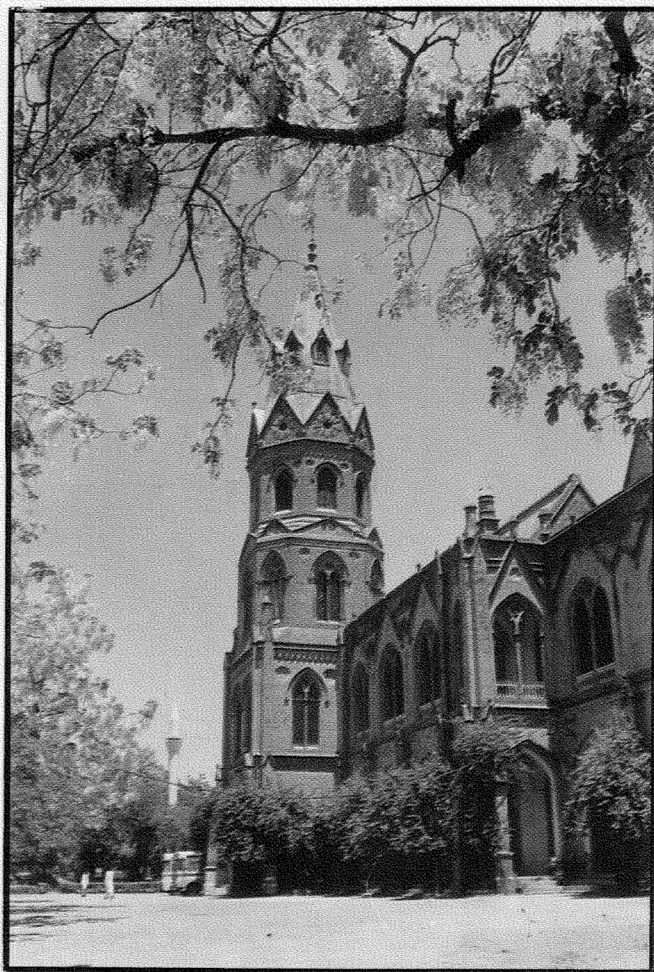


125th Anniversary Year  
1864 -- 1989

# **The Journal of Political Science**



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*Published by the Department of Political Science  
Government College, Lahore, Pakistan.*

**Vol. XII**

**1989**

**No. 1,2**

Editors :

**Saeed Osman Malick  
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**The Journal can be obtained from Booksellers or from the Manager of the Journal, Department of Political Science, Government College, Lahore, Pakistan.**

*Published by Rai Hameed Ali Khan,  
Manager of the Journal of Political Science*

**Printed by : Shaukat Ali - Bukhari Printing  
Press, Paisa Akhbar, Lahore.**

# The Journal of Political Science

Vol. XII

Summer, Winter, 1989 No. 1,2

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*The Journal of Political Science, Government College,  
Lahore, Pakistan.*



بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

## PAKISTAN'S IDEOLOGICAL ELITES : EMERGENCE AND AMBITIONS

*Khalid Javed Makhdoom\**

Conceptually, a contemporary state is multi-ethnic, and its elites interact on competitive basis. Since the ideal goals of a state can be attributed to its ideology, the competing elite's presents a dilemma of ideologies within ideology'.<sup>1</sup>

This is more true of those developing states which claim to be ideological. Their ideology is indebted, in the main, to their cultural heritage. Emphasis on ideology in freedom struggle identifies them as coherent entity ; and the hard earned independence make them believe that ideology represents their ideal goals, it must be held fast and applied as a tool for policy fixation.

But once independent, the developing ideological states, in particular, are suddenly exposed to the varying degrees of responses from the world environment. Consequently, the ideological outlook

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at home is often divided on the dilemma of ideal-conservatism and strategic-liberalism. Idealist are normally those elites in opposition who insist on policy-fixation by means of conserving the fundamentals of ideology. Whereas, strategic-liberals may be the leaders in government who, in response to the environment, try to reconcile idealism though without jeopardising the ideal fundamental. In this endeavour, the leaders at the helm attempt to maintain a balance between ideology (the means) and strategy (the end)<sup>2</sup>.

In Pakistan's case, religion played the most significant role in shaping its ideology. Historically, South Asia witnessed three major religions—Hinduism, Islam and Buddhism—interplaying for centuries<sup>3</sup>. This aspect made South Asia uniquely different from the other Muslim regions like the Middle East<sup>4</sup>. Pakistan's appearance on the map of the world was, therefore, to a large degree an outcome of the politics influenced by more than one religions. Its inception was promoted by the Islamic cum-political consciousness of a fairly large Muslim minority against the injustices and exploitation of a roughly three times larger Hindu majority in the South Asian sub-continent.<sup>5</sup>

This Islamic-cum-political consciousness was affected by the Muslim renaissance movement of the mid-nineteenth century.<sup>6</sup> Looking back into history, we find that the renaissance movement was unknown in the earlier periods. It started with the

development known as the Indian Sepoy Mutiny of 1857,<sup>7</sup> or the Hindu-Muslim armed rebellion against the East India Company also attributed as the First War of Liberation against the British. The Mutiny turned out to be an abortive attempt on the part of both Hindu and Muslim sepoys of India. Its failure brought in its wake the British wrath against the Muslim community in general, holding it responsible for resisting the East India Company.<sup>8</sup>

The failure of the Mutiny had serious consequences on the socio-economic and political life of India. Initially, it marked the end of the Mughal Rule, in which Muslim institutions and thought had progressed uninterrupted.<sup>9</sup> And, in the meanwhile, it also brought about a formal transfer of power to the British. Establishing themselves as the rulers of the sub-continent, the British started transplanting their Westernised institutions like the English language and the British laws by means of up-rooting the Muslim-oriented Persian and the Islamic code of laws ('Sharia').<sup>10</sup>

The interesting feature of this change over from the Muslim orientations to the British Westernism was that the Muslims and Hindus, the two main communities of the sub-continent, expressed responses juxtaposed to each other. It is worth mentioning that relatively the Hindu common man was more ready to accept the change.<sup>11</sup> He was consciously aware of, or even irritated by, the centuries of Muslim norms and traditions.<sup>12</sup> Therefore, when

the British discouraged Muslim orientations, the Hindu common man did not appear to be antagonistic to the new environment. He rather found it convenient to make strides in the new socio-economic spheres.<sup>13</sup> Whereas the Muslim common man, on the contrary, seemed sensitively attached to his pre-existing conventional institutions<sup>14</sup>; and showed reluctance to compete with the Hindu common man in various professions.<sup>15</sup>

Paradoxically, therefore, Muslims suspiciously looked at the British policy of change. They considered the process of up-rooting their institutions as a deliberate attempt of the British not merely to destroy their well-established Muslim identities in the sub-continent but also to relegate them permanently to a position inferior to Hindus.<sup>16</sup>

In other words, the British policy of change, which came into effect in the post-Mutiny period, made many Muslims feel their community suffering from a cultural stagnation or even degeneration. To make it stand out in the Indian main stream, they believed, the Muslim energies should be revitalized and consolidated.<sup>17</sup>

In order to achieve this objective, the Muslim forces emerged in the post-Mutiny period and eventually formed the competing ideological groups of leadership in Pakistan's politics. They believed, though in their own fashions, in Muslim awakening; and felt that the Muslim cultural identity, which



could precisely be defined as Islamic ideology, was at stake and so should be protected. On these issues, they stood divided in the freedom movement period into at least two major schools of thought, conservative ulama and liberal politicians. They presented an ideological dilemma, and could be classified as dogmatic-conservatives and strategic-liberals, respectively.

### **Dogmatic Conservatives**

The conservative leadership in Pakistan was drawn from a considerably large body of Muslim scholars, known as ulama.<sup>18</sup> What made them conservative, and thus distinct from other elites, was the spirit of religiosity conserved in their thought and actions. For instance, they restricted, adhered to and practiced the teachings of the Quran and the sayings of Holy Prophet Mohammad ('Hadith'). And, in order to understand the contents of the two, most of them depended much on the scholarly findings of certain medieval jurists of Islam.<sup>19</sup> It is to say that the major preoccupation of those conservatives was essentially in the remote past, the Medinite period of fourteen centuries ago, when the distinction between religious and political authorities did not exist and the Prophet's guidance had made Islam a dynamic 'ideology behind the State'.<sup>20</sup>

Keeping in mind this peculiar religious orientation of the conservatives, it must be contended that the issue of great vitality before all of them was not simply to emphasize Islam as a belief but

also to see it properly reinforced in Pakistan's politics in the form of Islamic laws ('Sharia').<sup>21</sup> For the realization of this ideal religio-political dream, they could either participate in the state administration to gain control gradually, or could remain aloof and launch an Islamic campaign of their own.<sup>22</sup>

It is interesting to note that the conservatives showed a methodological split within their own ranks. They failed to take a unified stand on the question whether Islamic system should be brought about by joining the government or remaining out of it.<sup>23</sup> Given such a split, the conservatives can further be divided into two sub-categories : 'traditionalists' and 'fundamentalists'.<sup>24</sup> The traditionalists comprised of the bulk of the ulama body ; and they associated themselves with certain oriental schools of theological learnings,<sup>25</sup> in which Islam was taught to them in its most traditional form.<sup>26</sup> In conformity with their religious training, these traditionalists regarded themselves to be the guardians of the centuries-old Islamic traditions in the sub-continent. And for this reason, they did not aspire for any political ascendancy in Pakistan, but sought instead an official recognition of their own institutional value. Such traditionalists' religio-political parties of great distinction, were : Jamiat-ul-Ulama-e-Islam (founded in 1945) and Jamiat-ul-Ulama-e-Pakistan (founded in 1948).<sup>26</sup>

The other sub-group of conservatives was

numerically much smaller but quite vocal and influential in Pakistan's politics. It could be identified in the person of Maulana Abul A'la Maududi as the leader and chief spokesman of the Jama'at-e-Islami (Islamic Organization).<sup>27</sup> He and his party followers neither associated themselves with any oriental school of theological learning nor were influenced by traditionalism. In Maududi's own judgement, for example, the traditionalists advocated sectarianism ; and, thus they created the greatest danger in the Muslim community since their disruptive attitude encouraged the intrusion of Western ideas in the thinking of new generations.<sup>28</sup> Maududi's idealism, therefore, was different from that of the traditionalist ulama. It was necessarily based on adherence to Islamic 'traditionalism', nor did it demand an institutional recognition of his party in Pakistan's polity. What it actually required of Maududi was to take practical steps for overhauling Pakistan's governmental structure so that it could be brought in true conformity with the pure and oriental Islam.<sup>29</sup> Hence, Maududi's emphasis was essentially on a 'back to Madina'<sup>30</sup> theory which if applied, could not merely relieve Pakistan of the un-Islamic British system but could also equate its standards with those of the ideal Muslim society created by Prophet Mohammad (p.b.u.h.) fourteen centuries ago.<sup>31</sup>

The emphasis here is not on the 'traditionalist' ulama who mainly aspired for an institutional recognition by the government on the pattern the

British had recognised Jamiat-ul-ulama-e-Hind in the past, but indeed on the 'fundamentalist' Maulana Maududi who was a potential architect of an Islamic polity. His importance should be understood for the following reasons. First, he was the chief exponent of the Islamic-state concept.<sup>32</sup> Second, by virtue of his rigid and concrete doctrinal proposals, he emerged as 'the most vigorous opponent' of those who propagated Westernism in Pakistan.<sup>33</sup> Third, such an opposition on the part of Maulana Maududi made him first a strong critic of the liberal elite, and then a leader of great distinction among all conservatives. Mostly for this reason, many observers optimistically believed in Maududi's making an alternate government in Pakistan under any democratic system after independence.<sup>34</sup> Finally, in spite of his absence from the Constituent Assembly, Maududi was ideologically 'right in the centre' of the parliamentary debates, providing an intellectual guideline to those conservatives who were directly or indirectly involved therein.<sup>35</sup>

There are two aspects of Maududi's thought. First his insistence on the revival of classical Islam in Pakistan, or retreat to medieval theocratic practices. And second, his concern about Islamic universalism. This latter aspect of Maududi's thought enchanted him most during 1940-47, when the liberal politicians of the Muslim League party campaigned vigorously for Pakistan. During that

period, Maududi's contention was on the preservation of Muslim culture which appeared to him to be threatened by secular (or non-Muslim) forces everywhere in the world. From this standard, Maududi stood for anti-Westernism, anti-Communism and anti-Hinduism. For the achievement of this ideal goal, Maududi selected the subcontinent as the stepping stone. Such a stand of Maududi shifted when Pakistan became a reality in 1947. Thence onwards, Maududi's main emphasis after independence was on looking after the interests of the Islamic state of Pakistan, instead of the whole subcontinent.<sup>36</sup>

To illustrate, when the Pakistan movement took concrete shape during 1940-47, it was not a campaign of the conservative ulama but of the Westernised liberal politicians of the Muslim League party.<sup>37</sup> Along with many other conservatives, Maududi denounced it.<sup>38</sup> His wisdom suggested that the Westernised politicians might have been suitable for raising demands in favour of political self-rule. But they were, indeed, not competent to ensure an Islamic theocracy which alone could solve the crucial problems confronted by the Indian Muslims.<sup>39</sup>

After independence, finding himself in a new environment, Maududi showed flexibility and revised his view point. The platform which he now acquired was that Pakistan was demanded and achieved in the name of Islam.<sup>40</sup> The idealism of

this new state, therefore, was to be revival of true and original Islam, propagated and practiced by Muslims fourteen hundred years ago.<sup>41</sup>

In order to know what actually Maulana Maududi wanted Pakistan to be, we now turn to outline some of the main propositions in his Islamic thought. Such a review will also be of interest to us for two main reasons : first, Maududi's thought was of extremely controversial value in Pakistan's politics ; and, second, an assessment of his views will provide us a standard against which one can evaluate the relevant views of the liberal elite in the forthcoming pages.

