selig Harrison
* the new state perceived itself to be the successor of the Muslim empires in India, especially the Mughals who had ruled India prior to the coming of the British. Unfortunately, Pakistani leaders had to face the uncomfortable reality that these Muslim empires were centred in India while Pakistan had been pushed to the periphery of those empires, to areas that did not have even a shared history. The symbols of Islamic splendour like the Taj Mahal (Agra), Red Fort (Delhi), Char Minar (Hyderabad), were in India, leaving the new state with very little to show for the proclaimed grandeur of its past. This made the task of developing a national identity even more difficult.
* An interesting development in the identity debate has been the gradual Arabization of the lingua franca, Urdu. By trying to deny its subcontinental roots, Pakistan has tried to locate them in the deserts of Arabia and the arrival of Muhammad bin Qasim in Sindh in ad 712. The gradual Arabization is indicated by the replacements of subcontinental words by their Arab counterparts, like Ramzan by Ramadan, Khuda hafiz by Allah hafiz, namaz by Salat and even Pakistan by Al-Bakistan.
* This exploitation of Islam by the various regimes and the vested interests led to a growing disenchantment with the ideology itself. It is no longer even Sunni Islam but the various sects under Sunni Islam – Barelvi, Deobandi, Ahl-e-Hadis. In a nutshell, the divisions among the Muslims are too deep to remain quiescent for long. Religion alone could not be the glue needed for nation building.

### Questions

* Why physical defence became priority for pak?
* What two factors weakened Pak’s admin in the beginning?
* Counter critique on Indians regarding Ahmadiyya population in Gurdaspur.
* Explain the strategic importance of Pak’s geographical position in Britain’s mind.
* Which factor warped Pak’s development and why?
* Is islam effective in gluing country together?
* Four instruments used for forging pak’s identity?

# Provinces

## Balochistan

* The strategic location of Balochistan due to its coastline, nearness to the Straits of Hormuz and abutting Iran and Afghanistan contrasts with its skewed land to population ratio. The largest province in Pakistan with 43 per cent of the land area, it has a population of only 7 per cent of the total, half of which is Pakhtun.
* Given that the entire population of Balochistan is only 6–7 million, Baloch apprehensions of being converted into a minority in their own homeland and their identity being wiped out are clearly justified.
* Baloch militancy notes from current affairs

## KPK

* Khan Abdul Ghaffar Khan, popularly called ‘Sarhadi Gandhi’ (Frontier Gandhi). He was a Pakhtun nationalist, strongly anti-colonialist and a Congressman opposed to the creation of Pakistan.
* Even in the crucial 1946 elections when the British rallied the maulanas and the pirs in favour of the Muslim League, the Congress won and formed the government again under Dr Khan Sahib, Ghaffar Khan’s brother.
* the British devised a special procedure of holding a referendum for NWFP, bypassing the elected assembly, to determine the wishes of the people. This was done to ensure that a Congress majority assembly did not vote for accession to India.
* Ghaffar Khan and his brother Dr Khan Sahib first opposed the referendum and when it became inevitable, asked for the third option of Pakhtunistan. When this was refused, they boycotted the referendum.
* Jinnah dismissed Dr Khan Sahib’s ministry within a week of Pakistan’s creation and banned the Khudai Khidmatgars. Even though the Khan brothers swore allegiance to Pakistan, Jinnah, as Farzana Sheikh notes, could not accept a separate Pakhtun identity that would have vitiated his whole argument that there were only two nations – Hindus and Muslims and only two legitimate successors to the British in India – Congress and Muslim League. 8 The call for Pakhtunistan was to sow the seeds of doubt in the Pakistan establishment about the loyalty of the Khan brothers and of their progeny towards Pakistan, for decades. The issue itself was seen as the most potent internal threat to the existence of Pakistan.
* Today, while the nationalist threat has diminished, the birth of the TTP has become a serious menace (see Chapter 9 on terrorism). The real danger to Pakistan, of course, would be if the TTP were to take on the nationalist mantle. For the present this seems a remote possibility since the TTP is challenging the Pakistani state largely in religious terms, i.e., to overthrow the current system and replace it with their version of sharia.

## Punjab

* Punjab found itself dominating Pakistan due its strong presence in the bureaucracy and, especially, the army. In the 2013 elections, Nawaz Sharif’s Pakistan Muslim League-Nawaz (PML-N) had 163 seats from Punjab alone, just eight short of a majority.
* Punjab, especially south Punjab, has been the site of sectarian violence since the 1980s between the Deobandi Anjuman Sipha-i-Sahaba (ASS) and the Shia Sipha-i-Mohammadi Pakistan (SMP). The Shia–Sunni conflict in Punjab is actually a Deobandi–Shia tussle.
* Such discriminatory policies were confirmed by the outgoing head of the United Nations Development Programme (UNDP) in Pakistan who told a seminar held in Islamabad on 10 August 2016: ‘Investment (of public funds) in Lahore, the most developed district of Punjab, is six times more than the allocations of the Seraiki belt of the province.’
* concentration of public spending was politically driven, implying that by depriving the Seraiki belt of funds, the state was deliberately keeping the region underdeveloped.
* If the burgeoning radicalism, the growth of jihadi culture and sectarianism is not tackled on a war footing, Punjab could go the KPK way in terms of jihadi violence and set a new record of sectarian killings.

## Sindh

* A Sindh Muslim League set up base in 1938. Nevertheless, on 3 March 1943, in a motion moved by G.M. Syed, Sindh became the first province in undivided India to support the 1940 Pakistan resolution. On 26 June 1947 Sindh assembly was also the first to decide to join Pakistan.
* Population and the population mix are central to the problems in Sindh and, more particularly, its capital, Karachi. In 1947, while the majority of the refugees from India settled in Punjab, about one million (18 per cent of total refugees) settled in Sindh. They were predominantly Urduspeaking and ethnically and culturally quite distinct from the local Sindhi population. Though they came to Sindh from different regions of British India, they had enough in common culturally and ideologically to enable the development of a sense of common identity and started calling themselves Mohajirs.
* For the first two decades, the Mohajirs did extremely well. They were the flag-bearers of the centralizing policies of the state and positioned themselves as having created Pakistan. They, together with the Punjabis, dominated the civil services and the military.
* While the Mohajirs felt squeezed by the Sindhis from one side, they were increasingly under pressure on account of migration of Punjabis and Pashtuns into Karachi, on the other. The Punjabis were also replacing them in the bureaucracy once the capital shifted to Islamabad. As a result, a sense of Mohajir alienation and insecurity began to develop.
* This insecurity was to crystallize into the formation of a political party – the Mohajir Qaumi Movement (MQM) in August 1986 led by Altaf Hussain. It was a huge sense of empowerment for the entire community. Perhaps the most controversial position of the MQM has been its insistence on calling the Mohajirs a nationality.

**General**

* Thus, on 8 November 1945, Jinnah gave an interview to Associated Press of America, saying: ‘The component states or provinces of Pakistan would have autonomy.’… Pakistan’s theory, he said, guaranteed that federated units of the national government would ‘have all the autonomy that you will find in the constitutions of the US, Canada and Australia. But certain vital powers will remain vested in the central government, such as the monetary system, national defence and other federal responsibilities.
* In retrospect, clearly this was a tactic. Once Pakistan was created, Jinnah moved towards a centralized system, concentrating powers in himself. He was the governor general, president of the Constituent Assembly, president of the Muslim League and even a minister in the cabinet of his own prime minister, Liaquat Ali Khan, with the portfolio of States and Frontier Regions.
* Jinnah’s dismissal of the NWFP and Sindh governments as well as the banning of the Khudai Khidmatgars, a popular mass movement among the Muslims of NWFP, ensured that the foundations were laid of a weak democracy. The Government of India Act of 1935 was to govern Pakistan till March 1956.
* The first Constitution of Pakistan (1956) largely denied provincial rights, and the second Constitution (1962, imposed by a military dictator) repudiated parliamentary democracy. It was only after the debacle of 1971 and the separation of East Pakistan that the Constitution of 1973 conceded a somewhat reasonable measure of provincial autonomy.
* When elections were finally held in Pakistan in 1970, more than two decades after Partition, the results were not accepted in West Pakistan, for that would have meant the transfer of power from the Punjabi–Mohajir oligarchy to the Bengali majority.
* emphasis on the provinces would weaken central authority, undermine the concept of an Islamic Pakistan and would lead to the breakup of the country. The state machinery encouraged the imposition of cultural uniformity based on Islam.
* 18th amendment: It has been pointed out that departments with liabilities have been handed over to the provinces, while the Centre is reluctant to let go of profitable institutions.
* One issue that has really agitated all the three smaller provinces is that of ownership of oil and gas. Sindh and Balochistan jointly contribute more than 93 per cent of the national gas production and are the energy basket of Pakistan. The grouse of these provinces is that while Sindh consumes about 46 per cent of its production and Balochistan consumes just 25 per cent, Punjab utilizes an astounding 930 per cent against its production in the national output of gas.
* Constitution’s Article 172(3). This Article inserted in the Constitution through the eighteenth amendment, vested ownership of oil and gas resources jointly and equally in the federal government and the relevant provinces.
* According to the KPK government’s interpretation, under Article 172(3) the provinces own 50 per cent of oil and gas resources. However, the federal petroleum ministry has not accepted this. Its stand is that the amendment only recognizes joint ownership of the federal and provincial governments and not 50 per cent ownership of the provinces.
* In fact, a possible reason for not convening a meeting of the CCI for so long may have been to avoid the vexed issue of ownership of oil and gas resources. It is thus increasingly becoming evident that the Centre is just not ready to relinquish its powers and the governance structure remains more or less the same.
* One of the major hindrances to provincial harmony is the obvious economic disparities and gross differences in the status of development and quality of life between Punjab and the other provinces. Literacy rate, poverty, HDI, food insecurity, budget

### Questions

* How Balochistan is strategically imp? What are Baloch fears? Causes of Baloch militancy?
* Who was Sarhadi Gandhi and what was his political position? What would be severe threat to KPK regarding TTP?
* Why Punjab is the dominating province? What are the threats to province? How is Punjab favoured?
* Sindh’s role in pak mvmt? Muhajir nationality? Ethnicity issues in the province.
* Jinnah views on provincial autonomy? Why and How centralization happened after independence? Discuss Provincial autonomy in constitutions and changes made in 18th amendment.
* What are the issues concerning ownership of oil and gas resources? Discuss Provinces stance.
* Why CCI meetings are delayed and what are major hindrances to provincial harmony?

# The Framework

## Judiciary

* Th emergence of a judicially active court led by Chief Justice Ift ikhar Muhammad Chaudhry and then the exhilarating 2007–2009 Lawyers’ Movement seemed to mark a watershed in the Supreme Court’s role, from ju nior partner to the military and bureaucracy in times of crisis, to an institution autonomously exercising power. Indeed, it can be argued that “had it not been for the revival of the rule of law and for a mechanism to enforce constitutional limits on power abuse by elected offi cials [in 2008–2013], democracy would not have survived in Pakistan.
* Pakistan has what some label a “partial” democracy, or a “hybrid” regime, that oscillates between an autocracy, when the military is openly in power, and a fl awed democracy, when relatively free and fair elections occur, forcible suppression of dissent declines, but the military retains control over signifi cant parts of the state. On the whole, in the country’s history, the judiciary has played the role of a rubber- stamp institution legitimizing military- bureaucratic rule.
* the Lawyers’ Movement, which Sattar calls the “rule- oflaw” movement,4 has brought a new possibility to the fore: that the initiative for establishing the rule of law in a revived democracy in Pakistan would come from the judiciary. Some members of the judiciary, and particularly Chief Justice Chaudhry, seemed to think that the judiciary— essentially the Supreme Court, with occasional help from High Courts— could do this from its constitutionally established position of in de pen dence and power. But to establish that position will probably require the ac cep tance of the higher judiciary as a more purely po liti cal force.
* Th e judiciary has not had much success in preserving demo cratic government. As Mahmud summarizes his very detailed argument, “the successive constitutional crises that confronted the Pakistani courts were not of their own making. But the doctrinally inconsistent, judicially inappropriate, and po liti cally timid responses fashioned by these courts ultimately undermined constitutional governance.”5 Th e details of the judiciary’s willingness to bend to the will of the de jure or de facto executive head of the government— starting with Governor- General Ghulam Muhammad in 1954— are enshrined in a series of major court decisions that have been carefully analyzed by scholars and lawyers
* Th e judiciary’s willingness to bend to po liti cal change continued. Aft er the 1999 coup, Justice Chaudhry, whose removal eight years later became the focus of the Lawyers’ Movement, was one of the 85  percent of superior court justices who swore an oath to uphold General Musharraf’s Provisional Constitution Order (PCO) of 1999.9 In 2000, the Supreme Court followed tradition in legitimizing Musharraf’s coup. In March 2007, there was a dramatic departure from this pattern: the Chief Justice refused to resign even when President General Musharraf, presiding publicly over a group of the most powerful men in the Pakistan government, put him under pressure to do so. Aft er his refusal and the fi rst wave of the Lawyers’ Movement, the Chief Justice was restored to his offi ce by the Supreme Court in July 2007. In November 2007, when Musharraf declared a state of emergency and issued a new PCO, in a reversal of the earlier ratio, roughly two- thirds of the justices of the Supreme Court and High Courts refused to take an oath under the PCO, aft er which the Chief Justice was put eff ectively under house arrest and the lawyers’ leaders jailed.10 It was not until more than a year aft er the February 2008 election that the winning parties’ commitment to restore the Chief Justice to his office was fulfilled.