The first and the most vital proposition in Maududi's thought was his concept of sovereignty.<sup>42</sup> By quoting certain Quranic verses,<sup>43</sup> he built his argument that, like all heavenly and worldly creatures, including plants and animals, man is subservient to God. What distinguishes man from other creatures is his capacity to exercise free will whether or not to submit.<sup>44</sup> Once decided, as in the case of Muslims, the sustained obedience becomes an essential condition to maintain relations between God and man, a defiance of which can lead to no end except chaos.<sup>45</sup>

Such a firm conviction in the Quranic teachings made Maududi convinced further that, unlike the practice in Western democracy, ultimate sovereignty in an Islamic state and for all purposes was indeed

not vested in any human superior. It could essentially be located in the sublime and all-comprehensive sovereign authority of God Almighty alone.<sup>46</sup> Submission of Muslims to His lordship was, therefore, not simply a symbolic expression. It was, in fact, a real, practical and essential prerequisite which regulated or even governed the individual and collective activities of Muslims within the precincts laid down in the Quran.<sup>47</sup>

The concept of unlimited jurisdiction of God's sovereignty also meant to Maududi that legislation and exercise of real executive authority in an Islamic state could not be, and thus should not be, the domain of any human institution.<sup>48</sup> He raised the argument that even the ruler (or 'Amir'<sup>49</sup> could not exercise his free will. He was entitled to obedience in the Islamic state only as long as he adhered to and practiced the Divine Command<sup>50</sup>. Hence, the right to govern was not exercisable by any individual or a group of persons including theologians. It was, indeed, a Divine privilege for the whole Muslim community.<sup>51</sup> The non-Muslim residents were purposely excluded for the reason that from the Islamic standpoint they had no business to interfere in the administration, though their religious freedom was protected by the State.<sup>52</sup>

Hence, Maududi's Islamic government was subjected to a dual responsibility ; first to God by way of the adherence of 'Amir' to His Command ; and then to the Muslim community which could

question the actions of 'Amir' not merely by criticisms or legal proceedings but even by demanding his dismissal for failing to abide by the Islamic principles.<sup>53</sup>

Such a governmental subordination, in which both God and the Muslim community could pose a real check, did Maududi to draw another conclusion. He believed that an Islamic state was ideologically distinct from a secular state. The domestic and foreign policies of such a state should, therefore, be designed with the purpose of retaining the distinction.<sup>54</sup>

Before proceeding to discuss other aspects of thought, let us pause for a while and review certain important features in his concept of Divine Sovereignty outlined above. In the first place, despite his contempt for Western democracy, in a way Maududi appeared to have accepted the modern concept of state. On one hand, he opposed the Pakistan movement launched by the Westernised liberal politicians of Muslim League ; but, on the other, the type of sovereignty which he suggested could be exercised in the same territorial state proposed by his liberal opponent.<sup>55</sup> And secondly, Maududi tried to reconcile the traditional Islamic concept of caliphate with that of Western popular sovereignty.<sup>56</sup> We mentioned that his emphasis on submission to God was accompanied by his acceptance of the principle of majority rule, though of the Muslim alone. As such, his idealism did not appear to be



a typical 'theocracy' which in the Western connotation implies the rule of priests.<sup>57</sup> It was, in fact, a combination of two religio-political concepts : the theocracy (rule of priests or that of God) ; and Western democracy (rule of majority) which, in Maududi's own terminology, can be understood as 'theodemocracy'.<sup>58</sup>

We now come to Maududi's second important proposition : necessity of the laws of Islam (Sharia)<sup>59</sup> in state functioning.<sup>60</sup> Taking into account the often repeated objection that Sharia was an outdated code of law which, if reintroduced, could indeed effect a retreat to medievalism,<sup>61</sup> Maududi reiterated the general conservative stand. He believed that 'Sharia' had already been successfully in vogue for centuries. It was unalterable ; and, at the same time, characterised by a 'progressive evolution'.<sup>62</sup> What hampered its normal growth and application was the advent of the British rule in the subcontinent. If reintroduced in Pakistan by replacing the British laws, the same 'Sharia' in Maududi's calculations could be a discovery of true law the Muslims of Pakistan were much entitled to.<sup>63</sup>

After emphasising the need and applicability of 'Sharia' even in the modern times, Maududi moved forward to distinguish between two major parts of it : rigid and flexible. The rigid, as classified by Maududi, was that part of 'Sharia' which comprised of fundamental laws of Islam, such as : prohibition

of alcoholic drinks ; accepting interest on investments. and gambling ; punishment for adultery (flogging and stoning) and theft (chopping of hands); and, rules of inheritance. It also included certain directive principles' like : prohibition of intoxicants in public ; the principles that men are protectors of women ; limitation in the number of wives, of divorce, and in the amount of legacies permitted to man.<sup>64</sup>

To Maududi's comprehension, all such rigid laws were unalterable, and represented the clear commands of the Islamic legal theory.<sup>65</sup> Once re-incorporated in Pakistan, the function of the legislature would not have been to make laws but just to discover what was readily available in the Quran and in the Tradition.<sup>66</sup>

Contrary to that, the second part of 'Sharia', which was flexible, had some element of modification or human legislation. For instance, it represented that sphere of law-making in which Muslims had been granted freedom to apply their judgement in accordance with the day-to-day requirements.<sup>67</sup> But this freedom, too, was not unrestrained. It was accompanied by another requirement that, while exercising their judgement, Muslim should not in any case deviate from the limits prescribed by Islam. This aspect of freedom with restraint was explained by Maududi when he proposed four methods for legislating flexible laws : 1) 'tawil' or

“probing into the meanings of injunctions found in the Quran and Sunnah” ;<sup>68</sup>) ‘quiyas’ (deduction by analogy ;<sup>69</sup>) ‘ijtihad’ (disciplined judgement of jurists ; and,<sup>70</sup>) ‘istisan’, “framing rules, if necessary in non-prohibited matters in conformity with the spirit of the Islamic legal system.”<sup>71</sup>

This Islamic theory of laws, as ascribed by Maududi, leads us to consider another relevant issue. We should be entrusted with the tasks of interpreting unalterable laws and enacting those which had enough flexibility ? Could a modern legislature be held responsible for these tasks ? Maududi’s answer to it was in the negative. His conviction in Islam and ‘Sharia’ demanded that a law could be valid, and Islamic, if it was enacted or interpreted on the principle of common consensus of all ulama in a given Muslim community (‘Ulamah’). That ulamah consensus, once established should be accepted by all individuals of the State irrespective of any distinction.<sup>72</sup> Therefore, in Maududi’s judgement, the right place for law-making was indeed not a Westernized secular legislature, but a ‘majlis-e-shura’ (Islamic body for consultation) where men of religious learning and devotion (the ulama) should follow the democratic principle of general consensus (ijma’).<sup>73</sup>

We have discussed three rigid aspects of Maududi’s Islamic Idealism, namely : supremacy of Divine Sovereignty ; inevitability of Islamic laws (‘Sharia’) ! and, the need of a divine legislature

entrusted with the task of law-discovering rather than law-making.

However, in spite of all the rigidity in his thought, there was an element of flexibility in Maududi's attitude.<sup>74</sup> This flexibility can be attributed to certain developments of 1947-48 explained below.

We have already noted that many ulama, holding the traditionalist platform, were distinct from Maulana Maududi and aspired for their own institutional recognition in Pakistan's politics. Keeping in mind this earlier observation, it needs to be stressed that the first event effecting Maududi's attitude was the revitalization of the same traditionalist platform under Maulana Shabbir Ahmad Usmani, President Jamiat-ul-Ulama-e-Islam. The Jamiat leaders passed a resolution on 13 January 1948, according to which they stressed upon the government their demands in favour of a ministry of religious affairs.<sup>75</sup> Apparently this demand did not seem to have any serious consequences for Maududi since it was a step towards getting official support for the religio-political demands of many ulama of both traditionalist and fundamental classifications. But in fact, it had two fundamental aspects which were in conflict with Maududi's idealism. Initially, it was no less than a connected effort on the part of the traditionalists to get their own institutional recognition in Pakistan's politics.<sup>76</sup> And also, it did not bring the

traditionalist ulama, like Maulana Usmani, in direct confrontation with the government. They kept themselves allied with the liberal politicians in the Muslim League.<sup>77</sup> This position of the traditionalists not only helped the ruling politician to strengthen their own platform but also effected an alienation of Maulana Maududi from both the traditionalist and liberal segments of leadership.

The second event of similar importance was the influx of over five million refugees from India to West Pakistan. Their rehabilitation implied a task of tremendous financial implications, much beyond the capacity of the infant state to cope with.<sup>78</sup> This administrative weakness of the government could conveniently be exploited by the opposition like Maulana Maududi.<sup>79</sup> Therefore, the officials planned to save their own position by keeping Maududi as much away from the religio-political affairs as possible. This was evident from two of their identical policies, undertaken during the same period of 1948. In the first place, they reiterated their stand that the government stood committed to make Pakistan an Islamic state.<sup>80</sup> Then, they emphasised that the refugee problems were a matter directly concerned with the government alone. A solution of these problems would indeed be sought by applying the Islamic principles of 'economic equality, tolerance, and social justice'.<sup>81</sup>

Consequently, Maulana Maududi revised his original stand of Islamization of Pakistan through his own platform. He adopted a new posture since 1948, according to which his emphasis was on the following points. First, he insisted that his Islamic theory (noted earlier) was necessary, and it had no scope for a compromise in Pakistan's politics. At the same time, he asked the liberal leaders in government, who had expressed their commitment for Islam, to take the responsibility of bringing about the desired Islamic change in a period not more than ten years.<sup>82</sup> Hence, by virtue of this stand acquired since that time, Maududi did not merely show a retreat in Pakistan's politics but also effected an opportunity for his liberal opponents to take up even the religious matters in their own hands.<sup>83</sup>

This new approach in Maududi's attitude was further apparent when he accepted the law-making jurisdiction of what he previously assumed as to be a secularly oriented legislature<sup>84</sup> His emphasis in this regard was that the legislators should, first of all, declare their ultimate Islamic goals of replacing the British system with the Islamic ; transferring the legislative authority to the religious scholars ; and, overhauling the society and its culture by means of an intensive propaganda of Islam.<sup>85</sup> And they should take up the task of legislation on the following four guidelines of Islam : 1) acceptance of Divine Sovereignty and subordination of government to it ; 2) dominance of 'Sharia' as

the basic law of the land ; 3) enactment of Islamic laws and amendments in those existing ones which were un-Islamic ; and, 4) exercise of the State powers strictly within the precincts of Islam.<sup>86</sup>

### **Strategic-Liberals**

The liberal Islamic thought was, in fact, indebted to the same Muslim renaissance movement of the post-Mutiny period which has effected conservative Islamic thought of ulama. This thought was represented by a group of Muslim intellectuals.<sup>87</sup> These intellectuals had some peculiar characteristics. For instance, since they emerged in the period of the British policy of change, they appeared to be quite appreciative of Westernism.<sup>88</sup> But, in spite of that, they did not deprecate Islam from their thought altogether.<sup>89</sup> Hence, by virtue of their being pro-West as well as pro-Islamic, these intellectuals tended to constitute a new class of Muslim thinkers in the subcontinent : strategic-liberals.<sup>90</sup>

The most outstanding of all the 19th century liberal Muslim thinkers was Sir Syed Ahmad Khan (1817-1898)<sup>91</sup> the forerunner of the idea of Pakistan.<sup>92</sup> From 1885 onwards, or in the period following the Mutiny, Syed Ahmad provided a leadership directed for the first time towards pulling the Muslim community out of its medievalism.<sup>93</sup> This became evident when Syed Ahmad acted upon the following. Initially, he suggested through his writings a 'conceptual synthesis of the best elements of the

Western knowledge with the Muslim cultural heritage'.<sup>94</sup> And then, to materialise this synthesis, he established a Mohammadan Anglo-Oriental College at Aligarh (1875).<sup>95</sup> The importance of this can be seen in the fact that it eventually emerged as the well-known Aligarh Muslim University...an academic institution which not only taught the Muslim youth in Islamic liberalism but also produced a team of volunteers who later assisted the politicians behind the Pakistan movement.<sup>96</sup>

However, with due acknowledgement to the efforts made by the 19th century thinkers like Syed Ahmad, it needs to stress that the real exponent of strategic liberalism in Islam was Dr. Muhammad Iqbal (1877-1938), the poet-philosopher of Pakistan.<sup>97</sup> Intellectually, Iqbal was a product of oriental as well as Western training. He received his early education in the subcontinent ; followed by a sound western knowledge at Cambridge, Munich and Heidelberg.<sup>98</sup> Consequently, the mixed educational background made Iqbal both a rebel and an admirer of the Western civilization. His message was that 'Muslims must awake'.<sup>99</sup>

The position of Iqbal in Pakistan's liberal thought should be understood from the fact that, even today, he is universally recognised as the poet-philosopher of the nation. His poetry and philosophy have always been prescribed in Pakistan's educational curricula.<sup>100</sup> Beside, all the



governments of Pakistan since 1947 have enthusiastically observed the anniversary of Iqbal's death (April 21) both as a national holiday as well as a great occasion for nation-wide debates, speeches and radio/press/television coverage of his life and liberal Islamic outlook.<sup>101</sup>

Although Iqbal is not the focus of our present study, the forth-coming analysis of Pakistan's liberal elites... political, bureaucratic, and military... is mostly made in the light of Iqbal's philosophical exposition of the relationship between Islam and politics. We will make references to Iqbal wherever necessary. What seems worth mentioning here is that Iqbal's philosophical outlook had an inevitable impact on the Westernised liberals' thought. There were specific reasons for that. For instance, he was the philosopher behind the idea of Pakistan.<sup>102</sup> The politicians of Jinnah's calibre depended heavily upon his concepts.<sup>103</sup> And then, he did not reject the spirit of Islam in his thinking. He reproduced a liberal Islamic thought which, in contrast with Maududi's conservatism, was based on a healthy combination of Islam and the Western modernism.<sup>104</sup> As such, Iqbal suggested through his findings that the elites at the helm should attempt building a modern state of Pakistan, though by means of joining Islam and Westernism together.

Against this background of strategic liberal thought behind Pakistan, we now turn to look at

the motives and aspirations of politicians/bureaucrats/military Generals whom we classify as Islamic-liberals.

### **Political Elite : Motives and Aspirations**

During the freedom movement period before 1947, and even a few years thereafter, almost the entire segment of Pakistan's politicians was represented in the All-India Muslim League, the sole organization demanding a separate homeland for the Indian Muslims.<sup>105</sup> Founded in 1906, this party followed a phased programme. Initially, during the period between 1906, the party's main emphasis was on securing just political safeguards for Muslims, not as a distinct entity but as a component of the Indian main stream.<sup>106</sup> The next was the most crucial phase and started with its passing of the historic Lahore Resolution in March 1940,<sup>107</sup> ending when Pakistan became a reality in 1947. This phase was important because the emphasis of the Muslim League was now essentially territorial, based on the idea that the Muslims of the subcontinent were a nation apart from Hindus.<sup>108</sup> Hence, we may say that in the advance period of freedom movement, 1940-47, Muslim League was no longer interested in accepting the Gandhian concept of spiritual or historical unity of the subcontinent.<sup>109</sup> Its assertion was that the Muslims had a legitimate right to self-rule, which should jointly be recognised by all the three contending parties—the League itself, the Indian National Congress, and the British government,

However, the politicians behind the Muslim League were the products of British learning.<sup>111</sup> For that reason, they were 'not theologians or ulama, but men of secular intellect : doctors, lawyers, and elite of the middle class'.<sup>112</sup> But, at the same time, their Western orientations made them dependent on the British for getting their communal demands redeemed through the constitutional strokes of the government in power.<sup>113</sup> Thus, beside their distinction from the conservative ulama, the same politicians of the Muslim League party were distinguishable from the leaders of the Indian National Congress as who believed in secularism and resisted communalism.<sup>114</sup>

The most conspicuous among the Muslim League politicians was Mohammad Ali Jinnah (1874-1948)<sup>115</sup>, the Quaid-e-Azam.<sup>116</sup> Within the party ranks, he was neither a colleague nor just a 'primus inter pares', but essentially a leader unparalleled in statesmanship and dominance.<sup>117</sup> Placed in such an exalted position, Jinnah could be seen as the representative of both the party to which he belonged and the state which his colleagues desired so earnestly.<sup>118</sup>

Taking Quaid-e-Azam Mohammad Ali Jinnah as the image of Pakistan, as well as a close associate of Dr. Mohammad Iqbal, we now consider the aspects of the liberals' thought which we reviewed earlier. Our observations are predominantly based on the outlook expressed by Jinnah in the capacities

of the creator of Iqbal's Pakistan, and the most influential Governor-General (1947-48) whose utterances were a guidance for the other liberals including Prime Minister Liaquat Ali (1947-51).

Jinnah's political outlook, in the main, confirmed the 20th century concept of Muslim nationalism in the sub-continent. For instance, Iqbal had contended during the 1930s that India had never been a single consolidated nation. It was, in fact, a loose combination of the two large cultural units, Hindus and Muslims. If the former associated itself with the Buddhist East or South East Asia, the latter had a long history of association with the Muslim Middle East.<sup>119</sup>

Under the impact of this line of thought in Iqbal, Jinnah presented his 'two-nation theory'. He said emphatically in 1931 : "difference between Hindus and Muslims is deep-rooted and ineradicable --- We have our own distinctive outlook on life By all canons of International Law we are a nation." Later, addressing to the historic session of the Muslim League in March 1940 at Lahore, felt that India was never a national state, but a sub-continent of multi-national identity. "The only course open to us all", he insisted, "is to allow the major nations separate homelands by dividing India into autonomons nation states."<sup>120</sup> In his contention, the solution of the Indian problems did not rest in India's unity but in its diversity. This fact, if recognised, could save the whole sub-continent

from Hindu-Muslim tension as well as from the 'unjustful' desire of the majority community (Hindu) to prevail on the minority community (Muslims).<sup>121</sup>

When analysed from the viewpoint of the conservative-liberal thoughts, this 'two-nation theory' of Jinnah appears to be in a sharp contrast with Maududi's orthodoxy.<sup>122</sup> As evident from the above statement, Jinnah's focus had primarily been on the Muslim safeguards in the sub-continent for which he cherished a political homeland, and not necessarily on the Islamic revivalism which Maududi's opinion knew no political boundaries. For instance, Maududi had said before the inception of Pakistan : "Why should we foolishly waste our time in expediting the so-called Muslim national state and fritter away our energies in setting it up, when we know that it will not be useless for our purpose (meaning, Islamic revolution) but will rather prove an obstacle in our path."<sup>123</sup>

Hence, the 'two-nation theory' of Jinnah came out just as to be a political proposition meant for distinguishing Muslim from Hindus, so that the former could be entitled to separate state.<sup>124</sup> It revolved around the concepts that there was a persistent Hindu-Muslim antagonism in the sub-continent ; and that, in the presence of such communal antagonism, Muslim interests (not necessarily Islamic interests) must be protected.<sup>125</sup>

**This aspect of the 'two-nation theory', namely, its being conditioned exclusively by the Hindu-Muslim antagonism alone, can further be substantiated with the help of evidence provided by the history of the Pakistan movement. For instance, addressing the Old Boys Association of the Usmania University in 1939, Liaquat Ali expressed his desire to solve the Indian problems through a communal settlement. He commented: "I still remain a nationalist. I have always believed in the Hindu-Muslim pact".<sup>126</sup> Likewise, in its policies towards the achievement of Pakistan as a sublime goal, the Muslim League party also demonstrated similar inclinations on specific occasions. It should be remembered that the British government had sent a Cabinet Mission to India in 1946, just a year before the creation of Pakistan. The purpose of this Mission was to recommend an Indian federation plan to both the Muslim League and Congress.<sup>127</sup> Initially, the Muslim League party accepted the recommendations, though turned down latter.<sup>128</sup> Although the League's adherence to the Plan was tactical and in favour of its ultimate sublime goal, its acceptance even for the time being of delegating three subjects of defence, foreign affairs and communications to the proposed federation appeared to many observers as a negation of the party's own demand for a fully independent Pakistan.<sup>129</sup>**

**Such evidences should lead us to draw a number of conclusions. First, the 'two-nation theory' was basically communal. It suggested that India**

was not a state but a sub-continent, the problems of which were not national but international ; and that the Muslims of the sub-continent were a nation distinct "by all canons of International Law".<sup>130</sup> Their vital interests must be protected by all mean and at all costs. Second, the creation of Pakistan had become inevitable so long as the Muslim League and Congress parties failed to agree on a mutually acceptable future of the sub-continent. The greater responsibility of this failure was indeed on Congress.<sup>131</sup> And third, had these major political parties achieved a Hindu-Muslim 'reproachment' amicably, there would not have been any need of an 'Islamic' Pakistan.<sup>132</sup>

In the foregoing we have briefly reviewed just one aspect of thought, presented by the Muslim League politicians, the 'two-nation theory' and its tactical instrumentality in terms of Muslim nationalism. We now turn to consider the second most important aspect inherent in it : the modernist interpretation of Islam which, by negating the classical 'theodemocracy' of Maulana Maududi, made the Muslim League politicians strategist of liberal-Islamic denomination, and thus supporters of an Islamic Pakistan.

The politicians of Muslim League, who launched their freedom movement from a communal platform were of course adherents of Islam. They demonstrated their religious affiliations explicitly, though in their own fashion different from that of Maulana

**Maududi.** By means of their peculiar outlook, they were neither conservative nor secular, but surely balanced between the two extremes.....Islamic-liberals.<sup>133</sup>

We noted elsewhere that, while supporting a liberal viewpoint, Iqbal did not relegate Islam from his thought altogether. Communicating his message that 'Muslims must awake', he stressed revitalising Islamic energies of Muslims so that they could face with confidence their Hindu rivals. In addition, Iqbal had also impressed upon the politician that Pakistan should be an experimental ground for bringing the original spirit of Islam into contact with the spirit of modern times.<sup>134</sup>

Acknowledging this outlook of Iqbal, many of the politicians showed their conviction in Islam. For instance, Jinnah said in one of his statement : "Islamic principles have no parallel. Today they are applicable in actual life as they were 1,200 years ago. Islam and its idealism have taught democracy." He was more precise on another occasion when he said that Islam was not merely a code of life for its believers.<sup>135</sup> Following suit, Prime Minister Liaquat Ali Khan reinterpreted Jinnah's Islamic feelings by proclaiming in the Constituent Assembly that Pakistan was founded because the Muslims of the sub-continent wanted to order their lives in accordance with the teachings and traditions of Islam.<sup>136</sup> On another occasion, he declared that the problems of Pakistan would indeed be



resolved by applying the Islamic principles of "economic equality, tolerance and social justice."<sup>137</sup>

If examined at their face value, these statements of the distinguished politicians seem to be much in conformity with Maududi's 'back to Medina' theory.<sup>138</sup> But a closer observation of the same statements can however reveal that, contrary to the conservative outlook, they categorically ruled out the possibility of theocracy in Pakistan.<sup>139</sup> Depending on the liberal,<sup>140</sup> as well as on certain Quranic teachings<sup>141</sup>, the politicians felt that the representation of God on earth (Caliphate) was neither a domain exclusively of an individual nor even of the theologian.<sup>142</sup> It was surely granted to the entire Muslim community in the world.<sup>143</sup> Therefore, influenced by Islamic liberalism, the politician assumed that Pakistan should not be governed under ulama's authoritarianism. In fact, sovereignty in this Islamic state belongs to its people, though to be exercised within the limits prescribed by Islam.<sup>144</sup>

Developing his arguments from this liberal Islamic base of popular sovereignty, Governor-General Muhammad Ali Jinnah, emphasised the all-comprehensiveness of Islamic ideology irrespective of any religious discriminations. While inaugurating the first Constituent Assembly on 11 August 1947, he said : "Hindus would cease to be Hindus and Muslims would cease to be Muslims, not in the religious sense...but in the political sense

as the citizens of the State."<sup>145</sup> Distinguishing between ideology and religion, as such, Jinnah refuted in strong words the theocratic standpoint that in the Islamic state of Pakistan non-Muslim should be treated as second-rate citizens.<sup>146</sup>

Almost similar posture was adopted by Prime Minister Liaquat Ali Khan. In conformity with the liberal concept of Islamic equality<sup>147</sup>, Liaquat discouraged ulama's political ascendancy at home. He decided that the conservative recommendations of the Board of Talimat-e-Islamia be "postponed" indefinitely.<sup>148</sup> And then, he visited North America for the first time in 1950. In a series of lectures there, Liaquat declared that Pakistan was going to be an Islamic state which did not mean a theocracy but a ground for practicing Islamic equality with social and economic justice.<sup>149</sup>

Hence, by means of rejecting both the classical theory of Divine Sovereignty and theocracy, the politicians came into conflict with another feature of the conservative thought : enactment of the rigid Islamic laws ('Sharia'). This can be revealed in the light of the following illustrations.

It should be recalled that some of the pre-independence writings of Iqbal had made relevant clarifications. First, Islam did not insist on making a government essentially of those who claimed and derived their authority from a sacerdotal position.<sup>150</sup> And second, the Islamic laws were not static, as

otherwise conceived by ulama, but dynamic and interpretable in conformity with the changing needs of a contemporary Muslim society.<sup>151</sup> When posed with the question as to what methods should a government apply to make a contemporary Muslim society Islamic, Iqbal in the first instance rejected dependence on any ecclesiastical institution; and then he emphasised the need of viewing Islam in a modern perspective.<sup>152</sup> In his contention, a government could make a Muslim society Islamic by accepting the following three sources of 'Sharia': 1) the Quran, as interpreted in the light of present-day requirements; 2) the 'Hadith', or the sayings of the Holy Prophet Mohammad (p.b.u.h.), which need not be used indiscriminately for having a certain amount of ambiguity; and, 3) 'ijma', an Islamic method of ascertaining popular will not incompatible with the modern legislative practices.<sup>153</sup>

The Muslim League politicians confirmed this liberal guideline of Iqbal, in so far as the Islamization of Pakistan was concerned.<sup>154</sup> We have already noted them in the above as being the supporters of the idea that Islam was a creed of certain unparalleled values. In addition to that, they wanted to evolve a polity for Pakistan by employing the most modern methods<sup>155</sup>, and by relegating Maududi's classical theory of 'Sharia' in the background. This can better be explained by recalling that Quaid-e-Azam did not agree with Maulana Maududi's Majlis-e-Shura (consultative body) comprised of a few theologians. He rather insisted on the need of

a Western-oriented modern legislature for the purpose of law-making (not necessarily law-discovering). For instance, at the time of inaugurating the Constituent Assembly of Pakistan on 11 August 1947,<sup>156</sup> he said emphatically that the legislators had two important tasks to perform : first, to frame the Constitution of Pakistan ; and second, to fulfil the responsibilities which they had in the capacity of a complete sovereign legislative body of Pakistan.<sup>157</sup>

### **Bureaucratic/Military Elites**

It is true that apart from the politicians whom we discussed earlier, the bureaucratic and military officials were not the only liberal elites left in Pakistan. The other notable liberals of the post-independence period were the landlords and the industrialists. But we have deliberately preferred to concentrate on just bureaucratic and military elites for a number of reasons. First, it was the bureaucracy (and not the landlords and industrialists) who dominated the government after Liaquat's assassination in October 1951. These bureaucrats had consolidated their own position by the time Pakistan joined the Western pacts in 1954. Second, most of the politicians themselves hailed from the class of landlords ;<sup>158</sup> and, therefore, the ideological outlook of the landed aristocracy in Pakistan was not much different from the one we observed earlier in the case of politicians. Third, the industrial leadership, though making the appearance since 1947, remained almost in an embryonic stage for

quite some.<sup>4</sup> It reached its zenith in the form of the leading twenty-two industrial families after the martial law period of Ayub Khan, since 1958.<sup>159</sup> And finally, as we will observe, if the bureaucratic leaders like Ghulam Mohammad and Iskandar Mirza took over the mental of government from politicians, Ayub Khan persistently dominated Pakistan's politics first as the Commander-in-Chief since 1951 and as the President between 1958-1969.