### Political actor/Judicialization of politics

* The Chief Justice Iftikhar, by his unprecedented and courageous refusal to bow to the “necessity” of obeying the military ruler, and supported by the Lawyers’ Movement, apparently made the judiciary even more securely in de pen dent of the executive
* To make sense of the court’s contemporary dynamics, one has no option but to go back to the politics established under former chief justice Iftikhar Cha­udhry’s tenure. At the helm of the Supreme Court for nearly six years over two terms, Chaudhry established the institution as a political player by using suo motu powers to take up issues of public importance. He found considerable support among other junior judges in the high courts and the Supre­­me Court, who shared a similar vision for the ‘judicialisation of politics’, and sought to intervene in arenas that the court had traditionally avoided. At its peak, lest we forget, the court was independently taking up cases ranging from national security, to anti-corruption and privatisation of public-sector enterprises and even deliberating on whether the government was allowed to set the price of street food.
* Although the court and others speak of a “separation of. powers” in the classic “executive, legislative, judicial” form, those powers do not reside in separate institutions of the state dedicated to each one.62 Rather, there now appears to be three relatively autonomous branches of the Pakistan state: Parliament (and its executive, “the government”), the military, and the judiciary
* None of these branches of the state are fully unifi ed, as they seek to exer cise power vis- à- vis the others. Th ey all exist at local, provincial, and cen tral levels, with complicated relationships of supervision and accountability across and within those levels.
* In eff ect, there are now fi ve relatively autonomous organs of the state (whether they are usefully grouped into three “branches” with “separate powers” remains unclear): Parliament, the presidency, the judiciary, the bureaucracy, and the military. With the passage of the Twentieth Amendment in February 2012, the Election Commission may emerge as a sixth. It is worthy of note, however, that the Election Commission consists of retired judges; Mohammad Waseem calls it the “second domain of the judiciary.”
* With its success in getting its way on the question of appointments, the Supreme Court, if not the judiciary in general, has clearly carved out a powerful constitutional space for itself and probably no longer needs the support of the lawyers.
* It remains, however, very much a po liti cal actor, and not necessarily a benign one, as the eminent lawyer Muneer Malik notes: “In the long run this is a very dangerous trend. Th e judges are not elected representatives of the people and they are arrogating power to themselves as if they are the only sanctimonious institution in the country. All dictators fall prey to this psyche— that only we are clean, and capable of doing the right thing.”
* “Judicial autocracy” and “judicial tyranny” are well understood concepts in international jurisprudence. As indeed are the “doctrine of po liti cal question,” and also the concepts of “judicial minimalism,” and “judicial restraint.” Th ey all stem from the idea that an unaccountable judiciary can crowd out demo cratic space, stultify demo cratic evolution, have its fi ngers burnt and get dubbed as po liti cally partisan.
* In order for democracy in Pakistan to be put on a fi rm footing, in my view, the tug- of- war between the Parliament and the presidency on the one side and the bureaucracy and the military on the other has to be “won” by the former.98 Th e referee of this struggle would ordinarily be the judiciary, but the judiciary has clearly succumbed to the temptation to join in the struggle as a participant.
* If everyone in a given institution pulls in the same direction, as it were— agreeing on policy and tactics— the more institutions are aligned with each other, the greater the strength of that “team.” If government and opposition are united— when it comes to controlling the bureaucracy and military— then the “fl ag” of crucial decisions would be pulled closer to them than if they are disunited; there should not be perceptions of a “disloyal” opposition or an “illegitimate” majority party.
* Since 2008, the higher judiciary has retained **high public approval ratings**, often matching the country’s military in its popular appeal. A Pew survey from 2013 showed the Supreme Court score an 80 per cent approval rating from respondents across the country. Similar levels of ratings have been maintained in subsequent years as well.

### Independence

* Judicial activism is perhaps one way in which the judiciary has carved out a more in de pen dent role than was anticipated when the Constitution was written. But there is a fi rm constitutional mandate for judicial in de pendence, requiring the insulation of the judiciary from fi nancial or administrative dependence on the government.41 With the Al- Jehad Trust case of 1996 and the passage of the Eigh teenth and Nineteenth Amendments, the Supreme Court has cemented its ability to strongly infl uence or even determine the appointment of the higher judiciary.42 Th e court can also use its power to punish for contempt of court to force the government to obey its directives.43 Judicial in de pen dence does not translate automatically into the power to act autonomously
* As Helmke and Rosenbluth note, “If there is any concept of modern governance that enjoys more widespread admiration even than democracy, it is judicial inde pen dence.”8
* In Pakistan, the formal power of the judiciary is limited by Parliament’s right to amend the Constitution, but the Supreme Court has successfully challenged Parliament on the issue of judicial appointment (and dismissal), in its threat to declare the Eigh teenth Amendment unconstitutional unless it was amended to provide for the Supreme Court itself having the fi nal say in these matters. Parliament duly passed the Nineteenth Amendment, following the court’s guidelines, and although the court has not issued its fi nal ruling on the matter, it seems that it was satisfi ed.

## Internal Security Issues

* Pakistan’s civilian law enforcement structure has failed to develop any systematic and advanced counterterrorism strategy owing to the lack of modern investigative tools, requisite skills, and incentives.
* decadent law, insufficient numbers and scant resources, institutional disconnect, political challenges, corruption, and lack of modernization
* police force with limited resources, poor training, and inadequate equipment. Law- and- order duties and VIP protection responsibilities consume a significant chunk of police resources.3 Th e lack of forensic support further diminishes police effectiveness and capacity to deliver. Corruption, nepotism, and po liti cal manipulation are rampant; they damage police integrity, credibility, and public image. An additional impediment to criminal law enforcement is the ineptitude of Pakistan’s judicial sector. Police capacity is critical for tackling terrorism and controlling insurgency- infested areas. A growing body of empirical research has established that law enforcement, not military force, is the most eff ective tool for this task.4 **A RAND Corporation study** titled **How Terrorist Groups End** also provides evidence that eff ective police and intelligence work, rather than the use of military force, delivers better counterterrorism results.
* most of the activities considered vital for any counterterrorism eff ort fall within the scope of standard police activity, including the forensic analysis of terrorist attack sites, gleaning information from abandoned terrorist camps, searching suspected terrorist locations, penetrating terrorist organizations through the use of undercover agents, surveilling suspicious sites, monitoring suspects, and maintaining databases of suspects.
* Military operations can substitute for police action in certain circumstances, but that creates a new set of issues, ranging from high civilian casualties to human rights violations. Most militaries, including that of Pakistan, are not trained or equipped to deal with internal law- and- order crises. Ideally, the military should act as a backup force that is ready to move in if needed in support of police action.
* Th e police force is the central institution in the law enforcement structure of any state, but it is not the only one, and therefore it cannot be treated in a vacuum.
* Th ere are two sets of law enforcement organizations in Pakistan: those that operate under the federal government and the provincial police organizations. Nineteen major organizations operate directly under the federal government and deal with a variety of law enforcement responsibilities (including intelligence gathering, border and coast surveillance, and policing) and answer to different authorities. Rarely do these organizations coordinate their plans and activities or strategize together. Th e chain of command of the organizations varies, which further complicates coordination and collective policy planning. As a result, decisions are oft en poorly implemented.
* despite frequent ethnic confrontations, sectarian battles, and sharp rises in criminal or insurgent activity, **policymakers have never put the law enforcement and police sector at the top of their priority list for investment and reform**. As a result, the overall police infrastructure is poorly or ga nized. Many reports were commissioned to improve policing standards, but either their recommendations were too general or the governments of the day lacked the will to implement the recommended changes.

### Historical Factor

* Groomed as an imperial force tasked with coercing (rather than protecting) citizens in the aft ermath of the 1857 uprising against the British, Pakistan inherited a police infrastructure founded on the Police Act of 1861. Th is framework provided for an authoritarian, unaccountable, and oppressive police force. A mere glance at its provisions shows that it is out of touch with the requirements of a modern and demo cratic state. Pakistan followed these laws until 2002, when a new reform- oriented police order was fi nally promulgated; however, frequent amending has damaged the new order’s original intent and spirit.
* Prepared by leading police offi cials and legal experts under Musharraf’s National Reconstruction Bureau, the Police Act of 2002 emulated the Japanese National Safety Commission system, to ensure oversight of police by both elected and nominated members at local (district), provincial, and national levels. Second, an in de pen dent prosecution ser vice was provided for to place additional checks on the police.
* However, police were given relative operational autonomy in administrative as well as investigative spheres, which was long overdue. Various responsibilities and tasks (ranging from investigations, intelligence, watch and ward, and guard duties) were divided among separate police departments to improve effi ciency of the system.14 However, bureaucratic as well as po liti cal hurdles came in the way, and President Musharraf and his po liti cal allies introduced many amendments in the Police Act in 2004, taking away powers of the neutral and in de pen dent safety commissions (in the sphere of recommending promotions and transfers) and awarding these back to politicians, providing them im mense relief. they have no choice but to do the bidding of their po liti cal masters.”
* Variations in the police laws of the four provinces are yet another issue negatively aff ecting interprovincial coordination in crime fi ghting and counterterrorism. Ahmer Bilal Soofi , who served as federal minister for law in the caretaker government, in 2013, maintains: “One of the most startling revelations during my brief tenure as federal law minister in the last caretaker government was that the police force in all the provinces is not governed under a uniform law and that there is serious confusion amongst the police offi cers in this regard.”
* Th e National Highways and Motorway Police, established in 1997, is one of the most effi cient organizations in the country and an almost corruption- free institution as a result of higher salaries, good training facilities, recruitment on merit, and the availability of modern equipment.

### Institutional Disconnect

* In accordance with the Constitution of Pakistan, which provides for a federal system of government, the four provincial governments are directly responsible for law- and- order functions. Consequently, the police are supervised at a provincial level. Police and paramilitary forces in the capital city of Islamabad and levies and khasadars (semi- offi cial, local tribal police) in the FATA, however, are under the direct jurisdiction of the federal government. Th e police of AJK and Gilgit- Baltistan are managed by their respective governments (somewhat similar to the situation in the provinces), although the federal government has more direct leverage because of the special legal status of these regions.
* PSP offi cers who serve in se nior supervisory positions all across Pakistan are deemed employees of the federal government even when they serve in provincial police institutions. In case of a center– province tussle, the central government can recall any PSP offi cer or refuse to send any requisitioned offi cer to a province. Th e federal government’s discretionary authority has sometimes been misused for po litical ends, making the work environment for police offi cials very hard and strenuous. {Kaleem Imam imbroglio}
* there is no standardized system of hiring, transferring, and promoting in the four provincial police departments, which creates employment disparities. Lack of coordination among provincial police ser vices oft en leads to poor information sharing and in eff ec tive monitoring of criminal and terrorist networks.
* a discernible lack of coordination among the police force, the civilian- run IB, and the military- run intelligence agencies lies at the heart of the problem. For instance, to get data from telephone companies (to trace calls made by criminals and terrorists), the police and the FIA must send a request to intelligence agencies, and the time delay can be crucial to the investigation. Aft ab Ahmed Khan Sherpao, a renowned Pakistani politician who remained interior minister during the Musharraf years, publicly acknowledged that coordination between and among the ISI, IB, police, and the Special Branch of the police is far from satisfactory and that intelligence agencies oft en have information but do not share it with law enforcement agencies.5

### Political Challenges

* Th e police in Pakistan have traditionally been used by the state to suppress dissent and tame opposition.39 Many se nior police offi cers became politicized in recent de cades in an attempt to remain in good standing with one po liti cal party or the other, and prized fi eld appointments may still be based on po liti cal connections. In rural areas (almost 60 percent of the country), local police offi cers can infl uence the fate of politicians in elections by allowing or curbing rigging. Moreover, feudal elements oft en use police for torturing or “teaching a lesson” to their opponents, who are mostly peasants. Hence, they need infl uence with the police.

### Lack of modernization and corruption

* Th e police in Pakistan have a terrible reputation, and ordinary people oft en avoid approaching police to report crime or communicate grievances.40 Th ere is a general perception that the institution of the police is corrupt, institutionally incompetent, and brutal.
* However, in the overall scenario and in comparative terms, police per for mance is not much diff erent from the functioning of customs offi cials, bureaucrats running the provincial and federal secretariats, and the intelligence ser vices. Police offi cers get the most blame because they are visible to everyone and are expected to do everything in Pakistan, from crisis management to resolving po liti cal and legal disputes, in addition to facing the wrath of people venting their frustrations over blunders committed by the country’s leadership, both po liti cal and mili- tary. Still, the police force cannot be defended for its routine excesses, violations of human rights, and ineffi ciency. Th e police regularly use torture to elicit confessions because they lack other, more sophisticated means of investigation. Unfortunately, Pakistan’s forensics capabilities are developing very slowly.
* A lack of attention to developing modern investigation and interrogation techniques is another serious issue. Most police offi cers vie for command positions in investigative work because the primary work of any police force is not even considered a fi eld job,45 which is a mandatory requirement for promotion to a se nior supervisory role.46 Only very recently has the government considered a proposal to declare ser vice in the Investigation Wing a fi eld posting, to encourage prime offi cers to work in this area. Th is development will remove the anomaly, which has so far deterred many professionally competent offi cers from serving in the Investigation Wing; offi cers will now be able to count their ser vice with the Investigation Wing as a 2- year fi eld posting. Most police training schools are in a deplorable state due to a paucity of funds. Th e instructors are oft en offi cials who were removed from fi eld duties for po liti cal reasons, and it is hardly surprising that the per for mance of a demoralized and sidelined faculty leaves much to be desired.

### Ineffective criminal justice system

* Inadequate and defective criminal justice systems are another critical problem. Th e witness protection system in Pakistan is almost non ex is tent. Consequently, those who testify against powerful criminals and militants in courts receive no security. In dozens of cases, police offi cers investigating militants have been gunned down. Th e best- known case is that of Sipah- eSahaba terrorist Malik Ishaq, whose police charge sheet includes at least seventy murders but who has never had a conviction that has stuck;63 those who testifi ed in court as witnesses against him now live in fear of reprisal.64 Judges face similar security threats, and in many instances lower court decisions in terrorism cases are supposedly pending owing to such fears.
* The police had to put the individuals under “house arrest” aft erward to buy time before challenging the verdicts in higher courts.65 Such inadequacies, unfortunately, have also led to extra judicial killings as a preferred option for police, as evident in the apparently staged “police encounter” killing Malik Ishaq on July 29, 2015.

### Recommendations for reform

* a change of government in Pakistan oft en leads to abandonment of initiatives of the previous head of state. Reform eff orts in diff erent provinces are also uncoordinated.
* Remedies for police shortcomings depend on equally far- reaching reforms of the judicial and court systems. All this requires extreme po liti cal will
* Th e recommendations for police reform can be divided into two broad categories, traditional and innovative reforms.
* Traditional police reforms
* generally include provision of better salaries and basic facilities, professional training, modern equipment, and readily available forensic support, in conjunction with strengthening of the prosecution sector. Community policing and refi nement of the legal framework governing police organizations also fall in this category.
* Increase public awareness; Focus on ju nior offi cers; Provide training support and equipment
* **Streamline counterterrorism strategy**: Protect victims, witnesses, in for mants, undercover agents, juries, investigators, prosecutors, defense counsel, and judges in counterterrorism cases. • Encourage cooperation and coordination among domestic government agencies that have responsibilities or information relevant to counterterrorism. • Provide a legal framework and practical mea sures for electronic surveillance in counterterrorism investigations. • Provide for the lawful exercise of pretrial detention of terrorist suspects. • Develop practices and procedures to encourage international cooperation in counterterrorism matters.

#### Innovative reforms

* **Restructuring of law enforcement organizations**. Th ough Pakistan must resist the temptation to create new specialized antiterrorism structures that marginalize the country’s already existing institutions, establishment of a central or ga ni za tion on the pattern of the Department of Homeland Security in the United States will go a long way toward improving coordination between various law enforcement agencies in the country. As explained earlier, the chain of command for various organizations is complicated and dispersed. A restructuring of the overall command setup that brings all the federal institutions under one umbrella can help system eff ectiveness considerably. Provincial police chiefs, operating under the executive control of chief ministers, can be increasingly involved in policy planning at the central level through this new or ga ni za tion. Staunch proponents of provincial autonomy will likely be the strongest opponents of such a reor ga ni za tion. One way to alleviate their concerns is to involve all stakeholders in the decision- making pro cess and ensure that the new institution focuses on coordination rather than on controlling.
* **Reform of the criminal justice system**. The credibility of Pakistan’s higher judiciary has increased in recent years with the judiciary’s defi ant response to former president Musharraf’s arbitrary removal of se nior judges and in the aft ermath of the pop u lar Lawyers’ Movement. Consequently, at the level of the Supreme Court and the provincial High Courts, the judiciary is increasingly in de pen dent, though it is also going through a learning curve. However, police per for mance faces its fi rst test in the lower courts, which are in poor shape, largely for reasons similar to those that plague police work— limited resources, lack of professionalism, and incompetence. Th rough a new National Judicial Policy, the higher judiciary has already begun introducing major reforms for the lower courts, but considerable fi nancial support will be needed from the government to carry this initiative to fruition. According to Pakistan’s highly respected former se nior police offi cer, Tariq Khosa, police accountability through an in de pen dent judiciary is one of the most eff ective ways to ensure improvement in police per for mance.74 Th is idea deserves attention. Another critical issue within this domain is witness protection for which police and judicial institutions need better coordination and cooperation. Many criminals and terrorists have evaded punishments because they were able to scare— and in many cases eliminate— important legal witnesses.

### Conclusion

* Pakistan’s law enforcement and police system is by no means too fl awed to fi x. Moreover, at least within the police ser vice, there is a discernible desire to improve per for mance. In comparative terms, better per for mance by the National Motorway Police (Highways Police) and a few eff ective counterterrorism operations in the late 1990s show that improvement and reform are indeed possible. Th e laudable per for mance of Pakistani police offi cers and ju nior offi cials while serving in various UN peacekeeping operations also shows promise.
* Th e KP Province is lately witnessing some positive trends in police per for mance owing to decline in po liti cal interference in police aff airs.
* For reform to take root across the country along the lines suggested in the recommendations, however, Pakistan must fi rst overcome internal lacunae: po liti cal appointments must end; postings, recruitment, and promotions must be made on merit alone; and corrupt offi cers must be punished publicly. No fi nancial resources are required to accomplish these goals.

## Army

* Partition also shaped the army’s world view and development, especially in injecting an element of insecurity based on its geographical borders. On the west, Afghanistan refused to recognize the new state and claimed the Pakhtun territories that had been taken over by Britain in the nineteenth century (see Chapter 15 on Afghanistan). On the east, while India did not claim any territory, there was a feeling that the Partition had been unfair since bulk of the military industries and training establishments were located in India; that the Radcliffe Award had given Gurdaspur to India giving it access to Kashmir.
* The Pakistan that came into being had most of its population centres close to the Indo-Pak borders and, except for Balochistan, in easy range of India. In the 1970s, after the loss of East Pakistan, this geographical disadvantage would lead to the articulation ofthe concept of ‘strategic depth’ in Afghanistan, when faced with numerically superior Indian forces. This concept initially was territorial but has increasingly become political, i.e., a weak and dependent government in Kabul, which would deny any space to India. In the future, the concept will encompass water security as Afghanistan starts to implement plans to store the waters of the River Kabul for its own use.
* With Kashmir becoming a part of India forcefully, hatred for India intensified, heightened by a host of issues like the Partition riots, not getting its share of military stores, etc.
* Partition itself was unfair and is incomplete. India has not accepted Partition and, given an opportunity, would undo it. Gauged from statements of Indian leaders; creation of Bangladesh proved this.
* The fact that the army dominates Pakistan is not disputed, though why it does so is a frequently asked question, and one that is hotly debated. What the domination has ensured is that it has been the army which has determined the security threats for the country, and as for any army, the security threats are seen primarily as physical. Hence, the policies it has framed are largely meant to provide physical security to Pakistan, ignoring a host of other security parameters.
* The key to the army’s dominance was the advice given by Maj. Gen. Sher Ali Khan to Gen. Yahya Khan in 1969 that the army’s ability to rule lay in its being perceived by the people as ‘a mythical entity, a magical force, that would succour them in times of need when all else failed … the army was the final guarantor of Pakistan and its well-being.’ Roedad Khan, ‘The Role of the Military-Bureaucratic Oligarchy’, Dawn
* why the army has been able to dominate Pakistan for so long, even when it is not directly in power. A factor ignored by most analysts is that in 1947 the civil leadership of Pakistan had come largely from India – Jinnah, Liaquat and bulk of the cabinet. They had no roots in the territory that became Pakistan. Given the composition of the army in 1947, the army leadership, on the other hand, was predominantly rooted in the soil of Pakistan – Punjab and NWFP. Officers like Ayub Khan, Muhammad Musa, Yahya Khan, etc., were from the territories that became Pakistan. Being unfamiliar with Pakistan and not rooted in it, the politicians needed assistance to find their way. This is where the infirmities of the Muslim League, including its lack of a second-rung leadership and party organization came to play. This made it far easier for one or two generations of the army leadership to dominate the political leadership and set the trend for their successors.
* The manner in which the first martial law was implemented was to be an important precedent in public memory. It was imposed in Lahore on 6 March 1953 when the Punjab government was unable to deal with the anti-Ahmadiya riots. The local military commander Maj. Gen. Azam Khan, brought the situation under control in a few hours and Lahore returned to normal in a few days. Despite this, the army remained incontrol for over two months during which Azam Khan introduced the ‘Cleaner Lahore Campaign’, in which the city was given a big facelift – streets were widened, drains were cleaned, public buildings painted and parks spruced up. 28 As a result, when the army was withdrawn, Dawn on 16 May 1953 commented: ‘… Memories of the army rule in Lahore will linger for a long time to come and the new look that Lahore has acquired and the sense of discipline among its people inculcated by the army will bear eloquent testimony to the good work done by Maj. Gen. Azam Khan and his men.’ 29 The memory of this precedent has had lasting consequences for Pakistan. It created a public impression of the capability of the army in not only restoring peace when the civil administration had failed but in providing an effective government too. The army too noted the ease with which the problem of Punjab had been solved. If Punjab could be sorted out in a few days – why not the whole country if so required?
* those who are out of power seem to be far more vociferous in their commitment to democracy than those in power. But once in power, all politicians seem to develop selective memories. Unless the political leadership learns to appreciate and internalize democratic norms, democratic consolidation will remain a distant goal.
* As the International Crisis Group (ICG) putsit, ‘Failing to deliver good governance, civilian governments have undermined their domestic legitimacy, rendering themselves vulnerable to military intervention.’ 31 The favourite excuse of politicians is that democracy has not been given a chance.
* Additionally, there are a number of politicians who are eagar to be coopted by the army, knowing that it is the only way they can come into power. It is these politicians who facilitate the continuation of army rule.
* Moreover, the democratic system itself has lacked credibility because the fairness of elections has been repeatedly questioned. Allegations of rigged elections have battered public confidence in electoral institutions, hampered Pakistan’s democratic development and eroded political stability. Concerns that parliaments did not represent the will of the people have undermined the credibility of politicians and of democracy itself.
* Most prime ministers, including Nawaz Sharif, have treated parliament with disdain, rarely condescending to attend its sessions. Thus, thosewhose greatest strength it could have been have themselves undermined parliament’s role. Taking their cue from the prime minister, ruling party parliamentarians too have not taken their role seriously. As a result, parliament has been reduced to being little more than a debating club instead of being an institution concerned with legislation and supervision that could have put checks on the army. The ploy frequently used by politicians, both in government and in the Opposition is to call all-parties conferences (APCs) to discuss important issues. Since these are held outside parliament, the role of this institution gets further devalued.
* Another debilitating factor is that present-day political parties have become dynastic fiefdoms. the Bhuttos/Zardari dominate the PPP; the Sharifs have an iron grip on the PML-N; Wali Khan’s heirs rule the roost in the Awami National Party (ANP);
* The fact that political leaders are allergic to internal democracy was shockingly demonstrated in April 2010 when the constitutional obligation to hold party elections was deleted by the eighteenth amendment of the Constitution. This speaks volumes for the commitment of the politicians to democracy. 36 As a result, barring a few exceptions like the Movement for the Restoration of Democracy (MRD) against Zia, political parties are not able to mobilize masses against the army for any prolonged period of time.
* As Paul Kennedy, surveying the rise and fall of great powers over the past five centuries, concludes: ‘… the fact remains that all the major shifts in the world’s military power balances have followed alterations in the productive balances … [In] the Great Power wars … victory has always gone to the side with the greatest material resources.’

## Civil-Military Relations

### Update

* The military and intelligence chiefs’ in-camera briefing to the Parliamentary Committee on National Security augurs well for the civil-military relations and for strengthening national security. This session was essential considering that Pakistan faces multiple external and internal challenges that need a united national response.

### Intro

Civil-Military relations in a country are an ideal barometer of the quality of democracy and institutional harmony. The **quality of democracy and governance is determined not only by the form of the government but the degree of the governance**.1 An apt example is the French Third and Fourth Republics that vested authority in National Assembly and national bureaucracy. When in 1950s, the effete nature of National Assembly and bureaucracy failed to ensure dissolution of the French Empire, the military stepped in to fill the governance vacuum leading to Charles de Gaulle era. {example for intervention}

**Anocracies** are democracies in transition where the democratic institutions have not developed strong roots and are, therefore, prone to the interventions of non-democratic forces like the bureaucracy, violent nonstate actors, and the military. “Pakistan”

The **optimal civilian control of the military** has been the holy grail of civil-military scholars and statesmen to ensure that a **military is strong enough to do what its civilians’ principals ask it to do, and weak enough to do the bidding of those civilian principals**.