### **Bureaucratic Elite**

All the bureaucrats belonged to the Civil Service of Pakistan (the CSP).<sup>160</sup> This institution was not a novel experiment for the reason that it was a successor to the old Indian Civil Service (the ICS), designed by the British to consolidate their colonial stronghold in the sub-continent.<sup>161</sup> A large number of the top-ranking bureaucrats in the CSP were thus the British-trained graduates.<sup>162</sup>

Another discernible aspect is that Pakistan's creation in the wake of partition made the country plunge into unfathomed administrative problems, *e.g.* : maintenance of law and order, rehabilitation of refugees from India.<sup>163</sup> To tackle this, Pakistan inevitably required a strong bureaucratic machinery at both federal and provincial levels. But, in fact, the team of bureaucrats it had at the time of partition considered of not more than 95 personnel out of the total of 1,157 old ICS officers.<sup>164</sup>

Consequently, the politicians at the helm were

handicaped in administration from the very First day of Pakistan's inception. The matter of utmost urgency for them was to rely upon the numerically small group of administrators available at that time.<sup>165</sup>

Because of this problem, the bureaucrats of Pakistan had initially no opportunity to dominate. They remained much subdued in the period 1947-51 when the two most distinguished politicians, Governor-General Mahammad Ali Jinnah and the Prime Minister Liaquat Ali, prevailed on the national scene.<sup>166</sup>

But in the period after 1951, certain developments took place which not only enabled the bureaucrats to make a headway in Pakistan's politics but also relegated the politicians to the background. Some of those developments are explained below.

The first such development of a spontaneous impact appeared in the form of Liaquat Ali's assassination in October 1951. It affected national politics in four way : 1) Pakistan was plunged into a political chaos ; 2) the ruling Muslim League party suffered a decline because Liaquat Ali's assassination marked the end of Jinnah-Liaquat period ;<sup>168</sup> 3) in the absence of both Jinnah and Liaquat, the image of national leadership was blurred ;<sup>169</sup> and 4) bureaucrats got enough opportunity to re-focus the image in their own favour by invading the sphere of politicians.<sup>170</sup>

The second relevant development was the defeat of the Muslim League party at the hands of the East Pakistan United Front in the provincial elections of 1954.<sup>171</sup> This particularly sealed the fate of the Muslim League politicians in Pakistan's politics, since their losing support in the majority province of East Pakistan also meant their losing the stature of national leadership.<sup>172</sup>

Consequence to the League's defeat in 1954, the bureaucratic Governor-General Ghulam Mohammad dissolved the first Constituent Assembly on the assumption that it had lost the confidence of the people,<sup>173</sup> and, in the meanwhile, he formed a bureaucratic/military government of his own choice, which the then Prime Minister called the 'Ministry of Talent'<sup>174</sup>. This government included: Major-General Iskander Mirza and General Mohammad Ayub Khan.<sup>175</sup>

Hence, bureaucracy in Pakistan virtually emerged to national politics in alliance with military and as a result of the cabinet formation in 1954.<sup>175</sup> It was represented in with the persons of: Malik Ghulam Mohammad, the Governor-General (1951-55), a member of the Audit and Accounts Service during the British period;<sup>176</sup> and, Major-General Iskandar Mirza, a former defence secretary who was thus associated with the armed forces as well.<sup>177</sup>

Out of these leading bureaucrats who ascended to politics since 1954, Iskandar Mirza was relatively

more influential. Having once joined the cabinet, he could eventually get himself installed as the last Governor-General and the first President of Pakistan during the crucial period covering the finalization of the constitution and its abrogation (1956-58).<sup>178</sup>

Ideologically, Iskandar Mirza was an exception in the whole lot of liberal elites. He expressed his religio-political thought in two forms. In the first place, he showed a contempt for the democratic practices. This was apparent especially when in the capacity of a Governor-General he proposed 'controlled democracy' on his self-assumption that the people of Pakistan were not prepared for a free exercise of the democratic principles.<sup>179</sup> Then he also ridiculed politicians by calling them 'crooks and scalawags, who could promise nothing to the people of Pakistan except the moon.'<sup>180</sup> For the realization of this anti-democratic dream, Iskandar Mirza needed moral support. Luckily, he could find it. He depended not only on the Anglo-American bloc to tighten his hold on the federal cabinet during 1955-56;<sup>181</sup> but also on the army Generals with whose collusion he got martial law imposed in the country in 1958.<sup>182</sup>

The second line of thought in Iskandar Mirza is relevant to Islam and its relationship with politics. Surprisingly, among all the liberals of Pakistan, he was the sole leader who dared to suggest in 1954 that religion and politics should not be



intermingled while determining the principles of Pakistan's future politics.<sup>183</sup> Iskandar Mirza made a practical demonstration of this viewpoint by taking a number of steps. Initially, he delayed the holding of general elections during 1956-58, and thus frustrated the conservatives like Maulana Maududi who had expressed their satisfaction over the Islamic provisions in the constitution of 1956. And secondly, he deleted the adjective 'Islamic' from the state nomenclature soon after the imposition of martial law in 1958.<sup>184</sup>

### **Military Elite**

It must be contended that, unlike many other institutions in Pakistan, the army persistently influenced national politics.<sup>185</sup> There were certain specific reasons for this. First, being originally a part of the Indian armed forces, it was the most coherent body.<sup>186</sup> Its percentage of literacy, for example, was exceptionally high: 100 percent in oriental languages and over 50 percent in the English, as compared with appalling 83 percent general illiteracy in the country in 1947.<sup>187</sup> Consequently, the governments of Pakistan depended quite often on the armed forces personnel for the implementation of numerous nation-building projects, such as: flood control; antismuggling; building and operational military training institutions; constructing roads, bridges and dams all over the country.<sup>188</sup>

Another reason for the army's gaining importance was the priority of defence in national considerations. India's hostility after 1947 posed the

greatest threat. And the meager defence potentials that Pakistan had, especially at that time, made the same hostility appear as to be the one between weaker Pakistan vs stronger India.<sup>189</sup> Such a deficiency in national defence compelled the Pakistani officials to recognise the armed forces by means of making enormous defence allocations, even upto 86 percent of the total national revenue;<sup>190</sup> and, by alligning Pakistan with the Western bloc after 1954.<sup>191</sup>

Hence, the Commander-in-Chief of the armed forces, General (later Field Marshall) Mohammad Ayub Khan, acquired the highest distinction among the entire leadership of Pakistan.<sup>192</sup> Some of the salient features of his personality are explained in the following to show that, in spite of bureaucrats invading the sphere of politicians after 1951, Ayub Khan emerged as the real national leader after Jinnah and Liaquat.

Initially, Ayub Khan was a Sandherst-trained soldier who shared the Westernised outlook with many liberal leaders of Pakistan.<sup>193</sup> Secondly, he held the post of Commander-in-Chief for seven long years (1951-58). In this capacity, he worked in close liaison with the prime ministers who also held the defence portfolio.<sup>194</sup> Thirdly, his being the Commander-in-Chief, as well as a close associate of the Prime Ministers, enabled him to assert his personal viewpoint in policy-making more effectively than anyone else in Pakistan.<sup>195</sup> Fourthly, since he

was in the military command, the enormous defence expenditures were made with his personal approval.<sup>196</sup> Lastly, he was the chief architect of Pakistan's alliance with the United States ;<sup>9</sup> as well as the author of the RCD, which re-focussed Pakistan's Pan-Islamic policy after the Suez Crisis of 1956 by concentrating on specific non-Arab Muslim nations of 'like-mindedness'.<sup>197</sup>

Apart from that, Ayub Khan enjoyed certain privileges as well. For instance, when the bureaucratic government dissolved the first Constituent Assembly in 1954, it was mostly done under his influence.<sup>198</sup> Then, he was fortunate enough to be the sole Commander-in-Chief during 1951-58, as against the seven Prime Ministers changed in the same period.<sup>199</sup> Similarly, in spite of the fact that his tenure of office was due to expire in 1959, the bureaucratic President (Iskandar Mirza) had extended it even before the imposition of martial law in October.<sup>200</sup>

As for his religio-political outlook, the observation here are based on the consideration that Ayub Khan was influenced by two features of Islamic liberalism : 1) the 'two-nation theory' of Iqbal and Jinnah ; and, 2) the contention that Islam had sufficient flexibility to meet with requirements of a contemporary Muslim society. Both these features of liberalism, made him a strategist of great distinction as well as an opponent of Maududi's classical theory of Islam.

To illustrate, there were certain special conditions under which Ayub Khan became a president in 1958. Firstly, the geographical division of the country since 1947 which gave him the impression that Islam alone could keep the separated parts of East and West Pakistan united.<sup>201</sup> And then, the enactment of the first constitution of 1956 and the incorporation of certain Islamic provisions therein made him realise that religion could no longer be separated from Pakistan's politics.<sup>202</sup>

Ayub was, thus, led to believe in the significance of the 'two-nation theory'. He declared that Pakistan was an ideological state, the 'sine qua non' of whose establishment was to give a true shape to the thought behind it.<sup>201</sup> When asked as to what the ideology of Pakistan did really mean to denote, Ayub referred to a number of religio-political concepts inherent in it, such as : singleness of God ; equality of all citizens irrespective of any distinction ; attachment to one's own country ; and, importance of religion (though intellectually re-discovered) for both the temporal as well as well as secular purpose.<sup>204</sup>

The viewpoint about the 'two-nation theory' was further elaborated by those whom Ayub Khan entrusted during his tenure of the presidency (1958-1969) with the task of giving Islam and the ideology of Pakistan a liberal exposition. Allama Allauddin Siddiqui, the Chairman of the Advisory Council on Islamic Ideology, discovered through his research

that the concept of Muslim nationalism precisely meant love for the religion and love for the country, though without any ill-will or malice against other religious communities and religions.<sup>205</sup>

Nevertheless, such an interpretation of the 'two-nation theory' of a state Ayub Khan wanted Pakistan to be? Was his emphasis on the concept of a Muslim majority state as apparently found in the liberal's thought, or on a classical theory supported by Maulana Maududi?

Before answering these questions, it seems worthwhile to consider, in brief, some of the features of Iqbal's thought so that we may see later the impact of liberalism on Ayub Khan. In the first instance, Iqbal believed in the enforcement of Islamic laws ('Sharia') by a modern legislature.<sup>206</sup> In addition to that, Iqbal also stressed that democratic progressiveness in a contemporary Muslim society was indeed not a departure from Islam itself. It was rather an attempt to discover the original purity in Islam.<sup>207</sup>

Accepting these aspects of Iqbal's outlook, Ayub Khan agreed with many politicians that the Islamic system was not static but dynamic. It had enough capacity to overcome the stresses and strains of the modern times.<sup>208</sup> From this platform, Ayub Khan also turned down the conservative proposition that everything associated with the Western thought and practices was un-Islamic. For instance in his message to the Afro-Asian Islamic Conference

of 1965, Ayub Khan quoted Holy Prohet Mohammad (p.b.u.h.) as advising the Muslim : "Take what is clean ; abstain from what is unclean."<sup>209</sup> And then, interpreting the same, he suggested that there was no harm in accepting the purities of Westernism in the process of incorporating Islam in a Muslim polity.<sup>210</sup>

However, the most striking feature of Ayub Khan's thought was his sincerity towards the implementation of the modernist viewpoint. He did not believe in mere lip service to Islam, nor did he want to act hypocritically in the fashion many politicians had appeared to do.<sup>211</sup> Instead, he took practical steps to bring Islam into closer contact with politics. Some of those steps taken by Ayub Khan are explained here, with the purpose of showing the manner in which he wanted to engrave Islam on the body politics of Pakistan.

Precisely, Ayub Khan took two steps to make Pakistan an Islamic state. In the first place, he evolved a presidential system.<sup>212</sup> Though it could hardly be distinguished from the old British administration,<sup>2 3</sup> the system was sufficiently Islamic. It was based on the idea that the concept of caliphate, much cherished in Pakistan, could only be revived in this way.<sup>214</sup> Then it revolved around a single Muslim head of the state,<sup>215</sup> the responsibility of whose government was to enact laws for Pakistan in conformity with the Quran and Sunnah.<sup>216</sup> The only feature that kept it distinct from classical

theocracy was perhaps the emphasis on law-making as to be the jurisdiction of a modern legislature rather than on a conservative 'Majlis-e-Shura' recommended by Maulana Maududi.<sup>217</sup>

After establishing an Islamic polity of his choice, Ayub Khan attempted to overhaul the Pakistani society. He contended that the ideology of Pakistan was not meant to split the nation apart, but to keep its social segments united.<sup>218</sup> The need of the time, he emphasised, was to define the ideology in a language which could appeal to reason.<sup>219</sup> It should be followed by a series of intellectual discussions on Islam with the object of discovering and eventually incorporating the dynamic values of this religion in Pakistan.<sup>220</sup> For these identical objectives, Ayub Khan created two institutions affiliated to each other: the Advisory Council on Islamic Ideology and the Central Institute of Islamic Research.<sup>219</sup>

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31. Charles J. Adams, "The Ideology of Mawlana Mawdudi", *op. cit* , ; in addition, K. Callard, *op. cit* , p. 211.
32. *Ibid*.

33. M. Ahmad, *op. cit.*, p. 93. Among the other exponents of the same concept, the only citable is that of Muhammad Asad. See his publication, "The Principles of State and Government in Islam", 1961, quoted in, E.I.J. Rosenthal, "Islam in the Modern National State", (London, 1965), p. 125.
34. Leonard Binder, "Islamic Constitutional Theory and Politics in Pakistan", unpublished, (Harward University, 1956), quoted in, K. Callard, *op. cit.*, p. 208. See also, K.B. Sayeed, 1967, *op. cit.*, p. 163.
35. Charles J. Adams, "The Ideology of Mawlana Mawdudi", *op. cit.*, p. 371. See in additions : E. I. J. Rosenthal, *op. cit.*, pp. 137-38 ; and, the contention that general elections could not be held in Pakistan for a long time mostly because the liberal leaders at the helm were afraid of Maududi's clear victory, F. Abbott, 1968, *op. cit.*, pp. 192-93.
36. E.I.J. Rodenthal, *op. cit.*, p. 137.
37. A personal interview with Professor Aziz Ahmad, Institute of Islamic Studies, University of Toronto, 17 April 1975.
38. K. Callard, *op. cit.*, p. 200.
39. Aziz Ahmad, 1967, *op. cit.*, pp. 213-14.
40. *Ibid.*, p. 214.
41. Khurshid Ahmad, introduction to, Syed Abul A'laMawdudi, "The Islamic Law and Constitution", (Karachi, 1955), p. 1. However, such arguments associated to Maududi's thought are just partly true. In fact, the struggle for Pakistan was political and not religious especially since those at the helm were politicians who based their demand on the argument that Hindus and Muslims represented two different nations (the two-nation theory). See, Shykh Muhammad Iqbal, quoted in, Charles J. Adams, "The Ideology of Mawlana Mawdudi", *op. cit.*, p. 376 (f.n. 6).
42. Maududi, quoted in, E.I.J. Rosenthal, 1965, *op. cit.*, p. 138.