### Role of West

The West has not helped civil–military relations in Pakistan either. Not surprisingly, **the army chief is** **given far more importance by the US than cabinet ministers of the Pakistan government**, undermining the civilian establishment. The classic example was the first Pak-US strategic dialogue in the US where the star was army chief Gen. Kayani rather than Shah Mehmood Qureshi, the foreign minister who was the leader of the delegation.

It has been no different for Gen. Kayani’s successor, **Gen. Raheel Sharif**. His visit to the US in November 2015 got far more attention and was billed as being more important than the October 2015 visit of Prime Minister Sharif during which the PM had met President Obama.

The fact that military rulers have had to co-opt civilians to legitimize their rule is indicative of the fact that the army realizes its limitations. **If the politicians did not have black sheep in their midst** and if they were able to close ranks and bide their time for power, it is unlikely that the army could either take over power or prevent any democratic government in exercising full powers, including those relating to Pakistan’s security.

### Evolution of Civil-Military Relations in Pak

Pakistan’s civil-military relations grew under a political culture that retained the colonial overhang of governance structures and traditions. The **British colonial governance was based on revenue extraction** **structures** with a **heavy concomitant reliance on coercive instruments of state**. The reliance on army, bureaucracy and the feudal landlords was the centrepiece of colonial governance, which was replicated in new Pakistani state’s governance structures. Just as the earlier invaders had created a network of garrison towns in India, the British had also created a similar network that gave rise to a garrison town like governance structure.25 The **pre-eminence enjoyed by the Commander in Chief** (CinC) in the British colonial era was unparalleled, compared to democratic countries. The CinC enjoyed the title of His Excellency and ranked second only to Viceroy. He was also a member of the Viceroy’s Executive Committee and upper legislature as per the Government of India Act 1919. **Most of the powers enjoyed by him were retained in the Government of India Act 1935**. CinC was so strong that he had declared participation in WWII without the government’s clearance. The Indian government changed the colonial warrant of precedence to place its CinC at 25th position, but the same practice could not be followed in Pakistan.

Since Pakistan was **confronted with an external aggression right from independence**, its political leadership had to rely disproportionately on the military leadership for important national security decisions. The Indian **aggression in Kashmir** and then **Quaid-e-Azam Muhammad Ali Jinnah’s interaction** **with the British CinC** convinced him of the need for indigenisation of the officers’ corps. The **failed opportunities in the Kashmir War in 1947-48**, also created a disaffected group within Pakistan’s officers’ corps that viewed civilian decision-making during the war with undisguised contempt. A group of military officers in collaboration with some civilians attempted a coup in 1951 due to grievances over the inept handling of the Kashmir War by the civilians. The leader of the coup was the Chief of the **General Staff Major General Akbar Khan**, who was once admonished by Quaid-e-Azam for suggesting a policy change about promotions in the army.33 After the early departure of the Quaid-e-Azam and Liaquat Ali Khan, **the bureaucrats like Ghulam Muhammad and Iskander Mirza edged out politicians by forming an alliance with the military**. Failure of the civilian component of the state to frame a constitution through the Constituent Assembly, allowed the bureaucrats to consolidate their hold on power. The military leadership initially remained apolitical, as per its British legacy of political conduct, but was slowly sucked into national politics by a scheming bureaucracy.

The **first serious jolt to constitutionalism** was the dismissal of the constituent assembly in 1954 by the Governor General and the illegal endorsement by the judiciary. Military was involved in politics by the bureaucracy for its ulterior motives of utilising its coercive powers for personal aggrandizement. Military was a reluctant partner in the political game as CinC General Ayub had clearly refused the offer of a military takeover and framing of a constitution by Governor General Ghulam Muhammad in 1953, after the dismissal of Muhammad Ali Bogra’s government.36 The die was cast, however, in 1954, when General Ayub Khan accepted the offer of Governor General Ghulam Muhammad to become Minister of Defence in the cabinet of Prime Minister Chaudry Muhammad Ali as a serving general. Military had actually assumed the reins of government without imposing martial law at that time. This was the point of no return for military, which kept getting sucked in politics due to overweening ambition of bureaucrats and weak civilian politicians. Pakistan had seven prime ministers and eight cabinets between 1947 and 1958, whereas only one CinC. This was bound to result in an institutional imbalance that resulted in Ayub’s imposition of Martial Law in 1958. After Ayub’s deposition in 1969, reins of the power were again handed over to military leadership. Lack of inclusive polity and political polarisation resulted in the separation of East Pakistan in 1971, through active abetment by India.40 A democratic interlude of Prime Minister Zulfiqar Ali Bhutto failed to achieve the desired results in politics, as well as civil-military relations, due to the authoritarian proclivities of Prime Minister Bhutto. Though, he tried to institutionalise the national security decision-making by restructuring the Higher Defence Organisation and introduction of the appointments of Chiefs of Staff of services alongwith a Chairman Joint Chiefs of Staff Committee. The initiatives could not achieve the desired results due to his political pre-occupations and changed priorities. Introduction of the Defence Committee of Cabinet and Defence Council, as a higher decision-making forum for national security decision-making, could not make much difference due to above reasons.41 Bhutto had failed to develop sustainable political institutions capable of resolving the country’s political and economic problems.

Pakistan’s subsequent political journey featured more military interventions in the shape of Zia and Musharraf’s era when punctuated weak democratic interregnums were followed. Despite a tradition of democratic politics, Pakistan failed to democratise its politics due to institutional interests of political elite and their inability to transcend those interests.43Weak civilian institutions and poor governance act as a magnet that invites non-democratic interventions.44 Military, apparently imbued with a heightened sense of patriotism, combined with strong organisational strength and an institutional memory has been fulfilling the vacuum left over by the civilian component of the state with regular intervals in the past. The current, as well as the previous two civilian governments’ tenures, however, indicate a change in the civil-military relations favouring democratic continuity as a national interest.

### View of Literary Society

In Pakistan’s civil-military literature there are writers like Fazal Muqeem, Altaf Gauhar, G. W. Chaudry, Pervez Iqbal Cheema, Pervez Musharraf, Gul Hasan and Samuel Huntington who justify military intervention in politics on the grounds of civilian incompetence and weak political institutions. Samuel Huntington goes so far as regarding military intervention of General Ayub Khan as a positive modernising experience for Pakistan.29 Scholars like Aqil Shah, Saeed Shafqat, Sher Ali Pataudi, Saadia Toor, Christine Fair, Ayesha Siddiqa, Nasim Zehra, T.V Paul, Ishtiaq Ahmed, Asghar Khan, Sher Baz Mazari and Ayesha Jalal, however, take an alternative view and regard military interventions in politics as a reason of military’s ambitions for political power. There is another category of structuralists like Hamza Alavi, Muhammad Waseem, Aitzaz Ahmed and Lawrence Ziring who believe an over developed structure of colonial state, external threats and the weakness of political institutions as responsible for military ascendancy in national politics.

### DCAF Criteria and Pak’s Civil-Military Relations

First amongst the seven key features of the **democratic control of armed forces** include civilian authorities’ **control over military’s “mission, composition, budget and procurement policies**.”46 Pakistan’s civilian leadership has de-jure control over all of the above as per the constitution, but the degree of control differs according to the form of government and quality of the governance. It is for the civilian governments to improve their oversight capacity through proper structures and processes instead of outsourcing these functions to the armed forces alone.47 **Second feature is the oversight of military performance by democratic parliamentary and judicial institutions, a strong civil society and an independent media.”** 48 On this score too, the de-jure reality of Pakistan’s civil-military relations features satisfactory control of the civilians. We have fairly active parliamentary committees, a vibrant civil society and an independent media that could hold the military accountable to people, as well as the government, bringing an element of transparency to the national security policy making process. Once again, the quality of oversight is the weak link, wherein the parliamentary committees need to perform more efficaciously by asking tough questions and contributing positively towards defence affairs.

**Third feature is the civilian expertise in the defence affairs**. This is an area where there is a need of significant improvement on part of the civilians to improve capacity to provide effective policy guidance to armed forces.50 The fourth feature of DCAF criteria is the **non-interference by military in domestic politics**.51 On this score also, the constitutional position is clear and the armed forces in Pakistan abide by the constitutional provisions. Problem arises when the civilian authorities themselves suck the military in politics by involving it in civilian affairs.52 The role of the expansion of a military employed in aid of the civil government as a natural phenomenon should be curbed by limiting the military’s employment on non-military tasks.53 **The fifth criterion is the ideological neutrality**. On this criterion, the score is even, as the military and civil components of the state in Pakistan normally are in harmony over the ideological orientation of the country, except that the armed forces sometimes appear more conservative in ethos viz-a-viz the society. That gulf can be bridged through greater civil-military interaction and reforms in professional military education. The **sixth criterion is the minimal role of the military in the national economy**. The military may be one of the largest employers of the country, or may be contributing significantly to national economy, but it needs to exercise care not to disturb the civilian industrial sector because of its economic interests and activities. In Pakistan, there are critical voices that cite military’s corporate interests as a destabilising influence over the national economy54 but the reality is different. The military in Pakistan has not negatively impacted economic output as its involvement in industrial activities is limited to welfare projects of ex-servicemen and their families. The role of organisations like National Logistics Cell and Frontier Works Organisation is also limited to the improvement of national logistics and communications infrastructure in areas where no civilian firm likes to venture due to terrain, weather and security hazards. The accusations of state subsidies to such organisations by critics such as Ayesha Siddiqa are not well-founded, as all such organisations are run as per best corporate practices and tax compliances.55

The **seventh criterion is the presence of an effective chain of command within the military that goes up to civilian commander in chief in order to ensure military’s accountability**. In Pakistan, during the military rule, this criterion was applied by default and presently exists as per the constitutional arrangement wherein the military is answerable to the President as well as the Prime Minister, with the Prime Minister holding effective authority over armed forces as a constitutional head of the government. The eighth criterion is the democratic rights of the armed forces personnel. In Pakistan, due to frequent military take overs in the past, this aspect remained overshadowed by the military’s own institutional and legal environment. Under present democratic environment, the armed forces’ personnel enjoy their democratic rights within the limits set by the military’s legal regime. An overall evaluation of Pakistan’s civil-military relations, in the light of DCAF criteria, indicates the presence of the right structures and rules for an ideal balance between the two. However, there is a need for improvement in the quality of civilian oversight to provide effective policy guidance and leadership to the military.

### Theory relevant to Civil-Military Relations

The notion that is apposite in case of civil-military relations in Pakistan is the notion of **Garrison State**. The concept is close to the definition of a National Security State given by Nelson Pallmeyer and the Warrior State by T.V. Paul. As per Pallmeyer, **the military would dominate the civilian institutions alongwith the definition of threats and religious narrative serving national security interests**.16 T.V Paul considers states, which privilege national defence and spending over human development, as warrior states. He, however, differentiates between the national security or praetorian states and garrison states, confining the former to the subordination of national policies to military considerations and the later to subordination of policies, as well as national values.17 The Garrison State notion was given by Harold Lasswell, according to which such a state would emerge in modern industrial societies where the experts in violence would dominate the national policy formulation due to their better organisational strength and monopolisation of the coercive apparatus of the state.**18 In such a state, the society would be kept indoctrinated by an ideological narrative against a ubiquitous external threat and the armed forces kept in a constant state of battle readiness. The development and human security would be subordinated to military centric view of national security.**

### Analysis of Civil-Military Balance in Pak

The **strong political institutions, enthusiastic public participation in politics and high political legitimacy, make military interventions difficult in politics**. Repeated elections under strong judiciary, independent election commission, and an independent media would ensure strengthening of democratic forces in national polity, bringing about the much-needed balance in the civil-military relations.68 The successive elections and smooth democratic transition are essential for erasing the institutional memories of the military coups for the armed forces also.69 According to Ejaz Haider, the civil-military relations in Pakistan suffer a structural malady wherein the civilians create conditions and encourage military’s participation in national politics. **In order to discourage their participation, they need to govern well**. The states confronted with perennial threats are likely to morph into a Garrison State.73 In Pakistan’s case, high threat environment and weak political institutions raise the risks of the emergence of a Garrison State, but the emergence of an independent judiciary, a vibrant civil society and unrestrained social as well as mainstream media mitigate those risks.

In Pakistani context, the civil-military relations can achieve ideal balance through the performance legitimacy of the civilian leadership.75 The increased involvement of the military, except under constitutionally defined parameters, in aid of civil power, leads to an imbalance in the civilmilitary relations and should, therefore, be avoided.76 The political systems suffering from political legitimacy, borne out of performance and concomitant public support, are prone to political interventions.77 In Pakistan’s case, this has been the greatest problem shadowing our civilmilitary relations. Pakistan beset with economic polarisation, and low social cohesion, has been badly served by weak political parties relying on the military to prop up their rule in the past.