43. Syed Abul A'la Maududi, "The Islamic Law and Constitution", translated and edited by Khurshid Ahmad, (2nd ed., Lahore, 1960), pp. 160-178. See also, Charles J. Adams, "The Ideology of Mawlana Mawdudi", *op. cit.*, p. 381
44. Verses, III : 154 ; V : 44 ; XII : 116, quoted in, *ibid.*, p. 131.
45. Charles J. Adams, *op. cit.*, 382-83.
46. *Ibid.*, p. 382.
47. Maududi, "The Nature and Contents of the Islamic Constitution", (Karachi, n.d.), pp. 12-13 and 14-18, quoted in, M. Ahmed, 1966, *op. cit.*, pp. 14-15 ; and, Maududi, "Political Theory of Islam", (lecture, 1939), quoted in, E. I. J. Rosentaal, *op. cit.*, p. 138. This viewpoint of Maududi about Divine Sovereignty was supported by many traditionalist ulama as well, see for example, Maulana Shabbir Ahmad Usmani, in, "The Constituent Assembly of Pakistan, Debates", vol. VII, . 1957, p. 45.
48. See : *ibid* ; and K.B. Sayeed, "Jama'at-e-Islami Movement in Pakistan", "Paacific Affairs", 30, (March, 1957), p. 63 (f.n. 16).
49. S.A.A. Maududi, *op. cit.*, p. 131.
50. Maududi has given a detailed account of the position and powers of the 'Amir' as well as his consultation assembly, see, *ibid.*, pp. 225-35 ; and, C.J. Adams, *op. cit.*, pp. 190-92.
51. *Ibid.*
52. Maududi, "The Political Theory of Islam", p. 48, quoted in, L. Bidder, 1963, *op. cit.*, p. 92. The author notes it as a concept of 'general caliphate' in Maududi's thought, as against the concept of individual caliphate in Islam (see, f.n. 42)
53. Maududi, quoted in, *ibid* , See also : the rights of 'dhimis' (the protected persons), in, C.J. Adams, 1966, *op. cit.*, p. 392 ; a detailed discussion of the rights and status of the non-Muslims, in, S.A.A. Maududi, *op. cit.*, pp.263-287 ; and for an evidence of similar views held by other conservative besides Maududi, see, for example : Maulana Abul

- Hasnat, "The Report of the Court of Inquiry (Munir Report)", p. 212 : and, Maulana Shabbir Ahmad Usmani, both quoted in, G.W. Choudhry, "Constitutional Developments in Pakistan", (London, 1969), pp. 48 and 49 respectively.
54. Maududi, "Political Theory of Islam", p. 58, quoted in, *ibid.*
  55. Maududi, "The Process of Islamic Revolution", quoted in, *ibid.*, p. 93.
  56. See also, M. Ahmed, *op. cit.*, p. 95.
  57. *Ibid.*, p. 93.
  58. L. Binder, *op. cit.*, p. 91.
  59. Maududi, "Political Theory of Islam", (Pathankot, n.d.), p. 31, quoted in, *ibid.* See also, K.B. Sayeed, "The Jama'at-e-Islami Movement". *op. cit.*, pp. 67-68 ; and E.I.J. Rosenthal, *op. cit.*, p. 138.
  60. 'Sharia' has three main sources : 1) the Quran ; 2) 'Hadith' (sayings and practices of the Prophet, PBUH) ; 3) 'Ijtehad' (individual judgement of the jurists) ; and, 4) 'Shura' (general consensus), see in, G.W. Chaudhry, "The Impact of Islam in Pakistan", "Current History", 32, June, 1957), p. 341 (f.n.).
  61. See, Charles J. Adams, "The Ideology of Mawalna Mawdudi", *op. cit.*, p. 390.
  62. This charge was quite often levelled in the Constituent Assembly of Pakistan, L. Binder, 1963, *op. cit.*, 91 (f.n. 35).
  63. E.I.J. Rosenthal, *op. cit.*, p. 141, See further, Aziz Ahmad, *op. cit.*, p. 217. For similar views of other conservatives, see for example : Maulana Abul Hasnat, President Jamiat-ul-Ulama-e-Pakistan : "Our law (Sharia) is complete and merely requires interpretation...no question can arise the law relating to which cannot be discovered from the Quran or the 'hadith'", quoted in, K. Callard, *op. cit.*, p. 217.
  64. *Ibid.*, p. 143. See also, K.B. Sayeed, "Jama'at-e-Islami Movement", *opc. it.*, p. 66.

65. This list of rigid laws has been derived from E. I. J. Rosenthal, *op. cit.*, p. 140. For a more comprehensive list, see, S.A.A. Maududi, *op. cit.*, p. 55. Maududi had a special reason to believe in the Islamic punishments for adultery and theft (see, pp. 60-61). However, such Islamic punishments, supported by the conservatives of Maududi's stature, were considered by many ruling liberals of Pakistan as 'barbarian' and so worth discouraging in the modern age, see below our observations about the liberal elites' outlook.
66. 'Interpretation is not permitted where Quran and Sunnah laid down clear injunctions', E. I. J. Rosenthal, *op. cit.*, p. 142.
67. Charles J. Adams, "Ideology of Mawlana Mawdudi", *op. cit.*, p. 390.
68. Maududi, quoted in, K. B. Sayeed, "Jama'at-Islami Movement", *op. cit.*, p. 66.
69. E.I.J Rosenthal, *op. cit.*, p. 140. Details can be found in, S.A.A. Maududi, *op. cit.*, pp. 56-57.
70. Maududi has supported this argument by quoting Ibn-e-Tamaiya (an Islamic jurist), in, S.A.A. Maududi, *op. cit.*, p. 88.
71. *ibid*, p. 84. See also : Sheila McDonough, "Pakistan", in, 'Islam in Politics : A Muslim World Symposium' "The Muslim World", (October, 1966), p. 268 ; and, Maududi's contempt for the Westernised leaders enacting Westernised laws for Pakistan : "Who will build up the required Islamic atmosphere ? Can irreligious state, with Westernized persons at its helm, do this job ?..", quoted in, K.B. Sayeed, "Jama't-e-Islami Movement in Pakistan", *op. cit.*, pp. 60-61.
72. See for example the observation that the conservatives like Maududi were quite aware of the difficulties involved in the realization of their idealism, in, K. Callard, *op. cit.*, p. 227 ; and, L. Binder, *op. cit.*, p. 337.
73. L. Binder, *op. cit.*, pp. 33 and 97-98,

74. See, *ibid.*, p. 98 (f.n. 59). The author also notes that Maududi did not support this demand because it fell short of the fundamentalist Islamic expectations (see p. 98).
75. See, *ibid.*, pp. 97-98. See also the view that the traditionalists were pre-League and could reach a constitutional compromise with the liberal, M. Ahmad, *op. cit.*, p. 90.
76. L. Binder, *op. cit.*, p. 98. The figure of refugee migration are given by the author just with reference to West Pakistan. In fact, the total influx to both West and East Pakistan exceeded nine million.
77. 'Since their claims (those of refugees) were somehow based on religion, they soon found religious leader's, *ibid.*, p. 99.
78. "Dawn", January I, 3, II, 14, 15, 24, 1948, quoted in, *ibid.* The author further noted that the Pakistani officials called the refugees as 'Muhajreen'; and, thus, equated them with those Muslims who migrated to Madina in the Prophet's life-time.
79. *Ibid.*
80. *Ibid.*, pp. 100 and 103.
81. See for instance, *ibid.*, p. 102. The author says that Maududi's retreat in favour of the liberal politicians in government did not mean his acceptance of Western secularism even as a temporary prescription. He, in fact, wanted the liberals to act in an Islamic way,
82. See for example, Maududi as saying: "It is, therefore, inevitable that the required (Islamic) reform should be gradual and the changes in the laws should be effected in such a manner as to balance favourably the change in the moral, educational, social, cultural and political life of the nation." "Islamic Law and Constitution", translated and edited by Khurshid Ahmad, (Lahore, 1955), p. 52.
83. S.A.A. Maududi, 1960, *op. cit.*, pp. 97-99,
84. L. Binder, *op. cit.* p. 103.

85. They included : Altaf Hussain Hali (1857-1914) ; Maulana Mohammad Shibli Nomani (1857-1914) ; Chairagh Ali (d. 1895) ; and, Syed Amir Ali (1849-1938), in M. Ahmad, *op. cit.*, pp. 67-73.
86. See for example, Oswald Spengler, "The Decline of the West", quoted in Aslam Siddiqui, *Pakistan Seeks Security*, (Lahore, 1960), p. 160.
87. *Ibid.*
88. See the 19th century Islamic-liberal's characteristics, who had strategic considerations, listed in, M, Ahmed. *op. cit.*, p. 73.
89. Arif Hussain, "Pakistan ; Its Ideology and Foreign Policy", (London, 1966), p. 13.
90. Arif Hussain, "Ideological Influences on the Foreign Policy of Pakistan 1947-56", unpublished M.A. thesis, (London School of Economics and Political Science, 1963), pp. 43 and 45-45. In addition, L.F.R. Williams, 1966, *op cit.*
91. Dr. Sheila McDenough, "Pakistan", *op, cit.*, p. 265 See also, *ibid.*, p. 44-45.
92. M. Ahmed, *op. cit.*, p. 60. Furthermore : Sir Sayyed Ahmad, "Akhree Muzameen", (Urdu text), p. 28, quoted in, A. Hussain, 1963, *op. cit.*, pp. 42-43 ; A. Siddiqui, *op. cit.*, p. 160 ; and, *ibid.*
93. *Ibid.*, p. 67 ; and, A. Hussain, 1966, *op. cit.*
94. F. Abbott, 1968, *op. cit* , p. 185 ; and L.F.R. Williams, *op. cit.*
95. Aziz Ahmad, 1967, *op. cit.* p. 141.
96. A Hussain, 1966, *op cit.*, p. 19.
97. R. Symonds, *op. cit.*, p. 34. For an understanding of this approach in Iqbal, see his numerous publications in Urdu, Persian and English, quoted in, A. Ahmed, 1967, *op. cit.*, pp. 141-155. However, for a general study of Iqbal's philosophy, see also, Hafeez Malik, (ed.), *Iqbal : Poet-Philosopher of Pakistan*, (London, 1971).
98. *Ibid.*



99. F. Abbott, 1968, *op. cit.*, pp. 193-94. The author also refers to a significant 'Iqbal Day' address by Chaudhry Mohammad Ali, a finance minister and later a prime minister in whose tenure the constitution of 1956 was enacted, "The Task Before Us", 12 April 1952, Karachi, (see p. 194).
100. C. M. Ali, *op. cit.*, p. 25. See also, Mohammad Ayub Khan, "Pakistan Perspective", *Foreign Affairs*, vol. 38, (July, 1960), p. 547.
101. *Ibid.*
102. See, A Hussain, 1966, *op. cit.* pp. 22 and 19.
103. See, *ibid*, p. 18. After independence, the party was renamed as "Pakistan Muslim League", Keith Callard, "Pakistan : A Political Study", (New York, 1957), p. 40. For popular support to the party, see : 1) the party's records of 1944, showing a membership of two million people throughout the sub-continent ; and, 2) the results of the 1945-46 general elections, indicating about 4.5 million or 75% of the total Muslim voters cast to the party, "The Indian Annual Register", vol. I, (Calcutta, 1946), quoted in, K.B. Sayeed, 1967, *op. cit.*, p. 55.
104. Leonard Binder, *op. cit.*, pp. 57-59. See also, Allah Baksh Rajput, "Muslim League: Yesterday and Today", (Lahore. 1948), quoted in, M. Ahmad *op. cit.* p. 81.
105. The text of the Resolution, also known as the Pakistan Resolution, twenty-seventh session of the Muslim League at Lahore on 23 March 1940, in, Syed Sharifuddin Pirzada, (ed.), *Foundations of Pakistan : All-India Muslim League Documents 1906-1947*, vol. ii, (Karachi, 1969), pp. 340-49.
106. See, *ibid.* ; and also : M. Ahmad, *op. cit.*, p. 83 ; and, A. Hussain, 1966, *op. cit.*, p. 21.
107. Donald Eugene Smith, *India as a Secular State*, (New Jersey, 1963), pp. 51-52.