There are **structural issues** of civil-military imbalance, like weak political oversight over defence affairs. Lack of institutionalised decision making structures underline the cause. The top tiers of civilian oversight are the parliamentary committees. Regrettably, they do not have effective expertise in defence and security affairs. The Cabinet Committee of National Security in its present form needs to have more civilian members, alongwith a strong secretarial support. The present National Security Division does not have the requisite expertise in hardcore military matters and needs capacity enhancement. The Ministry of Defence also does not have an effective role in providing meaningful civilian oversight over the military. The Strategic Planning Division, charged with nuclear planning, also needs a strong civilian oversight mechanism in the shape of civilian experts in nuclear strategy, preferably located in the Prime Minister’s Office. The appointment of National Security Advisor (NSA) also needs to be properly resourced to include experts in traditional as well as non-traditional aspects of national security, including nuclear strategy.

### Recommendations

The ideal model for Pakistan would be Huntington’s fifth model of civil-military relations which he discussed in his book **The Soldier and the State**; low military political power and high professionalism, operating within a pro-military ideology like in Great Britain. In order to achieve above, Pakistan would have to make a transition towards a development state from a national security state. That can be achieved by shaping the environment to attenuate the external, as well as internal threats, through inventive diplomacy and better governance. With attenuated threats and better governance, space could be created for increased spending on human security and development, building stakes for common people in the creation of a civil-military harmony.

Political parties should improve their human capital and democracy within the parties, by following democratic practices to select the right leadership material for the onerous task of governance. The political processes and structures for decision making and consultation should be transparent and merit-based with easy access to the people to tap the right leadership talent. A system of shadow cabinets should be instituted by political parties to train the potential National Security Advisors, Ministers of Defence and Parliamentary Committees’ heads, for shouldering their future responsibilities with confidence.

Armed forces should not be employed on non-military tasks beyond matters of routine.88 The role expansion in the civilian spheres should be studiously avoided by the armed forces in the best tradition of objective control; otherwise military would develop a tendency to operate beyond its constitutional remit to the detriment of balanced civil-military relations. **The military needs to develop a healthy respect for the civilian institutions and avoid a tendency to intervene in politics, whenever it finds a weak public attachment for those institutions**.89 Tendency to develop an institutional role in politics, like in case of Indonesian and Turkish armed forces, should be eschewed by the armed forces to achieve the desired balance in the civil-military relations. The military professional education, starting from the military academy till national security and war courses, should be so tailored as to develop a habit of voluntary obedience to the civilian leadership

The civilian leadership, on its part, should avoid personalised and non-institutionalised decision making, especially in the national security affairs. The civilian leadership should benefit from strong oversight structures and institutions for institutionalised decision making. Absence of such institutions leads to undesirable policy vacuums, which are inexorably filled by the military.

**the structural deficit of decision-making structures should also be addressed**. The Cabinet Committee on National Security should comprise important cabinet ministers and services chiefs’ alongwith National Security Advisor and coopted members, amongst civil and military experts on national security. The civilian presence on the committee should be enhanced. The . The NSA should exercise effective control over the coordination of defence and foreign policy inputs feeding into national security options for the Prime Minister.

The Higher Defence Organisation (HDO) should be reorganised by creating a unified tri service command in Joint Services Headquarters, headed by a Chief of the Defence Staff (CDS), who besides acting as the principal military advisor to the prime minister, should exercise operational control over the three services, alongwith enjoying powers of promotions and postings of senior officers of the three services. This will better civilian control of the military in achieving operational synergy and economy, while employing members of the three services as per the dictates of future battlefield.

### Conclusion

A healthy balance in the civil-military relations is absolutely essential for a democratic control of the armed forces in countries like Pakistan. An analysis of DCAF criteria for democratic control of the armed forces brings to the fore the fact that the civil and military components of the state are operating under the desired constitutional limits. The improvement, however, is required in the quality of response to all eight DCAF indicators of the civilian control. In order to effect a qualitative change in the civil-military relations both the civilian and military components of the state have to take steps at moral, intellectual and structural planes, to build capacities that contribute towards a healthy balance in civil-military relations. The definition of that balance is best captured by Peter Feaver, who thinks that a military should be strong enough to do anything the civilians ask it to do, while being subordinate enough to do only what civilians authorise it to do.91 The steps suggested for building respective capacities and redressing shortcomings by armed forces, as well as civilian political leadership, promise to bring about a qualitative change in the civil-military relations resulting ultimately in improved professionalism and democratic consolidation in the country

## Questions

* Explain initial security threats to Pakistan and why security threats are seen primarily as physical?
* What were the effects of 1st Martial law?
* How politicians contributed in army’s domination?
* What is the concept of strategic depth?
* What is the role of West in civil-military relationship?

# Islamization

* His successors, civil and military, have all, in varying degrees, strengthened the Islamic character of Pakistan, either out of conviction or opportunistically for political survival. A plethora of Islamic political parties (including some that had opposed the creation of Pakistan), groups and organizations ensure that the Islamic nature of Pakistan is reiterated on a daily basis.
* And the **Muslim League started using ulemas and pirs to garner support for the party in the name of Islam during the 1945–46 elections.** Thus, despite Jinnah’s secular persona, the logic of the two-nation theory and the use of Islam during the last stages of the Pakistan movement tilted the political discourse in Pakistan towards Islamization.
* during the **Muslim League Council meeting at Karachi on 14 and 15 December 1947** he said, ‘Let it be clear that Pakistan is going to be a Muslim state based on Islamic ideals. It **was not going to be an 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. Foundations of Pak
* **Objectives Resolution** in the Constituent Assembly which said that sovereignty belonged to God and that the authority He had delegated to the state of Pakistan, ‘through its people’, would be exercised ‘within the limits prescribed by Him’; that the state would fully observe the principles of democracy, freedom, equality, tolerance and social justice as enunciated by Islam; and that it would enable Muslims to order their individual and collective lives according to the teachings and requirements of Islam as set forth in the Quran and Sunnah.
* The Objectives Resolution raised immediate concerns among the minorities, whose members held almost 20 per cent of the seats in the Constituent Assembly. Pakistan’s first justice and labour minister, **Jogendra Nath Mandal**, a Hindu, resigned stating: ‘Muslim League leaders are repeatedly making declarations that Pakistan is and shall be an Islamic State. Islam is being offered as the sovereign remedy for all earthly evils. … In that grand setting of the Sharia, Muslims alone are rulers while Hindus and other minorities are jimmies [members of other faiths, living in a Muslim state] who are entitled to protection at a price.’
* Justice munir report page 150 pak courting the abyss
* Bhutto gave Pakistan **its third Constitution** in April 1973 in which the **Objectives Resolution of 1949 was included in the preamble;** Islam was declared the state religion, and a Council of Islamic Ideology created to ensure that laws were in harmony with Islam. The Constitution required both the president and the prime minister to be Muslims and to ‘strive to preserve the Islamic ideology which is the basis for the creation of Pakistan’. 19 For the first time it was made ‘incumbent for holders of both offices to publicly confess their faith as “believers” by acknowledging the finality of Muhammad’s Prophethood, thereby implicitly offering a definition of “the Muslim”’. More significantly, Ahmadiyas were declared non-Muslims by a constitutional amendment in 1974. Faced with an agitation by the combined Opposition against rigging of the 1977 elections, Bhutto tried opportunistic appeasement. He changed his motto of ‘Islamic Socialism’ into ‘Musawate-Muhammadi’ (Muhammad’s egalitarian system); imposed a ban on liquor, made Friday (Islamic holy day) the weekly holiday.
* **Ayub Khan tried to steer a middle course**. He banned the Jamaat and imprisoned Maududi because of his dislike of Islamists. However, he used Islam for the purposes of strengthening the state. He saw Islam essentially as an ideology that could strengthen Pakistan. **In a message to the nation on 24 December 1962, Ayub Khan stated**: ‘Pakistan came into being on the basis of an ideology which does not believe in differences of colour, race or language. It is immaterial whether you are a Bengali or a Sindhi, a Balochi or a Pathan or a Punjabi – **we are all knit together by the bond of Islam.**’ 17 Ayub’s lasting contribution to Islamization of Pakistan was the introduction of a course titled ‘Islamiat’ in the school curriculum. Curricula and textbooks were standardized, presenting a version of history showing that Pakistan was the culmination of the journey that was started in ad 712 when Mohammed bin Qasim landed in Sindh
* **Zia** remains inseparably associated with the Islamization of Pakistan, but in a very real sense he continued what had been started during the final stages of the Pakistan movement and the passage of the Objectives Resolution**. His across-the-board Islamization touched every aspect of society, from politics and the military to law, education and personal life**. 21 His measures would have a deleterious impact on the status of women and on the minorities. Equally, it would impact generations of children **through Islamization of the curricula and inject the poison of sectarianism into society.** It was Pakistan’s participation in the Afghan jihad in the 1980s that was to turn the ground prepared by Zia into militant Islam. **Zia’s policies and encouragement to madrasas did the groundwork of creating a much more religiously aware society than it had been before**. The Afghan jihad added a substantive change by patronizing the concept that Islam sanctioned the use of terror to achieve state objectives. ‘Pakistan practised an open-door religious policy to foreign fighters and countries and **soon became a battlefield for a proxy war between Iran and Saudi Arabia.’**
* During the alternating **regime of Benazir Bhutto and Nawaz Sharif in the 1990s**, Islamization per se saw no further advances, except the passage of the Sharia Bill in the National Assembly. Before the bill could be passed in the Senate, Nawaz Sharif had been dismissed.
* By conviction, **Musharraf was not a believer like Zia**, but nevertheless followed his predecessors in trying to co-opt religious parties to supporthis government. In the process he had to grant concessions to the religious parties allied in the Muttahida Majlis-e-Amal (MMA) as a quid pro quo for their parliamentary support in the wake of the seventeenth amendment. 23 For example, in June 2003, Chaudhry Shujaat Hussain, a member of the government, admitted that ten MMA demands for Islamization had been accepted. These included legislation in accordance with the recommendations of the Council of Islamic Ideology; restructuring the economy, education and media along Islamic lines; ensuring rights for women in accordance with Islamic injunctions; and giving Islamic subjects equal importance with other fields of study in all educational institutions. The net result of the Musharraf period was further Islamization of society due to the critical role played by the religious parties in supporting the government.
* The most serious conflict over Islamization measures introduced by Zia was between the Sunnis and the Shias. **Zia tried to implement the Sunni Hanafi fiqh that led to massive Shia opposition, especially on the issue of collection of Zakat.**
* Undoubtedly, Zia’s Islamization spurred sectarianism, but there were other reasons too. These include the impact of the Iranian revolution on the Shias of Pakistan and the reaction of Saudi Arabia to it, which added fuel to the fire. A **cable from the US consulate in Lahore, leaked by WikiLeaks,** stated that ‘financial support estimated at nearly $100 million annually was making its way to Deobandi and Ahl-i-Hadith clerics in south Punjab from organizations in Saudi Arabia and the United Arab Emirates ostensibly with the direct support of those governments’.
* It is indeed tragic that a state founded on the principle of Muslims beinga nation was converted into one where being a Muslim was no longer the sole religious identity; orthodox Sunni circles require a denominational prefix.
* A study titled ‘**Blasphemy in the Digital Age**’ has revealed that blasphemy accusations increased by almost two hundred times after Gen. Zia’s amendment in 1987. Prior to this, there had been only seven blasphemy accusations between 1927 and 1986. The laws are routinely used to target religious minorities to settle personal scores: take over properties and businesses; for forced conversions to Islam and forced marriages of minority women to Muslim men.
* Where have all the incremental doses of Islamization left Pakistan? Have they strengthened a unique Pakistani identity or unity? Has Islamization led to greater security for the citizens of Pakistan? Or has it led to greater intolerance and insecurity? Has the debate whether Pakistan is a homeland for the Muslims or an Islamic state been set at rest? **And the fundamental question whose Islam is to be followed: Shia, Deobandi, Barelvi, Ahl-eHadis?**
* 15-year-old boy blasphemy [age 161 courting the abyss