108. "Gandhi-Jinnah Talks", in K.B. Sayeed, 1967, *op. cit.*, p. 43. For a detailed account of these talks, see, Khalid Bin Sayeed, *Pakistan: the Formative Phase*, (Karachi, 1960), pp. 130-34.
109. For example, Jinnah himself was a British-trained barrister (Inns Court), and had been practicing in London until he returned to India in 1934 to revitalise and lead the Muslim League party, L.F. Rushbrook Williams, *op. cit.* pp. 22-23.
110. Mumtaz Daultana (Muslim League), quoted in, Dr. McDonough, "Pakistan", *op. cit.*, p. 264. See further, politicians as Muslims different from conservatives: by comparing them with what we discussed earlier; and by looking into their outward Westernized personality. in, K. Callard, 1957, *op. cit.*, p. 200, and K.B. Sayeed, 1967, *op. cit.*, pp. 171-72.
111. A. Hussain, 1966, *op. cit.*, p. 18.
112. *Ibid.*
113. Michael Brecher, *Jawaharlal Nehru A Political Biography*, London, 1959), p. 353. See also, Herbert Feldman, *A Constitution for Pakistan*, (Karachi), p. 7.
114. This title, meaning the "Great Leader", was officially conferred upon Jinnah by the first Constituent Assembly of Pakistan in 1947, M. Ahmad, 1966, *op. cit.*, p. 99.
115. K. Callard, 1957, *op. cit.*, pp. 19-20. See also: H. Feldman *op. cit.*; and Aziz Ahmad, "Pakistan Faces Democracy: A Provincial Nationality", *Round Table*, 1971, p. 227.
116. *Ibid.*, p. 20.
117. In support of these arguments, Iqbal cited a few examples including that of Akbar, the Mughal Emperor, whose efforts to ensure India's united by synthesising various religious largely failed to catch the common man's imagination, "struggle for Independence", pp. 15-16, quoted in, Aziz Ahmad, 1967. *op. cit.*, p. 162. However, for a better understanding of Iqbal's concept of Muslim nationalism, see the text of his presidential address to the twenty-first

- session of the Muslim League at Allahabad, 1930, in S. S. Pirzada, *op. cit.*, pp. 153-176.
118. Jamilud Din Ahmad, (ed.), *Some Recent Speeches and Writing of Mr. Jinnah*, 2nd vol, (Lahore, 1952), p. 427. F. Abbott notes this speech of Jinnah as the first expression of the 'two-nation theory', F. Abbott, 1968, *op. cit.*, p. 184 (f. n. 4).
  119. *Ibid.*, pp. 145 and 159-60. For the text of Mr. Jinnah's presidential address, see, S.S. Pirzada, *op. cit.*, pp. 327-39.
  120. Aziz Ahmad, 1967, *op. cit.*, pp. 166-67.
  121. See Maududi, "Jama'at-e-Islami", quoted in, K.B. Sayeed, "Jama'at-e-Islami Movement", *op. cit.*, p. 60. However, Maududi and other ulama did not oppose the League's distinction between Hindus and Muslims. They rather opposed the League's campaign for Pakistan which, in their contention, cut across the greater Muslim loyalties in the world, see, K. Callard, *op. cit.* p. 200.
  122. Maududi, "The Process of Islamic Revolution", quoted in, K. Callard, *op. cit.*, p. 200.
  123. For example, see, Freeland Abbott, "Pakistan and the Secular State", in Donald Eugene Smith, (ed.), *South Asian Politics and Religion*, (Princeton, 1966), pp. 360-61.
  124. See Jinnah's fear of 'Hindu Raj' all over the sub-continent, in, A. Hussain, 1966, *op. cit.* p. 23. In addition, Jinnah's statement of 1938 that the Hindu-Muslim differences were deep-rooted and ineradicable, mentioned above.
  125. Text in "The War", All-India Muslim League, (Delhi, 1939), p. 6, quoted in, *ibid.*, p. 22. As per information, a 'nationalist' in the pre-1947 Indian terminology was a person who believed in secular nationalism of India.
  126. The recommendations, known as the Cabinet Plan. In K.B. Sayeed, 1967, *op. cit.*, pp. 45-48.
  127. Muslim League withdrew its acceptance of the Plan when the Congress acceptance turned out to be conditional, see, the Congress-League statements and correspondence regarding the Plan, in, Sir Maurice Gwyer and Appodorai,

- (eds), *Speeches and Documents on the Indian Constitution of 1921-1947*, 2nd vol., (London, 1957), ip pp. 603-24.
128. Muslim League's temporary acceptance of the Plan was based on its wishful thinking that it could eventually help the creation of Pakistan, K.B. Sayeed, *op. cit.*
  129. A. Hussain, 1966, *op. cit.*
  130. See above, the statement of Quaid-e-Azam.
  131. Maulana Azad, quoted in A. Hussain, *op. cit.*
  132. See, *ixid.*
  133. See, K. Callard, 1957, *op. cit.*, p. 208 ; and, A. Hussain. 1963, *op. cit.*, p. 49.
  134. A. Hussain, 1966, *op. cit.* Moreover, Iqbal's liberal views on the principles of equality and social justice for a contemporary Islamic polity, in Aziz Ahmad, 1967, *op. cit.* pp. 158-59.
  135. Both the statements of Jinnah are from, Farid Jafri, 'Pakistan Standard' (30 June, 1950), quoted in, F. Abbott, 1968, *op. cit.*, pp. 187-88. See also : "Quaid-i-Azam Speaks", (Pakistan Publicity, Karachi), pp. 92-93, cited in, G.W. Chaudhry, "The Impact of Islam in Pakistan", "Current History", 32, (June, 1957), p. 341 ; and, Jinnah's belief that Islam is a mid-way between Capitalism and Communism, in, Pakistan, "Constituent Assembly Debates", (Karachi, 1949), vol. V, no. 3, p. 47 and no. 4, p. 62.
  136. Pakistan, "Constituent Assembly Debates, (Karachi 1949), vol. I, no. 1, p. 2. For similar views of other politicians, see for example, Mian Mumtaz Daultana, (Muslim League), cited in, Wayne A. Wilcox, "Ideological Dilemma in Pakistan's Political Culture", in, D.E. Smith, 1966, *op. cit.*, p. 347.
  137. "Dawn", 1, 3, 11, 14, 15, 24, 1948, quoted in, L. Binder, *op. cit.*, p. 99. The author further noted that Pakistani officials called over nine million refugees from India as 'Muhajirin' ; and, thus, equated them with those Muslims

who migrated to Medina in the Holy Prophet's life-time. See our earlier observations as well.

138. See, Maududi's outlook, noted earlier.
139. W.A. Wilcox, "Ideological Dilemmas", *op. cit.*, pp. 347-48. The author contends that the politicians did not intend to create the 'seventh century Arabia' in Pakistan, nor were they keen to convert the world to Islam. They rather wanted to create social conditions suitable for practicing Islamic principles. See in condition, the ambiguities in the politicians's thought and purpose, in, K. Callard, 1957, *op. cit.*, pp. 201-202 ; and, K.B. Sayeed, "The Jama'at-e-Islami Movement", *op. cit.*, pp. 59-60.
140. See Iqbal's interpretation of Islam as legal base for statescraftship, and theocracy as nothing but fanaticism, quoted in, Aziz Ahmad, 1967, *op. cit.*, pp. 162-63.
141. The Holy Quran : "I have placed you as vice-regent on earth", quoted in, L. Binder. *op. cit.*, p. 68. Furthermore, (A.K. Brohi (Law Minister) referred to the Holy Quran in the same context, Pakistan, "Constituent Assembly Debates", (Karachi, 1954), vol. XV, no 12, pp. 338 and 340.
142. G.W. Choudhry, 1969, *op. cit.*, p. 51.
143. F.M. Khan Durrani, "The Making of Pakistan", (Lahore, 1946) p. 118, cited in, L. Binder, *op. cit.*
144. See, for example, Mumtaz Daultana (Muslim League), speech on "Kashmir Dispute in Present Perspective", quoted in, S. McDonough, "Pakistan", *op. cit.*, p. 264.
145. Pakistan, "Constituent Assembly Debates, (Karachi, 1948), vol. I, no. 2, pp. 19-20 ; also in, G.W. Choudhry, *op. cit.*, p. 45. See in addition : 1) Jinnah's statement that Islamic ideals taught democracy, noted above ; 2) H.S. Suhrawardy (Awami League) who contended that by means of taking such a stand Jinnah had become a secular Dawn, 27 December 1956 ; 3) Liaquat Ali, who refuted Suhrawardy's accusation against Jinnah in the Constituent

- Assembly, quoted in, K. B. Sayeed, "Jama'at-e-Islami Movement", *op. cit.*, p. 59 ; and, 4) Jinnah's concept of popular sovereignty, "Quaid-i-Azam's broadcast to the U.S.A.", February 1948, in G.W. Choudhry, 1969, *op. cit.*, p. 46.
146. "We [Muslims and Hindus] in Pakistan are not one nation and yet we are citizens of same state", Dr. Mohmmud Hussain, a Professor of History and a deputy minister of Pakistan, 'Constituent Assembly Debates', vol. i, XV, p. 340, quoted in, A. Hussain, 1966, *op. cit.* p. 61.
  147. For considerably detailed account, see, L. Binder, *op. cit.*, pp. 185-88.
  148. "BPC Minutes", quoted in, *ibid.*, p. 200 ; and, A. Ahmad, 1967, *op. cit.*, p. 239.
  149. Liaquat Ali Khan, "Pakistan : The Heart of Asia", (Massachusetts, (1961), p. 6. See another speech of Liaquat : "... Islam provides a panacea to the many diseases which have crept into the life of humanity today", in, Pakistan, "Constituent Assembly Debates vol. V, *op. cit.*
  150. Iqbal, "The Reconstruction of Religious Thought in Islam", (1934), quoted in, G.W. Choudhry, "Impact of Islam", *op. cil.*, p. 341.
  151. "Reconstruction", quoted in, Aziv Ahmad, 1967, *op. cit.*, p. 154. See also Iqbal's emphasis that Muslims must awake, noted earlier.
  152. See, *ibid.*, p. 154.
  153. "Reconstruction", pp. 157-165, quoted in, *ibid.* L. Binder has discussed the modernist interpretation of Islamic consensus (ijma) quite explicitly, see, *op. cit.*, pp. 34-68.
  154. *Ibid.*, p. 155. See also, L. Binder, *op. cit.* p. 68.
  155. See, K.B. Sayeed, "Jama'at-e-Islami Movement", *op. cit.*, p. 60 ; and, G.W. Choudhry, 1966, *op. cit.*, p. 51.

156. This Constituent Assembly was not fashioned on Islamic principles but on the most modern British parliamentary practices, see such details in, G.W. Choudhry,, *Constitutional Development in Pakistan*, (London, 1969), pp. 6-22.
157. Pakistan, *Constituent Assembly Debates*, (Karachi, 1948), vol. I, no. 2, p. 8. For a clear picture of the politician's view about the legislature and its functions, see : G.W. Choudhry, "Impact of Islam", *op. cit.*, pp. 341-42 ; and, K. Callard, 1947, *op. cit.*, p. 219.
158. See two sources : 1) the pre-independence Muslim League party break-up, in "List of the Members of the All-India Muslim League, 1941", and, 2) the post-independence party break-up in East and West Pakistan, both in, K.B. Sayeed, 1967, *op. cit.*, pp. 54-55 and 87-88, respectively.
159. See for example, Kaleem Siddiqui, *op. cit.*, p. 60.
160. *Ibid.*, p. 105.
161. A detailed review of the Civil Service of Pakistan (CSP) can be found in : Ralph Braibanti, *Research on the Bureaucracy in Pakistan*, (Darham, 1966) ; H.F. Goodnow, *op. cit.* and Ali Ahmed, *Role of High Civil Servants in Pakistan*. (Dacca, 1968).
162. K.B. Sayeed, 1967, *op. cit.*, p. 129 ; and, H.F. Goodnow, *op. cit.*, p. 33.
163. See for example, Kalim Siddiqui who has made this observation in the case of the most important bureaucrat, Major-General Iskandar Mirza, *op. cit.*, p. 90.
164. See above.
165. K. Siddiqui, *op. cit.*, p. 68. According to the author's information, twelve out of these 95 officers belonged to the Indian Police Service. Hence, the number of those who really took the administration in hand was not more than 83.
166. Keith Callard. quoted in, Rauniq Jahan, *Pakistan : Failure in National Integration*, (New York. 1972), p. 92. See also A. Ahmad, "Pakistan Faces Democracy", *op. cit.* ; K.B.

- Sayeed, 1967, *op. cit.*, p. 62 ; and, H.F. Goodnow *op. cit.*, p. 29.
167. K.B. Sayeed, 1967, *op. cit.*, p. 62.
168. A. Ahmad, "Pakistan Faces Democracy", *op. cit.*
169. See, *ibid.*
170. *Ibid.* The author contends that, in the absence of general elections, personalities wielded power in Pakistan' politics.
171. *Ibid.* See also, Keith Callard, *Political Forces in Pakistan, 1947-1959*, (Hong Kong, 1959), p. 22.
172. A. Ahmad, "Pakistan Faces Democracy" *op. cit.*
173. The decline of the Muslim League since 1954, in : K. Callard. 1957, *op. cit.*, pp. 34-76 ; and R. Jahan, *op. cit.*, pp. 45-49.
174. K.B. Sayeed, 1967, *op. cit.*, pp. 72-75 : and, H.P. Goodnow, *op. cit.*, pp. 56-58.
175. "Dawn", (Karachi), 31 October 1954, quoted in, H.F. Goodnow, *op. cit.*, pp. 58-59.
176. *Ibid.*, pp. 58-60. In addition, A. Ahmad, "Pakistan Faces Democracy", *op. cit.*, pp. 228-29.
177. K.B. Sayeed, 1967, *op. cit.* See also Ayub Khan's statement of 8 October 1958, in, "New York Times", (9 October 1958), quoted in, *ibid.*, p. 59.
178. *Ibid.*, p. 72.
179. *Ibid.*, p. 75. The author also considers Chaudhry Mohammad Ali as the third bureaucrat in this cabinet. In fact, he was less a bureaucrat and more a politician with religious orientations, see for instance, F. Abbott, 1968, *op. cit.*, p. 195.
180. F.H. Goodnow, *op. cit.*, p. 59 ; and, A. Ahmad, "Pakistan Faces Democracy" *op. cit.*, p. 229.
181. *Dawn*, (Karachi), 31 October 1954.
182. "Reporter" 27 January 1955, p. 32, quoted in, K.B. Sayeed, 1967, *op. cit.*, p. 76.



183. A. Ahmad, "Pakistan Faces Democracy", 1978, *op cit.* ; and, M.A.H. Ispahani, "The Foreign Policy of Pakistan 1947-64", *Pakistan Horizon*, (3rd quarter, 1964), p. 241. K.B. Sayeed further says that ineffectiveness of political leadership in Pakistan brought Iskandar Mirza closer to the West, *ibid* , p. 268-69.
184. See the forthcoming pages.
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Javid Iqbal wrote the book on a special recommendation of Ayub Khan, F. Abbott, 1968, *op. cit.*, p. 218.

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## REVIVAL OF ISLAM IN TURKEY

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### **Theoretical Perspective**

Religious forces have begun reemerging on socio-political scenario of Turkey. Revival of Islam can be explained in social change perspective. It is generally understood that waxing and waning of religion or ideological forces are dependent on socio-political and economic cycle of change. Each time, these forces emerge, there are changes in the belief system, value structure, and socio-political edifice of societies. Sometimes, in the religious or ideological framework, new religious or ideological force emerge, who interpret the traditional values according to changing situations. This provides a new challenge to the old established order. The conflict of two regenerates a revived interest among the people. The dominating order prevails and the dominated remains on a side.<sup>1</sup>

### RE-EMERGENCE OF ISLAM IN TURKEY TRADITIONAL-MODERNIZATION PERSPECTIVE

### **Historical Scenario**

Ottoman Empire was not an Islamic state. The

empire was headed by a monarch under the guise of a Caliph.<sup>2</sup> Under the patronage of rulers many institutions like monasteries, religious madrasse, ministry of religion, and Seyhul Islam were developed. These institutions created a class of conservative loyalists. They were the bases of legitimation and power of the monarchs. Overtime, these institutions had gone ineffective and incapable of administering the large empire. In the middle of the 19th century, the monarchs sent the military and civil personnels for training to European countries. These personnels were impressed by the progress and advancement of technology and socio-political systems of those countries. They persuaded the monarch to start the educational, military and civil machinery on the European pattern. By the end of the 19th century, a liberal and non-traditional class emerged, who considered that old educational system and labelling of religion on every thing had done damage, instead of good, to the people and the empire. This class got hegemony in civil and military organizations and began influencing the young city people.

For a long time, these two classes worked side by side without any apparent conflict. The monarch, Abdul Hamid started using one class against the other. He exploited one as a base of his power, and the other as the foundation of legitimacy.

The seeds of fragmentation in the empire had

already started showing up and the defeat in the World War I provided an excellent opportunity for the Russians, the French, and the Britishers to divide it among themselves. Kemal Ataturk who belonged to a western oriented class, organized the dispersed and defeated forces of the empire and fought back the interventionist and occupationist forces. In 1923 Kemal Ataturk established an independent state of Turkey.

### Modernization in Turkey

Kemal had to perform two tasks in establishing and consolidating his powers. The first was, to break the traditional power centers, and the second was, to introduce a viable economic system through change. Kemal had a clear choice of introducing nationalism or westernization. He used nationalism and enforced westernization to change the Turkish society. He abolished most of the traditional institutions and structures. The process eliminated even the old set of values and pattern of life. The institution of caliph, ministry of religion, Seyhul Islam, and madrasse were abolished, and the monasteries were closed. The people were forbidden to wear fez, veil, and traditional dresses. The Quran was translated in Turkish language and saying Azan in Arabic was forbidden.

Kemal enforced his plans of modernization and wanted rapid results. The rapid change brought several crises. These crises were minor

and less serious and his charismatic personality was able to control them. The defeat of Ottoman empire in the World War I had helped him to control the problems. The traditional religious forces realized that they would not be able to put up a serious confrontation, therefore remained subdued and quite. Latter those forces started organizing themselves underground.

### **Re-emergence of Islam in Turkey**

The revival of religion was a reaction against modernization and it started re-emerging gradually. It began showing its resistance in 1930's and latter on it was a more visible phenomena. It can be studied from three perspectives. The first was the forceful and retaliatory resistance against westernization. The second was, an academic resistance. The religious forces focused their attention on conducting research on Islam and orientating the masses (particularly the rural) about the vices and ills of westernization, The third was, to support enter in the power politics through electoral process and try to establish religious teachings.

The retaliatory resistance manifested when Kemalist officer Kubilay was beheaded in Anatolia by the people in the presence of their sheikh. Though people involved were punished, yet it marked the beginning. Different off-shoots sunni'ites had become active in the retaliatory process.<sup>3</sup> The government took serious notice and started trying them under the punitive acts. In



April, 1950 Kemal Pilavoglu was tried in Ankra. This trial aroused serious concern among the Muslim population in general and his followers in particular. Naqshbendis were tried in May, 1950 and Kadiris were brought to trial in March, 1951. These trials made the government and their programmes unpopular and strengthened the religious forces. The militant religious followers boldly entered in the parliament and started reciting Azaan in Arabic and many began wearing turbans and fez as a mark of open agitation. This resulted in the conflict between the traditionalists and the modernists.

The conflict had led the liberals to re-align themselves with the religious or modernist forces. The modernist forces started calling Islam as 'poisonous.<sup>4</sup> Reactionary force'<sup>5</sup> and 'story of the imperial past'<sup>6</sup> This criticism against Islam disappointed many liberals who were not against religion but did not support the imperial traditional institutions and values. They dis-associated themselves from the modernist forces and re-aligned with the religious class. The extreme liberals organized themselves with the Marxist ways of modernization. These extreme realignment had serious repercussions in the country. There were several violent clashes between these forces, which has so far strengthened the religious forces.

The academic efforts to revive Islam in Turkey proved to be more effective than retaliatory procedures. The beginning was marked in 1940, when

the ullemas started compiling encyclopedia of Islam, to oppose the effort of the government to get it compiled from Leiden, F. J of Australia. Esrif Edib headed this project. Latter, It was found that the Turkish edition of encyclopedia was sold more than the officially compiled. Periodicals, books and research journals contributed to the academic resistance towards modernization. During Kemal's modernizing program, the publication of religious books dropped sharply, but after 1940 there had been an upside turn. Recent rough estimate has shown that a large number of religious books both in Turkish and Arabic language had come in the market. There has been a tremendous increase in research journals and magazines on religion).<sup>7</sup> This trend gave more impetus to the religious forces and they started reasserting themselves. Consequently- Arabic was made compulsory at elementary level of education and optional at higher levels. It was made optional to say Azaan in Arabic. It has been noted recently that almost in all the mosque, the Azaan is said in Arabic.<sup>8</sup> The academic efforts infused a sense of religiosity in the people, particularly the rural population. This has strengthened the religious forces.

Kemalist introduction of democracy in Turkey gave a much greater degree of freedom of expression to all trends of opinion, including of course the religious leaders, who proclaimed more and more openly their hostility to secularism and their

demands for an Islamic restoration.<sup>9</sup> In the beginning of the democratic era, the Republican Party headed by Kemal had been established with secular and modernizing program. The party, during its sway, passed strict laws to eliminate the religious influence of the people. The laws violated and the violators were severely punished. This was an added incentive to the religious forces. Under Menderes Democratic Party was formed. The party associated with the religious forces and so in the preceding elections, it annexed a sweeping win.

Table 1  
*Election Results (1946)*

Parties	Number of Seats	Bases of Election
Democratic Party	408	Prom ise of religious concessions-
Republican Party	69	Secular and modernizing program.
National Party	1	Secular program.
Independent	16	Personality or personal influence.
Total	494	

(Adopted from, Geyikadagi, Mehmet Yasar, *Polittcal Parties in Turkey The Role of Islam*. N.Y. Praeger. 1984).

This was the first government that was fully based on the will of the people.<sup>10</sup> The will was the representative of the Islamic forces which unrelently extended their support in the election. During the

government of Democratic Party, the religious educational institutions were re-opened, the Islamic teaching centers were built. It was observed that viel wearing women were seen in large number in the market, parks and on roads.

During this period the conflict between secular and Islamic forces became open. The secularists emphasized, "there is no second civilization—civilization means European civilization and it must be imported with both its roses and thorns".<sup>11</sup> The exponents of religion asserted, "Aping is of no use, Social rights, freedom and justice could be derived from Islamic principles. Islam should be interpreted according to the needs of time and space"<sup>12</sup> This conflict led to unrest and some socio-economic forces (unrelated here) created confusion. which provided opportunity to the modernizing forces to manipulate the army to take over in 1969.

Though the army took over, yet the army ruler could not openly support the modernizing forces, to pacify the religious forces, he expressed :

"Those who blame religion for our backwardness are wrong. No, the cause of our backwardness is not our religion but those who have misinterpreted our religion to us. Islam is the most sacred, most dynamic and powerful religion in world. It demands of those who believe in this faith always to achieve progress and higher wisdom. But, for centuries, Islam has been explained to us

negatively and incorrectly. This is why we are lagging behind the nations of world."<sup>11</sup>

The military regime banned (Demos Party) and latter dissolved it. The military held the elections in 1961. Practically, the army supported the modernizing class in the election, but still failed to win a clear majority in lower house. The Election results of 1961 and 1965.

Table 2  
*Election Results of 1961 & 1965*

Parties	Seats (1961)	Seats (1965)	bases.
Republican People Party	173	134	Secular.
Justice Party	158	240	Liberalization of religion.
New Turkey Party. Republican Peasant	65	19	Nationalism.
National Party	54	11	Secular, anti- Kemal.
Nation Party.	...	31	Secular and Nationalism.
Workers Party of Turkey.	—	14	Socialist.
Independent	...	1	Personal.
	<hr/> 459	<hr/> 450	

(Adopted from Mehmet Yasar Geyikdagi,  
*Political Parties in Turkey The Role of  
Islam*. N.Y Praeger, 1984).

The picture in these election reveal that the parties with secular, modernizing, socialist or nationalist programmes were not able to muster enormous voters' support, while the parties with the religious programmes won more seats. In 1961, RPP won a little more seats than religiously supported JP, but in the upper house JP annexed 70 seats as compared to 36 of RPP. Obviously, when the party supported by the religious forces won the election there were more religious concessions and when it did not win but got many seats, the party had more bargaining position. This party politics has been gradually contributing to revive all those symbols, institutions, and religious functions, which lost their currency during Kemal's reform movement. The religious forces have become militant and as a result have started reasserting themselves. With the organization of WPT, the extreme liberals and socialist forces have united. Their strategy is militant too. The recent conflict of militant forces have taken lives of many people in Turkey and has also weakened the nation as a whole. Presently, Turkey is striving hard to re-establish her identity.

### Conclusion

Kemalist rapid process of modernization and incorporating symbolic, functional, institutional, and legal secularism, paved the way for the undying religious forces to re-emerge. Kemal, perhaps failed to comprehend that his accelerated and ambitious modernization programme will incur a

heavy toll on the lives of the people. It unwittingly created two extremeties, whose conflict has undermined the political structure of the nation. The religious forces which were outcast and overthrown by Kemal, organised themselves, and gradually launched retaliatory, academic and electoral campaign to gain the lost ground. They have succeeded. The war being waged by the secular or socialist forces on religion is not of much use, because the socio-political and economic conditions are not conducive to overthrow religion. It has come up and is entrenching its roots deep in people's life. These forces are militant and very assertive.

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2. Caliph is a title and institution which was used by the successors of Mohammad (p.b.u.h.) It means an agent. The caliphs used as agent of the Prophet. Latter, the monarchs stated labelling themselves as caliphs in terms of agent of God. This use of a title and institution was incorrect and against the fundamental spirit of Islam.
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  5. *Ibid.*, p. 102.
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  7. *Ibid.*, p. 140.
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  10. *op. cit.*, Geyikdagi p. 134.
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  12. Quoted in Geyikdagi, 1984, p. 33.
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## THE FORENSIC ANALYSIS

*Ahmed Husain*

There is a clear cut distinction between state and Society. No state can be proper without geographical demarcation which is called territory and people living on that territory.

Furthermore, there has to be a neutral organisation to maintain discipline among the inhabitants of a state. There has to be maintained a balance between self interest and collective interest of the inhabitants.

This function is performed by the Government supported by the concept of supremacy of the state about its internal and external affairs. However, the success and failure of the state depends upon the functioning of the Government.

The forms of government vary from country to country and region to region depending upon the background of the people and location of the country. Originally it was believed that the size of the state should be small and the number of the population should be restricted. However, in the twentieth century the states are large due to

changed social and economic conditions and improved means of communications. The change has made the exchange of ideas internationally easy.

Thus, an experiment in a country may have its impact on other countries too. Here, the pertinent example is of "Federalism" as a form of government successfully tried in the U.S.A. since 1789. It was a break from the traditional unitary form of government of Great Britain. The federal government envisages a written constitution with supremacy of the judiciary to let the Constitution "the supreme law of the land" operate unhindered.

The most distinctive feature of the American constitution is that it is a supreme law subjected to interpretation by the supreme Court while pronouncing judgements in the cases brought before it. This is called the doctrine of judicial review and it is an important element of a federal system. Chief Justice Marshall of Supreme Court, U.S.A., explained the concept of judicial review: "as a necessary adjunct to both a written Constitution and a government deriving its power from the people. It is, emphatically, the province and duty of the Judicial department to say what the law is. The effect, in theory, is not to elevate Court over legislation but rather to make the power of the people superior to both<sup>1</sup>. Chief Justice Marshall was appointed fourth Chief Justice of America in 1801 and continued in office till 1835.

The doctrine of judicial review is the cornerstone of the concept of popular sovereignty made common after the French Revolution in 1789. The political right of the people to cast their vote during elections is universally acknowledged as manifestation of Rousseaus philosophy of liberty, equality and fraternity. The right to vote is the only method to control the government and change it democratically.

The military intervention may be of any nature but ultimate objective of it is to enable the electorate to exercise their inalienable political right to participate in the elections to give their mandate for formation of government.

There has developed the principle to have a written constitution in which are spelled out in detail the Rights of the citizens to develop their personalities because at present the purpose of state is not an end in itself but means to an end. To a great extent the utilitarian maxim : the greatest happiness of the greatest number is the goal of a modern welfare state. Consequently the role of Judiciary has increased manifold to safeguard the Rights mentioned in the constitution from encroachment by a political authority.

The best way to have a constitutional political authority is to hold periodical election with participation of the political parties. Thus the role of parties and the interactions of parties and elections are central to any study of elections.

Elections may have significant integrative effects. The act of voting itself integrates the voter into the political system. By playing a part in the political system which he conceives as meaningful and useful, he is in a very real sense affirming his role in the system. The modern states are primarily based upon the concept of political sovereignty reflected through the fundamental rights maintained in the written constitution.

Like the practice in vogue in the world now-a-days the Pakistan constitution drafted in 1973 also has a comprehensive part enumerating the fundamental rights granted to the citizens of Pakistan with the judiciary as their custodian. The most important part of the rights are those dealing with the participation of the citizens in the Government through their elected representatives in the Federal and provincial assemblies. The National Assembly has 237 members. Baluchistan 40, Frontier 80, the Punjab 240 and Sind 100<sup>2</sup> respectively.

It is mentioned in the very beginning of the Constitution that all the laws must be consistent with the fundamental rights mentioned in it. Law inconsistent with or in derogation of fundamental rights would be void. This provision was like the declaration of fundamental rights in 1962 Constitution. It was observed in Abul Aala Maudoodi case that the right to form associations is obviously a justiciable right and the question whether restrictions imposed by a particular statute on the fundamental right in question are reasonable in their

character or not, is clearly amenable to judicial determination. The act must consequently be declared to be void to the extent of its inconsistency with Fundamental Right No. 7<sup>3</sup>. The Right No. 7 "Freedom of Association" mentioned that "Every citizen shall have the right to form associations or unions, subject to any reasonable restrictions imposed by law in the interest of morality or public order"<sup>4</sup> Keeping in view the above provision to have freedom of association, the Supreme court lifted ban on the Jamaat-i-Islami as a political association vide decision sc 673 and declared that the restrictions imposed on the right of free association by section 16 of the criminal Law Amendment Act of 1908 was unreasonable.