## Madrassas

* MADRASAS HAVE intermittently come into the spotlight in Pakistan as being the roots of extremist Islam and connected to terrorism. During the anti-Soviet jihad in the 1980s, they were seen as the nurseries for producing jihadis to be sent to fight in Afghanistan; after 9/11, they were held responsible for creating the Taliban mindset; the 9/11 Commission report released in 2004 said some of Pakistan’s religious schools or madrasas served as ‘incubators for violent extremism’ 2 . Madrasas were blamed after the July 2007 Lal Masjid/Jamia Hafsa incident (when the Pakistan Army stormed the complex in which over 150 people were killed) and, more recently, in the wake of the 16 December 2014 attack on the Army Public School in Peshawar that led to the massacre of 135 schoolchildren.
* The notoriety of the madrasas can be judged from the fact that bulk of the leadership of the Afghan Taliban (including Mullah Omar, Akhtar Mansoor and Jalaluddin Haqqani), and the Tehrik-i-Taliban Pakistan(TTP) (Hakimullah Mehsud and Mullah Fazlullah) are products of madrasas. Other ‘luminaries’ who have attended madrasas include Hafiz Gul Bahadur, Waliur Rehman Mehsud, Khalid Haqqani, the mastermind of suicide bombers, Qari Hussain and many more. **It was after the Peshawar outrage** that the government formulated another action plan (the twenty-point **National Action Plan**), one of the key provisions of which was **the registration and regulation of madrasas.** The Peshawar tragedy **forged a consensus that the national narrative needed to change**. While military operations and expanding the jurisdiction of military courts to try terrorism cases were to be the immediate actionable triggers, for the long-term a change in the extremist mindset was identified as being necessary. The unchecked proliferation of madrasas was identified as one of the main causes for growing extremism.
* According to the Daily Times, Although not all madrasas have fundamentalist curriculums or extremist agendas and some, if not most, are actually doing good work, in the current security climate, they cannot go unchecked. **Children in madrasas are often at risk of psychological, physical and sexual abuse.**
* today, madrasas in Pakistan are **a far cry from the eleventh-century madrasa of Ibn Sina in Isfahan where students would flock to study mathematics, medicine and astronomy**. Today, madrasa curriculum has shrunk to doctrinal religion with all other subjects excised. **madrasa reform** has to be one of the key elements of a long-term strategy to purge Pakistan of three of its ills – the culture of radicalization, the growth of sectarianism and the extremist mindset –**through a curriculum that is modern, inclusive and which shuns violence instead of glorifying it**.
* students are educated and **trained to counter arguments of opposing sects** on matters of theology, jurisprudence and doctrines. This leads to **a narrow world view that encompasses rejection of other sects.** In short, a madrasa education indoctrinates and **greatly contributes to intolerance of other religious beliefs.**
* The students that graduate from these institutes, about 200,000 a year, have only ever been educated in religion. They **have no marketable talents**, little experience of the outside world, and the only social setting they feel comfortable in is the only one they have known; composed of segregated, zealous acolytes. They **inevitably fail in the outside world and return to this one track world, where advancement is limited and interaction with terrorists highly probable**
* there is a **huge gap** – economic, intellectual and social and lifestyle – **between students who graduate from private and government schools and those from the madrasas just as there is a similar gap between those graduating from private schools and government schools**.
* bulk of the madrasas have political affiliations apart from their religious ones. **A survey** of 251 madrasas across the country belonging to the five madrasa education boards found that 172 (**62 per cent) had political affiliations** – 59 per cent were affiliated with religio-political parties, 3 per cent with other mainstream parties and 18 per cent with sectarian or jihadi parties. Eighteen per cent did not express any such association. Pak int of Peace studies
* **the funding of these madrasas is another vital but grey area**. The madrasas receive funding from different sources – **overseas entities, regular contributions from their graduates working in big cities, local influential figures and now even provincial governments**. In April 2014, the interior ministry, in reply to a question before the Senate had said that Saudi Arabia and four other Islamic countries – Qatar, UAE, Bahrain and Kuwait – had provided Rs 258 million to fifteen seminaries in one year. However, such funding was through banking channels and could be monitored. The **issue was about the funds that came in through nonbanking, informal channels like hawala and hundi, which were illegal and much larger in volume**.
* Another crucial area is what is being taught in the madrasas. The core curriculum taught in madrasas is known as Dars-e-Nizami, but each of the five madrasa wafaqs follows their own exclusive texts, projecting their specific and sectarian interpretations of Islamic teachings. 27 In recent years, while some madrasas have started teaching ‘modern’ subjects (such as science and mathematics) the overwhelming attention is mostly on religious education emphasizing, apart from the Quran, hadith (sayings ofthe Prophet) and fiqh (Islamic jurisprudence). It is this focus on religious instruction along sectarian lines that gives the students a narrow and limited world view, which boosts religious intolerance. Not surprisingly, the job market for a student with a madrasa education is rather limited to performing a religious function of a particular sect. Not surprisingly, many students easily fall prey to terrorist organizations.
* **In a society where there is limited access to public education**, madrasas will continue to have a role in educating the youth. However, the moot point is, why should a religion-based education per se become the conduit for radicalization? **the religious parties have used these students to bolster their street powe**r. Unless this nexus is broken by the state, radicalized madrasas will always remain in business and no amount of madrasa reform will help to de-radicalize the Pakistan society.
* **All these initiatives to reform madrassas fell by the wayside due to opposition from the religious parties and the Madrasa Board on the grounds that state interference in the affairs of religious education was unacceptable**. The madrasas are their constituency, the students the main source of their street power. Given their dismal performance in election after election, any dilution in their hold over madrasas would reduce their relevance and street power. Thus, they have to oppose any reform of the system for their own self-preservation.
* Pakistan is faced with a **twin problem vis-à-vis the madrasas**. On the onehand is an **economy** that is not growing fast enough to absorb the almost three million young persons entering the job market every year. On the other, there is a large pool of madrasa-educated youth who would be competing with a much larger number of government/private-schooleducated youth. Even though the education and skill levels of the latter category are not very high, they will still edge out the madrasa-educated in most jobs. Thus, the options for the madrasa-educated are limited and joining a jihadi outfit or a religious political party seems an attractive offer. **While religious motivation will help, it will be the economic circumstances that will impel them towards violent organizations.**

## TTP

* The Tehrik-i-Taliban Pakistan (TTP) that has become the most dangerous terrorist group for Pakistan is a loose network of Deobandis straddling FATA and parts of Khyber Pakhtunkhwa (KPK) with linkages in Punjab. The primary focus of their violence is the Pakistan state and the objective is to establish their brand of sharia in Pakistan. The **attack on the Lal Masjid** in 2007 is **believed to be the catalyst** when various jihadi groups in FATA came together **to form the TTP throughout the Pashtun belt, under the leadership of Baitullah Mehsud.**
* the TTP has been able to attract **followers due to poor governance and especially an expensive and corrupt judicial system**. In places like Swat, the **TTP has also won support for redistributing land to landless peasants**. It is areas of poverty due to lack of jobs, economic stagnation and underdevelopment that have become fertile grounds to seed extremist ideology, though they are not the only areas.
* The TTP belief system is fairly simple: First, the TTP movement rejects the legitimacy of the Pakistani state and the Constitution since they believe that neither is Islamic. They only recognize the sharia as the Constitution. Second, according to Joshua White, ‘they are somewhat more takfiri in their ideology than the mainstream Islamists.’ (**Takfir** is the practice of accusing other Muslims of apostasy.) In other words, ‘they are willing to sanction jihad against other Muslims who reject their sectarian or ideological position.’ In fact, they claim that these other groups are not truly Muslim

# Political manoeuvres of Gen Zia

* Operation Fairplay after Bhutto bashed military leadership for rigging investigations.
* Might give Presidential mercy to Bhutto (Fazal Elahi Chohadry)
* **Postponement of Elections**:
* Zia promised to hold free and fair election in oct and transfer power to elected representatives (Ian Talbot in his book Pakistan: A modern history)
* 1983 CII supported presidential form of govt, banned all political parties characterizing them un-Islamic
* Got support of Pak National Alliance (PNA) to initiate investigation against Bhutto moved election to nov 1979
* Lost support of PNA after Bhutto’s execution, PPP’s victory in local body elections changed his mind for general elections
* ZiaulHaq adopted two-pronged strategy towards holding general elections; first to strengthen his position as the President through holding a national referendum and second to minimise the threat of opposition after holding non-party based elections.
* Ref were held in 1984, Zia received 97 percent ‘Yes’ vote
* **Islamization:**
* Influenced by two factors (regime needed legitimacy, Islam had played imp role in all regimes after independence)
* Punitive measures (legislation made for vices like adultery, theft, drinking; Hadood Ordinance)
* Zakat and Usher Ordinance was introduced
* Dichotomy btw science and religion was deplored; scholars were instructed for working with the spirit of Jihad on the models of Al-Azhar University
* Changes in regional environment, instability in Afghanistan, Iranian Revolution and Soviet invasion in Afghanistan provided Zia with a chance to collaborate with religious political parties.
* to validate the authenticity of various laws (Shariat benches were created in high court and Shariat Appellate Bench for Supreme Court)
* **Constitutional Protection**:
* Amending article 212 (A) under Provisional Constitutional Order (PCO 1981); The order prohibited civil and High Courts to interfere in the proceedings of military courts.
* President was empowered to dissolve NA (elections within 100 days) and could appoint any of its member as PM (VOC within 60 days)
* Movement for Restoration of Democracy (MRD) protests caused chaos; 8th amendment (changing parliamentarian system to presidential)
* **Use of Judiciary:**
* Chief Justice Yaqoob Ali Khan was swiftly removed and Zia-friendly Justice AnwarulHaq
* Roman doctrine of state necessity Begum Nusrat Bhutto V. COAS
* **Conclusion**
* Intelligent use of strategies differs him from other martial law administrators (execution of ZAB, raising public sentiment on Islam, constitutional amendments, strong circle of colleagues, use of judiciary)

# Proxy Warfare/Hybrid warfare/ 5th gen warfare

* Tools: internet; Social media; electronic media; social networking
* Recent army defamation
* EU Disinfo Lab
* Panjshir valley Indian propaganda Ahmed Masood resistance against Taliban
* Fault lines
  + Sectarian sentiments fire up
  + Ethnic: Nationalist separatist PTM BLA
  + Economy: FATF (india narrative)

# Centre-Province relations

## Sindh

Green Line Bus: Although transportation is a provincial subject and the federally funded project was being executed in the provincial capital, no effort was apparently made to make the inauguration an inclusive affair. Even at the inaugural ceremony, the chief minister and other representatives of the provincial government were not present.

This pent-up bitterness must have propelled the chief minister to utter astonishingly tough words in the Sindh Assembly on Dec 11: “Yes, we are part of Pakistan and we should be considered a part of Pakistan. Don’t create a situation that people start to think about something different.”

Moreover, the Sindh government has refused to allow the centre to develop two islands near the Karachi coastline and has also refused to be part of the health card scheme earlier introduced by the PTI in KP and now Punjab.

Although Pakistan made tremendous progress towards a more robust federal system by writing an almost unanimously approved Constitution of a federal state in 1973, the implementation was problematic. Pakistan took another major step towards strengthening provincial autonomy and streamlining the federal structure when it passed the 18th Amendment in 2010. Although further constitutional safeguards were built for the regulation of the federation, the smaller provinces still found reason to be dissatisfied.

Two powerful institutions were created in the Constitution to regulate the federation. Their histo­rical performance can act as a barometer of the hea­lth of the federal system. The eight-member Council of Common Interests is chaired by the prime minister, and its members, including the four chief ministers and three nominees of the federal government, are evenly divided between the federal and provincial governments. The CCI is required to formulate and regulate policies in relation to Part II of the Fed­eral Legislative List. Under the 18th Amend­m­ent, the CCI should meet at least once in 90 days which roughly translates into four times a year but, on average, it has held only one meeting per year in the past 48 years.

Another important constitutional institution is the National Economic Council which is required to review national economic conditions and advise the federal and provincial governments to formulate financial, commercial, social and economic policies. The NEC is required to meet at least twice a year. The record of NEC meetings is not enviable either.

## Distribution of legislative powers

* Extent of federal and provincial laws: federal whole country+ extra territorial; Province: within boundaries of province 141 article
* Subject-matter of federal and provincial laws: 142
  + to make laws on Federal legislative list FLL k matters exclusiveily majlis-e-shura;
  + dono aghty criminal law, criminal procedure, evidence;
  + matters not mentioned in FLL province shall make laws; federal shall not
  + areas jo province k andar included nahi hoty; Federal shall have exclusive power to make laws
* Inconsistency btw federal and provincial law 143
  + Same matter pay provision hain province ki contrary federal say to federal will prevail
* Power of Majlis to legislate for one or more provinces by consent 144
  + Later be amended or repealed by the assembly of that province

## Administrative relations

* 145 Power of President to direct Governor to discharge certain functions as his Agent.
* 146 Power of Federation to confer powers, etc., on Provinces, in certain cases.
  + With the consent of provincial govt; entrust conditionally or not to that govt, or its officers, functions in relation to any matter to which the executive authority of the Federation extends.
* 147 Power of the Provinces to entrust functions to the Federation.
* 148 Obligation of Provinces and Federation.
  + The executive authority of every Province shall be so exercised as to secure compliance with Federal laws which apply in that Province.
  + in the exercise of the executive authority of the Federation in any Province regard shall be had to the interests of that Province.
  + Duty if federation to protect against external aggression/internal disturbances carried on acc to provisions of const
* 149 Directions to Provinces in certain cases.
  + Executive authority of province shall not impede federal’s and federal can give direction to guide on that purpose.
  + for the purpose of preventing any grave menace to the peace or tranquility or economic life of Pakistan or any part thereof.
* 151 prohibited to place any restriction on inter-provincial trade

### Financial Relations

* 160 Collection of taxes by the centre and subsequent redistribution amongst the provinces through NFC
* 161 grant of fed on gas, oil and hydrocarbons to provinces
* 167 prior approval from NEC rquired by the provinces to raise international loans

### Political Relations

* 41 Election of president by provincial assemblies
* 59 Election of senators by provincial
* 101 Appointment of governor in all provinces by the federation
* 239 Prior 2/3rd resol of restive assembly required for changing boundaries of existing provinces

### Institutions common to both

* NEC 156
* CCI 153
* Auditor General of Pak
* Supreme Court
* ECP
* CII

# Federalism

Pakistan’s greatest tragedy is that forces favouring a highly centralised state structure prevented it from becoming a proper federation. Nobody can deny the fact that Pakistan is a multinational and multicultural state and that the provinces are not mere administrative divisions; they are homelands of communities with their distinct histories, cultures and languages. That such a state had to be a federation was realised by the authors of the Lahore Resolution of 1940 who promised autonomous and sovereign status to the constituent units. It is possible that without this pledge the resolution could not have been adopted. Further, the Quaid-i-Azam rejected the federal part of the Act of 1935 because it envisaged an all-powerful centre.

However, within a few years of independence, the ideal of a federation was smothered by a strong alliance of the upholders of the viceregal system, a power-hungry central bureaucracy, a conservative religious lobby, and a succession of men on horseback. The way Article 92-A was inserted into the provisional constitution, and its use to demolish provincial governments, constitute a regrettable chapter in the history of Pakistan. Although Section 92-A was replaced with Section 93 in 1955, which considerably reduced the arbitrary nature of actions against the provincial governments, federal inroads into provincial autonomy continued till the 1980s. A federation in name, the country was run as a unitary state and its dismemberment was the price paid for this folly.

The problem all along was the centre’s treatment of the provinces as its colonies — like subordinate entities; they were ruled by centrally appointed bureaucrats, and their very existence as provinces was negated. It was only after 63 years of independence that, under the 18th Amendment, the first, though substantial, step towards giving the provinces their due was taken. The provinces were allowed due powers to make laws that the concurrent list had virtually denied them, their minimum share of the divisible resources was fixed, and the role of the Senate, the symbol of federalism, was somewhat increased. The amendment also made the establishment of a local government system mandatory. But the process of empowering the federating units has yet to go several steps forward.

That the provinces are not subordinate to the federation can be proved by theory and contemporary practice both. More than 100 years ago, A.V. Dicey, the famous British jurist and constitutional theorist, defined the federating units as coordinates of the federation. Even if modern rulers are allergic to the old theory, they can see its part in the uninterrupted functioning of such leading federations as Switzerland, the US, Germany and Australia. They have progressed by not treating federating units as subordinates.

Further, unitary states are discovering sources of national strength and economic progress in devolving power to regions. Decentralisation and devolution of power from the centre to the provinces, and from provinces to local governments, has become vital for good governance. The UK is just one example.

In Pakistan’s case, the provinces’ right not to be treated as subordinate to the federation lies in the fact that the provincial assemblies created Pakistan; they are not the creatures of the federation. After giving the units their due, the federation will become a smart polity, its non-productive expenditure will come down, the feeling of alienation among communities and nationalities constituting the federal units could die out and Pakistan could become stronger and be at peace with itself.

Pakistan’s future lies in having more of democracy and more of federalism and any attempt to revert by force to an over-centralised state structure will not work. It will be the shortest route to suicide.

## Provincial autonomy

* Historical context
* Quaid emphasized in jinnah point
* Major hurdle in constitution making: how much ayutonomy”?
* Separation of East Pakistan: provincial autonomy
* legislative lists: federal;, provincial, concurrent ….. higher the provincial subjects to legislate higher autonomy
* GOI 1935 61; 55; 25
* 1956 30;94;19 much better but one unit formula fucked up
* 1962 49; no list but residual subjects; no concurrent list; president had all powers
* 1973 59; residual; 47 better than 62 but debated over 56
* 18th amendment
* 53 list part 1 and 18 part 2 under the CII; residual; abolished subjects merged into provincial and federal

## 18th amendment

* Issues:
  + Required open debate {Time alotted for discussion in parliament: 41 days 8th amend; 3 months 2nd amend; isay sirf 6 days}
  + However, Parliamentary committee on constitutional reforms worked tirelessly: 77 meetings (apprix 10 months)
  + Article 160 3A: share of the privinces in each award of nfc shall not be less than the share given to the provinces in the previous award.
    - Loans, defence expenditure, war on terror, fata, admin of northern areas burden on federal so revisit this in 10th NFC Award
* Significance
  + 97 articles Changed; 1/3rd 73 const got affected
  + Powers of parliament
  + Provincial autonomy most debated
  + Election reforms
  + Judicial independence
  + Fundamental rights
  + Local govts

## Parliamentary vs Presidential

Globally, there is endless debate among political scientists about the merits of both, without a clear consensus or strong empirical proof. Yet almost all the best governed and developed states (all in North America, Western Europe, East Asia and Down Under) have a parliamentary system. Regionally too, most Saarc states with the highest per capita incomes have it. Even if their outcomes aren’t due to it, this clearly shows that a parliamentary system doesn’t hinder good governance. Turkey is one of the very few states to switch to a presidential system a few years back. But it is doing worse economically since then.

With global proof to support presidentialism absent, we look at our own history. We have had long periods of it but mostly under autocracy. While these eras were disastrous despite their misleading higher growth rates fuelled by short-term US aid, the blame accrues more to autocracy than presidentialism. Our only civilian presidency was for only about 18 months during 1972-73 under Z.A. Bhutto, which is too short a period to form strong opinions either way. So our own history provides no support for presidentialism either.

That said, the fact remains that the only way to actually bring about such a change in the system through a democratic process is to amend the Constitution by a two-thirds majority in parliament. We can debate the pros and cons of the presidential and parliamentary systems for as long as needed but the only way to act upon it is to follow the laid-down procedure. If those who support the presidential system want it to replace the existing system, they should get the numbers needed to make the amendment. But even this would probably not be sufficient. The Supreme Court has laid down through its judgement that the parliamentary form is the constitutional system for the country. In theory then, even if somehow parliament were to conjure up a two-thirds majority to amend the Constitution, the apex court will have the power to interpret this legislation in light of its existing judgement. Hence, the debate is a futile exercise that serves little purpose other than distracting citizens from the real issues at hand. It would be best if the debate was buried once and for all.

Pakistan is a complicated country — comprising a multitude of centuries-old ethnicities, often further divided into tribes — that altogether speak more than 80 different languages. At 75, Pakistan is still young and trying to come to terms with its different identities in order to create a formula for coexistence. Punjabis are by far the majority as they comprise 53% of the population. They are followed by the Pashtuns at 15%, Sindhi at 14%, Mohajirs at 8%, Balochis at 4%, while the rest are among the remaining 6%. The biggest issue with a presidential form of government is that since the Punjabis are in an overwhelming majority, the chances of a candidate from any other ethnicity getting elected as President become extremely remote. As a result, under a presidential system, it will always likely be a Punjabi rising as the democratically-elected president. This, in no way, will be acceptable to other ethnicities and, as a consequence, this issue has never found support in any other province except Punjab. This also is the very reason that the founders of the 1973 constitution opted for a parliamentary form of government that gives equitable representation to different ethnicities, which is then balanced by equal representation in the Senate — 25 members from each province.

That being said, strong support for the presidential form of government originates primarily because of the complete failure of the current parliamentary form of governance to deliver. If that is to be the goal, then it must come through a process rather than an experiment. Here are some suggestions to be considered and debated:

Firstly, the provincial weights need to be balanced. There will be strong opposition if more provinces were to be created only in Punjab. Hence, the process of creating more provinces also needs to be spread equitably such that it is acceptable to all provinces. For this, the most suited idea would be to convert all existing districts into provinces, thereby creating 123 provinces in the country. This will create much-needed smaller provinces, and since the districts already have district headquarters and governance infrastructure, no new buildings/infrastructure will need to be created. Due to the growth in population, the government and decision-making will be shifted closer to the citizens thereby improving essential services. Moreover, a meaningful civil service reform must be implemented through which police and finance are devolved to the new provinces.

a strong local government system needs to be established taking the basic day to day needs of the citizens to their doorstep.

in order to overcome the issue of money and power creeping into politics, the system of proportional representation should be adopted in the general elections. (Read [PR](#_PR))

With the above changes, the governance system of Pakistan can be completely transformed and hopefully the voices that call for change to a presidential system would be pacified. However, if the above is not found satisfactory, it will at least create a more suitable basis to ask for a presidential form i.e. with 123 provinces, none of the provinces will be in a super majority. Also note that with the creation of 123 provinces, the demands for creation of more provinces will also come to a close. It will also likely put an end to demands of independence from deranged insurgents.

## NFC Award

## New provinces

The South Punjab province – proposed to comprise of three divisions – will have 56 seats of the National Assembly and the new provincial assembly will have 119 seats, according to the draft bill moved to create the fifth province of Pakistan.

The Ministry of Law and Justice on Thursday circulated the Constitution Amendment Bill 2022 for the approval of the federal cabinet for the creation of a separate new province comprising Multan, Bahawalpur and Dera Ghazi Khan divisions called South Punjab, according to the cabinet’s summary.

### Historical developments

* Provincial autonomy

### Criteria

* Example: 1948 S.K Dar Commission not on linguistic/ethnic but geographical contiguity, financial sustainability, administrative viability, development potential
* Ethnic/lingusitic grounds: siraiki, Hazara, potohar, har koi ajayega;
* Administrative: Bahawalpur, or earlier princely states

### Necessity

* Infra development
* Poverty alleviation
* Educational uplift
* Mitigation of resentments of marhinalized segments
* GIVEN decades of lopsided and uneven ‘development’, it was inevitable that the different regions of a province the size of Punjab would have significant social and economic disparities. A new UNDP report — South Punjab Regional SDGs Indicators Comparison with Centre and North — has only confirmed what is already known to most people and policymakers: the impoverished southern districts of Punjab are lagging far behind the rest of the province, both in social and economic indicators. The data produced by numerous government and independent research studies and surveys over the last two decades shows that the majority of the districts of southern Punjab are among the most underdeveloped and deprived in the province in terms of basic public services such as health, education, safe drinking water supply, sanitation etc. because of years of underinvestment by successive governments. As a percentage of its population, south Punjab has a significantly higher incidence of multidimensional poverty compared with the central and northern parts of the province. Thus, it is not surprising that the prevalence of stunting and wasting among children in the southern districts of the province is much higher than in other parts. So are child labour and child marriages. Likewise, infant mortality and gender disparity are also above the provincial average.

### Political chutyapa

### Critical Analysis

* Political issues: polarization
* Economic constraints
* Administrative hurdles
* Sol: devolve powers; empower local govt

# Electoral Systems

**First Past the Post** and **Proportional Representation System** are two electoral systems to elect members of legislatures across the world. Both systems are widely practiced in the world with their respective merits and demerits. Let us take a look at various provisions of both these systems.

## FPTP

First Past the Post System, or **otherwise known as Simple Majority System**, is an electoral system in which the **candidate who gets the maximum number of votes in the elections, gets elected, in a single member constituency.** The result is based on the majority of votes obtained by the nominated candidate.

The multi-cornered contest is also experienced, wherein the number of candidates contesting the election rises to 3 or 4 and sometimes even more than 6. In such cases, the candidate getting the highest number of total votes cast, gets the seat, as it follows the simple rule of the majority, even if it is less than 50% of total votes.

It aims at electing a person who can represent the constituency, in the parliament. So, votes are cast by people for different candidates, who are nominated by a political party. Countries like Pak, UK, USA, Canada and India follows it.

## PR

Proportional Representation or commonly called as **Single Transferable Vote System** implies an election system, wherein the **representation of all classes of people is ensured**, as each party gets as many numbers of seats as the proportion of votes the candidate polls in the election.

In this system, any political party or interest group obtains their representation in proportion to their voting strength, i.e. as soon as the votes are counted, **each party gets the number of seats in the parliament according to the number of votes.**

In this way**, parties with the small support base, also get their representation in the legislature.** Sometimes, it results in the multi-party coalition government. **From the point of view of a voter, every vote is important, as it counts.** It is followed in countries like Netherlands and Israel.

## Key differences

* **First Past the Post (FPTP) system**, can be understood as the voting method in which the citizens of a constituency **cast their votes for a candidate** and the one getting majority votes win the elections. As against, **Proportional Representation (PR)** is an electoral system wherein citizens cast their votes to the political parties **and seats are allocated to the parties** according to the voting strength they possess.
* In first past the post system, **the whole country is divided into different small geographical areas**, i.e., constituencies. In contrast, proportional representation, large geographical units are considered as a constituency.
* In first past the post system, **from each constituency one candidates get elected**. Unlike, proportional representation, where **more than one candidate can be selected from a constituency.**
* In first past the post system, the citizens cast their votes for the candidate of their choice. In contrast, votes are cast for political party by the citizens of the constituency.
* In FPTP system, the **total seats allotted to a political party may or may not be equal to the votes**. As opposed, in PR system, the party gets seats in proportion to the votes polled for them.
* In first past the post system, **accountability exist**, as people know the candidate whom they voted and if he/she does not serve them or work for their betterment, they can ask questions. On the contrary, **accountability is absent**, in the sense that people cast their vote for a party and not to a candidate.
* In proportional representation, the political parties with a small number of votes get elected in the Parliament, which **leads to the disagreement of ideas**, **due to many political parties in the parliament**. Conversely, in first past the post, the candidates getting the maximum votes wins the elections, and the political party gets seats in the Parliament, and so, there is no clashing of ideas.

## Pakistan

Pakistan follows an electoral system known as **the ‘First-Past-The-Post (FPTP)’ system**. Under this system, the leading political party may secure less than 50 percent of the votes and still manage to form the government. Thus, **the party forming the government may not be the true representative of the majority of the electorate.**

For example, in the last two general elections for the National Assembly (NA), the PML-N (2013) and the PTI (2018) won 33 percent and 32 percent of votes respectively and yet were able to form majority governments by bringing in independent winning candidates and MNAs from various regional parties. In simpler terms, it means that every **two out of three of those people who cast their votes did not vote for the party that eventually formed the government in both 2013 and 2018**.

in the last elections the PTI received about 32 percent of the votes and ended up with 44 percent of seats in the NA. This disproportionality is a direct consequence of the ‘First-Past-The-Post’ system that the country follows.

Another problem with the FPTP is that **the voting intentions of the voters are not reflected in the results**. To quote just one example, in the 2018 general elections, MQM got 733,245 votes with six general seats while ANP got 815,998 votes but only one general seat. Countless examples are demonstrating how the FPTP system suppresses diversity by denying representations to certain political parties. Contrarily, **the system of Proportional Representation ensures diversity in the legislature**. It allocates seats to the political parties according to their vote share. Therefore, the diverse viewpoints and opinions are appropriately represented in parliament.

**Short-sighted, aggressive politics are encouraged by FPTP**. Small shifts in a party’s popular vote can have significant repercussions. This encourages politicians to overstate their differences and focus on undermining other political parties rather than working together to find the appropriate solutions for the country’s best interests. **Proportional Representation enables politicians to work together, collaborate, and reach an agreement in the country’s long-term interests. It enables policy-making by consensus.**

Proponents of the FPTP system often cite the fact that one significant advantage that this system has is its simplicity in both understanding and implementation as compared to the various forms of proportional electoral system. They argue that for a proportional system to be effectively adopted the **population needs to be highly literate, something that is not the ground reality in Pakistan.** This view however is not entirely true as there are many proportional systems that are not convoluted and hold the key towards electing governments that are representative and truly reflect the collective will of the electorate. One such system is called ‘**ranked-choice voting’** in which instead of the candidate winning the most votes getting elected, **a candidate has to gain majority vote (at least 50 percent) in order to get elected from the constituency.**

### RCV

A ranked-choice voting system (RCV) is **an electoral system in which voters rank candidates by preference on their ballots.** If a candidate wins a majority of first-preference votes, he or she is declared the winner. If no candidate wins a majority of first-preference votes, the candidate with the fewest first-preference votes is eliminated. First-preference votes cast for the failed candidate are eliminated, lifting the second-preference choices indicated on those ballots. A new tally is conducted to determine whether any candidate has won a majority of the adjusted votes. The process is repeated until a candidate wins an outright majority.

Example

Assume that there are four candidates for mayor in a hypothetical city. The table below presents the raw first-preference vote totals for each candidate.

|  |  |  |
| --- | --- | --- |
| Candidate A | 475 | 46.34% |
| Candidate B | 300 | 29.27% |
| Candidate C | 175 | 17.07% |
| Candidate D | 75 | 7.32% |

In the above scenario, no candidate won an outright majority of first-preference votes. As a result, the candidate (Candidate D) with the smallest number of first-preference votes is eliminated. The ballots that listed candidate D as the first preference are adjusted, raising their second-preference candidates. Assume that, of the 75 first-preference votes for Candidate D, 50 listed Candidate A as their second preference and 25 listed Candidate B. The adjusted vote totals would be as follows:

| **Adjusted vote tallies in a hypothetical mayoral race** | | |
| --- | --- | --- |
| **Candidate** | **Adjusted first-preference votes** | **Percentage** |
| Candidate A | 525 | 51.22% |
| Candidate B | 325 | 31.71% |
| Candidate C | 175 | 17.07% |

On the second tally, Candidate A secured 51.22 percent of the vote, thereby winning the election.

**Promotes majority support** - The voting continues until one candidate has the majority of votes, so the final winner has support of the majority of voters.

**Discourages negative campaigning** - Candidates who use negative campaigning may lose the second choice vote of those whose first choice was treated poorly.

**Provides more choice for voters**- Voters can vote for the candidate they truly feel is best, without concern about the spoiler effect.

**Minimizes strategic voting** - Instead of feeling compelled to vote for ‘the lesser of two evils,” as in plurality voting, voters can honestly vote for who they believe is the best candidate.

The Ranked-Choice system is just one example of several different systems that can be used to elect more representative governments that are proportionally in-line with actual number of votes that respective competing parties gain. **Another additional possibility that should potentially be explored is to introduce multi-member constituencies instead of the current single-member constituencies.** There is a plausible argument to be had that those constituencies that have markedly more number of total votes should have the provision of multiple winning candidates being selected to the legislature.

# Local govt

* POLITICAL rhetoric notwithstanding, local governments have always been an aberration in Pakistan. Half-hearted attempts to decentralise governance through the transfer of financial, administrative and political authority to the LGs have been marred mostly by political parties’ strong aversion to sharing power with local public representatives, and the bureaucracy’s hunger to retain its unchallenged hold over decision-making and resources. This is all too evident in the chequered history of Pakistan’s third tier of government. The tendency to unashamedly undermine local democracy, in favour of centralised governance at both the provincial and federal levels, has become an ubiquitous part of our political culture and exposes the ruling politicians’ reluctance to organise local elections unless forced to do so by the courts. Even when they agree to the elections, they do not devolve powers to this tier.
* Unfortunately, Prime Minister Imran Khan, who often spoke in support of decentralising powers while in opposition, has been unable to promote governance through local representatives. The unlawful dismissal two years ago of LGs in Punjab by the provincial government that has resorted to legal technicalities to avoid reinstating them — in defiance of a Supreme Court judgement — reveals the leadership’s weak commitment to local democracy. Many believe that the present dispensation would rather wait out the term of the LGs controlled mostly by the PML-N, its arch-rival in Punjab, than revive them. The concern is understandable as the PML-N can generate enough noise against the PTI administration at the local level and hurt its chances in the next local elections, providing the LGs are reinstated. The situation in Sindh is not much different. The PPP doesn’t seem to be in a mood to organise local polls in the province even after the expiry of the tenure of the previous LGs almost a year back.
* The devolution project started with the 18th Amendment in 2010 will remain incomplete without strengthening local democracy and empowering LGs for effective and participatory governance. Sindh could set an example for the rest of the country by putting in place autonomous LGs and immediately holding local elections
* Ironically, either it has been the military government that leveraged local body elections to reach the masses, or the higher court of the country had to force the governments in all provinces to carry out this constitutionally mandatory exercise. There could be many reasons for this reluctance; however, one most quoted is bureaucracy’s unwillingness to share its administrative domain with the political representative at the local level. Another common refrain has been the politicians’ deliberate attempt to keep a large swath of population wallowing in the pain of poverty so that the former could amass wealth through corrupt practices. When the masses are poor, they are also usually uneducated with little or no concept of making their representative accountable for their corrupt practices. In Pakistan, it seems both these reasons have been used in coordination to keep local elections from taking place.
* <https://tribune.com.pk/story/2292509/local-government-and-pakistans-reluctant-political-elite>
* <https://tribune.com.pk/story/2309141/lgs-landmark-verdict>
* Whatever the press may dub important, chances are the people care most about clean drinking water, access to healthcare, roads instead of rutted paths, a less brutal police. And chances are the people that most understand this will be of them and among them: representatives, not rulers. It’s the essence of local government.
* if our parties are serious about democracy, “they would ensure that power is transferred not just from Islamabad to Lahore, Karachi, Peshawar and Quetta but to Multan, Hyderabad, Mansehra and Gwadar”.
* The amended version of the Sindh Local Government Bill 2021 had clipped the powers of the elected bodies, and had intruded in with a parallel mechanism under the supervision of the Sindh Cabinet. This was contested tooth and nail by all, except the ruling PPP.
* Jamaat successfully negotiated a deal under which education and health will revert back to the LB domain and, waste disposal too will fall under the municipality. the nod to set up a provincial financial commission is quite promising. Likewise, by re-introducing powers in the office of the elected Mayor and restoring district municipal corporations (DMCs) in urban areas, the agreement between the Jamaat and Sindh government is a good beginning. What is needed is to walk the talk, and let Karachi have a constitutionally-mandated local government without any hindrance.
* The Local Government Ministry under the Sindh Cabinet is a Viceroy-mode approach, wherein bureaucracy rules the roost, and nullifies the very essence of LB functioning. This has to go, in order to enable elected representatives call the shots. Contrary to what the amended 2021 bill had projected, let the powers to regulate civic utilities — including sewage, garbage, potable water, electricity, etc — be municipality subjects. Like any other developed state’s City government, taxation and police too should be local bodies’ affair. Karachi is in need of an empowered apolitical local government to be exercised politically by its elected representatives. This will induce ownership — an aspect lacking in case of Karachi to this day.
* It is an open secret that LGs are strategically renewed by military governments for undermining the established local political elite and manufacturing into existence a new layer of more pliable grassroots leadership. Meanwhile, elected governments and political parties too have neither looked kindly on the prospect of LGs taking root for similar fears that their locally established leadership might be challenged by new political actors.
* the consensus across the political and academic spectrum is that local bodies are the linchpin of service delivery and the chain of political representation. Moreover, their role as connectors of higher-tier government structures and grassroots also remains unchallenged. In this respect, while many aspects of LG service delivery roles are being pored over, the role as a deliverer and administrator of **social protection programmes** has not been given the attention it deserves.
* In Western democracies, the political governance landscape is based on local parish and councils. It is unimaginable to see them knocked out of the political representation and service delivery chain. In the UK, without local councils administrating education, social welfare systems etc, the whole edifice of a unitary state would come crumbling down. In Pakistan, however, LGs have been turned off and on like tap water, discouraging the exercise of people’s right to local representation.
* As the Ehsaas programme expands, LGs can provide it with a firm foothold, acceptability and greater reach among the public. Pakistan should definitely learn from the pragmatic fusion of local bodies and social protection programmes for better service delivery and generating wider public involvement (and hence support) at local levels. Political parties also need to change course and see LGs as the permanent enhancer of representative and service delivery aspects of democratic governance rather than as competitors of established local elites. In the longer term, there is also a long-overdue requirement for conducting research into how the absence of LGs has contributed immensely to the crisis of democratic governance and falling standards of centralised service delivery that we see today.
* The centralisation of political and bureaucratic authority at the provincial tier in both Punjab and Sindh has led to a range of unnecessary and counterproductive interventions in basic areas of service delivery. Development authorities are being managed by provincial governments in a largely unaccountable manner. New entities are created each day, staffed mostly with civil servants, to take on municipal functions. Regulatory oversight remains non-existent, while participation is limited to the presence of provincial legislators on various boards.
* In the Imrana Tiwana case, as well as the recent cases of RUDA (Ravi Urban Development Authority) and the MQM petition, the court has ruled that municipal functions cannot be usurped by provincial governments endlessly. This provides an important opening (albeit a fragile one) for more substantive forms of devolution.
* LGs continue to be denied the certainty of rule-based fiscal transfers through provincial finance commissions. Except for Punjab, no LG law requires the province to transfer a minimum share of funds to finance the functions devolved to local governments. This makes LGs entirely dependent on the largesse of the province. The right of LGs to adequate and predictable finances needs to be protected if they are to function as effective institutions.

## Dillon’s Doctrine

According to Dillon’s doctrine, LGs derive their powers and rights wholly from the provincial legislature. As the assembly breathes life into LGs, it may also abridge them at the stroke of a pen. It presumes that all sub-national functions lie with the province and sees their devolution as an act of provincial largesse, thus viewing LGs as being inherently limited.

The application of Dillon’s doctrine has led to the usurpation of LG functions in Sindh through a host of laws pertaining to provincial agencies and through discretionary provisions in SLGA 2013. It led the last PML-N government in Punjab to reassign core municipal functions to provincial authorities and companies. It resulted in the current ruling alliance’s premature dissolution of elected LGs in Punjab in 2019. Discretionary powers have been repeatedly used by provinces to incessantly delay local elections and run these institutions through unelected administrators.

## Punjab

The good thing is that recent legislation in Punjab — both the 2019 act as well as the 2021 ordinance — provide reasonable guarantees that local governments will retain control over developmental and regulatory functions in their jurisdictions.

The key issue now though is the design of the local government itself. This is particularly concerning for Punjab, where the new ordinance proposes an extremely skewed and top-heavy design.

https://www.dawn.com/news/1673768/reservation-or-devolution