In 1973 Constitution the right to form political parties has been mentioned in Article 17 (2).

"Every citizen, not being in the service of Pakistan, shall have the right to form or be a member of a political party. Every political party shall account for the source of its funds in accordance with law"<sup>5</sup>.

Individuals have the right to organise themselves into parties and even into special groups to advance causes and to circulate their views and difficulties and to advocate their cause in public assemblies. It is only when people combine together for illegal purposes that the law prohibits their association and create vicarious liability for acts done by others. It is for this reason that the

right to form political parties has been made subject to reasonable restrictions to be imposed by law. The question whether a restriction is reasonable or unreasonable is for the court to determine and in determining it the Court has to examine not only the reasonableness of the law itself but also the reasonableness of the mode of application of the restriction.<sup>6</sup>

The formation of political parties in Pakistan is governed by the political parties Act, 1962 subject to clause (2) of Article 17 of the Constitution. No political party can, therefore, be formed in Pakistan in defiance of the Political parties Act and all political parties are subject to the incidents of clause (2) of Article 17 of the Constitution, namely, that their activities may be controlled by imposing restrictions in the interests of integrity and sovereignty of Pakistan<sup>7</sup>.

The Political Parties Act 1962 was passed with a purpose to make the political parties legal to participate in the constitutional process" started after lifting the Martial Law in 1962. Thus the importance of political parties was recognised by president Field Marshall Muhammad Ayub Khan even though at the same time he had introduced the basic democracies as an electoral college for the election process. He like Iskander Mirza and President Sukarno of Indonesia believed in guided or controlled democracy but still the importance of the political parties was conceded by president Ayub Khan and hence the 1962 political parties Act

was passed and became law on July 15, 1962. It was amended in 1975 and 1979<sup>8</sup>.

The military regime of president Zia-ul-Haq following the lines of president Ayub Khan wanted to have strong executive viz-a-viz the legislature. for this he took some major steps to have controlled democracy in the country. One such step was an amendmet in the political parties Act, 1962. By which registration of political parties with the Election Commission was made a pre-requisite for participation in national elections. No unregistered party could contest elections and for this the Election Commission was the final authority<sup>9</sup>. However, the elections were postponed in 1979 and later on president Zia conducted non-party based elections in 1985. The result of these elections was that Muhammad Khan Junejo was nominated Prime Minister of Pakistan. He later on got a unanimous vote of confidence in the National Assembly. The Martial Law was lifted and 1973 constitution was amended to give discretionary powers to president to dissolve the National Assembly. It was this discretionary power which enabled the president to dissolve the Assemblies capriciously.

The result was that Mr. Jenejo and his cabinet stood dissolved. Later on, the four provincial legislative assemblies were also dissolved by their respective Governors. The National Assembly earlier had rejected the concept of partiless house. But in the Assembly was formed a parliamentary

wing of the Muslim League. On the other hand late president Zia-ul-Haq was convinced that party politics was unsuitable for Pakistan. He regarded the western parliamentary system as un-Islamic and harmful to the country. In his order of May 29, 1988, for dissolving the National Assembly he gave four reasons :

1. The National Assembly had not fulfilled the objects for which it was elected :
2. Law and order in the country had broken down to an alarming extent :
3. Integrity and ideology of Pakistan had been seriously endangered ;
4. Public morality had deteriorated to an unprecedented level<sup>10</sup>

President Zia did not believe in the doctrine that evils of democracy can be cured only by more democracy. He wanted to overhaul the system which he himself had introduced. Hence, he declared on July 21, 1988 that "the November 16 national polls in the country will be held on non-party basis<sup>11</sup>.

He furthermore added that the Constitution allowed the political parties to exist and to function but it said nowhere that the elections shall be party based or otherwise. He went on to argue that even in the U.K., the elections are partiless because the candidates present themselves as individuals for



elections, and the parties make exaggerated promises and create great excitement among the people whereas they are required to be sensible. In the party-less polls of 1985 the President claimed, the candidates had fought and won elections on the basis of their pledge to serve Islam : it was a different matter, if they did not act accordingly<sup>12</sup>.

The above statement of the president indicated that he had a philosophy of his own to reform the society and was determined to do that. Meanwhile, the political parties demanded restoration of parliamentary democracy envisaged by the 1973 Constitution. The registration clause in the political parties was considered as detrimental to the interests of the political parties and gave vast powers to the Election Commission to disqualify any political party from contesting the elections. Hence it was decided by the largest federal party of the country to challenge certain controversial aspects of the amended political parties Act in the Supreme Court, in its original jurisdiction. The Supreme Court gave its decision in *Miss Benazir Bhutto versus Federation of Pakistan* on June 20, 1988. The petition was filed in October 1987. The 11 member Bench was presided over by Chief Justice Mr. Justice Muhammad Haleem. Ms. Bhutto's petition had challenged the amendments made in the political parties Act 1962, during the Martial Law period. It declared Section 38 of the Political parties Act, 1962, which required every political party to apply for registration to the Election Commission as

void in its entirety"<sup>13</sup>. It also declared certain other provisions of the Act as "void to the extent stated on account of being inconsistent with the fundamental rights enshrined in Articles 17 (2) and (3) of the Constitution. It deals with freedom of association "Every citizen, not being in the service of Pakistan, shall have the right to form or be a member of a political party, subject to any reasonable restrictions imposed by law in the interest of the sovereignty or integrity of Pakistan and such law shall provide that where the Federal party has been formed or is operating in a manner prejudicial to the sovereignty or integrity of Pakistan, the Federal Government shall within 15 days of such declaration, refer the matter to the Supreme Court whose decision on such reference shall be final"<sup>14</sup>

The Supreme Court decision made the people of Pakistan sovereign in matters of political choice by emphasising on their basic rights and by removing those factors and discretion which locked constitutional legitimacy. It was a most significant manifestation of the concept of judicial analysis.

Meanwhile, president Zia-ul-Haq, died tragically in a plane crash. His successor, President Ghulam Ishaq Khan reassured the nation that the elections would be held on November 16 according to the schedule on non-party basis. To hold the Elections on non-party basis after rejection of the registration clause in the political parties Act seemed untenable. Hence, the Supreme Court of

Pakistan declared on October 2, 1988 the political parties were eligible to participate in the elections to every seat in the National and provincial Assemblies scheduled to be held on November 16, 1988. It also empowered the Election commission to allot any of the prescribed symbols to a political party or a combination of parties who had agreed to put up joint candidates for elections. Total number of symbols allotted to political parties were 30. The Court announced its judgement on a constitutional petition. The decision was announced by the Chief Justice Mr. Justice Muhammad Haleem after a full court hearing in Ms. Benazir Bhutto versus Federation of Pakistan case<sup>16</sup>.

To make the Elections fair and impartial the Election Commission was given vast powers to deal with malpractices, and important step taken in that election was to make an identity card compulsory for a voter to cast his vote. This was an innovation in the political history of Pakistan. There was no such condition during the past two General Elections held in the country in year 1970 and 1977 respectively. The bonafide of a voter could be challenged by a polling agent and the concerned voter had to show his genuineness by any identification like driving licence and etc. The present condition of compulsive show of an identity card was considered by many as an impediment in the way of exercise of a political right by the electorate.

According to them the conditions to cast vote in Article 5 (1) were sufficient to ascertain genuineness of a voter. "He is a citizen of Pakistan. He is not less than 21 years of age. His name appears on the electoral roll. He is not declared by a competent court to be of unsound mind"<sup>16</sup>. The condition of an identity card was imposed by Presidential Ordinance and it came to an end after expiry for four months because it was not passed by the National Assembly.

According to the Presidential Ordinance 1988 "A ballot paper shall not be issued to a person who fails or refuses to produce his identity card provided for the National Registration Act, 1973."<sup>17</sup> The full Bench of the Supreme Court suspended with a dissent of a member judge the suspension of the judgement of the Lahore High Court in the matter of production of identity card for every elector at polling booths.

The suspension of the Lahore High Court judgement restored the position as it stood that had been changed by the judgement of the Lahore High Court declaring that an elector who did not have an identity card could cast his vote if he satisfied the presiding officer about his identity in any other manner. The full Supreme Court Bench was presided over by the Chief Justice Mr. Justice Mohammad Haleem with 11 other judges. Mr. Justice Saad Saad Jan in his separate judgement did not agree with the majority view in so far as the suspension of Lahore

High Court judgement was concerned. The dissent judgement was that in Article 51 (2) the Constitution had itself laid down the qualifications for an elector. It was not possible to add to these qualifications except through a constitutional amendment.<sup>18</sup>

Meanwhile, the full Bench of the Supreme Court headed by Mr. Justice Mohammad Haleem dismissed the petition filed by Haji Saifullah former Federal Minister for Religious Affairs praying for the postponement of elections. It was mentioned that the dissolution of the National Assembly was not sustainable in law but had declined to restore the Assembly or the cabinet of former Prime Minister Mohammad Khan Junejo. It was further pointed out that the leader of the petitioner's party, Mr. Mohammad Khan Junejo clearly wanted to get a verdict from the people in the elections.<sup>19</sup>

The democratic process was restored after the elections in November 1988. On December 2, 1988 Mohtarma Benazir Bhutto was sworn in as the first women Prime Minister of Pakistan as well as the first in the entire Muslim World. Prime Minister Benazir Bhutto was given vote of confidence by the National Assembly on December 12, 1988. She received 148 votes and 55 members opposed her<sup>20</sup>). Similarly Mr. Ghulam Ishaq Khan was declared elected for the President's Office for the next five years. The members of the National Assembly, Senate and the four provincial assemblies formed

an electoral college. Mr. Ghulam Ishaq Khan got 348 votes, while Mr. Ahmad Ibrahim Haroon Jaafar got 6, Mr. Nawaz Khan Malik got one while Nawabzada Nasrullah was favoured by 91<sup>21</sup>. At the provincial level, Mian Nawaz Sharif was elected by 151 out of the total 254 members in Punjab Assembly. Syed Qaim Ali Shah was unanimously elected as Chief Minister of Sind. In Frontier, Aftab Ahmad Khan Sherpao was elected as the 12th Chief Minister. Mir Zafar ullah Jamali was elected as the leader of the House by the Baluchistan Assembly and the Chief Minister. Thus the democratic process started smoothly after the 1988 General Election under the 1973 Constitution.

However, on December 15, 1988 Baluchistan Governor General (Retd.) M. Musa dissolved forthwith the Provincial Assembly as advised by the Chief Minister Mir Zafar Ullah Jamali under Article 112(1) of the Constitution. "The Governor shall dissolve the Provincial Assembly if so advised by the Chief Minister : and the provincial assembly shall unless sooner dissolved, stand dissolved at the expiration of forty eight hours after the Chief Minister has so advised<sup>22</sup>"). He also announced that the schedule for the fresh elections to the Baluchistan Assembly would be announced by December 29 while the Caretaker Government would be formed by December 22, 1988.

Governor Baluchistan Gen. (Retd) Mohammad Musa said that he was absolutely neutral and

impartial. The decision to dissolve the Provincial Assembly was strictly in compliance with Article 112 of the Constitution. There was no interference from the Federal Government.<sup>23</sup>

However, the Baluchistan High Court in its judgement on January 30, 1989 declared the dissolution of the Provincial Assembly as unconstitutional without lawful authority and of no legal effect. As a consequence, therefore, the Baluchistan Assembly was restored. Mr. Zafarullah Khan Jamali had not obtained the majority votes, therefore, it was obligatory upon him to obtain the vote of confidence from the Provincial Assembly within 60 days as provided in Article 130(3) of the Constitution, which he had not done. He was declared as a Chief Minister, as certified by the Speaker yet in view of the Constitutional disability, he could not exercise the authority to advise for the dissolution of the Provincial Assembly under Article 112 of the Constitution.<sup>24</sup>

The Citizens of a modern state have to get amenable surrounding to grow and flourish which is the cardinal responsibility of Government. To help the government the judiciary upholds the Constitution as fundamental legal document of the country. Like other federations in the world the Supreme Court of Pakistan has performed its Constitutional duties logically and helped the Pakistanis to enjoy their fundamental rights enumerated in the Constitution in toto. It can be rightly concluded that the

Supreme Court is the custodian of the liberty of the citizens of Pakistan. According to Chief Justice Mr. Justice Mohammad Haleem "Democracy and Constitutional Government were inseparably linked. The Constitutional Government could only be strengthened by the supremacy of law which could be maintained when people abide by the norms of law"<sup>25</sup>. Judiciary has to perform an important role to foster constitutionalism particularly in the developing world to promote democratic political institutions which is essence of a modern state.

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## HOBBESIAN HYPOTHETICAL STATE OF NATURE

*Dr. Mrs. HinaQamber\**

Philosophy is the quest for understanding of the nature of the things. Political philosophy is the quest for understanding of political phenomenon.

Leo Straus in his "Natural right and history" writes : "what is man's right or best life ? What is the right or best ordering of the society necessary to attain that life,"<sup>1</sup>

These two questions of philosophy are concerned with human nature, because both of them have the question : What is man ? This question has always been the basic question of political philosophy. From the antiquity till now philosophers shared a deep interest in the question : What is man and what makes him to move ? His actions not only affect him, but also affect

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(\*) This essay is a part from the author's Ph.D dissertation. The author wishes to express her gratitudes to Prof. Yu. K. Melvil for his advice, discussions and valuable suggestions.

the others, because he is a part of the social whole.

Hobbes also, like a true political scientist, starts with the question : What is man ? For him, in order to construct a political science, one must acquire the knowledge of the human organization. The very first and the most important question for a political scientist to be answered is : What makes a political society act, and if it is acting badly why ? One cannot find the answer as a mechanic can do. But a political scientist can take society apart in imagination or hypothetically. This is what Hobbes does.

Hobbes declares that if in natural science one must begin with the constitutive causes, in the same manner, in order to construct a political science, one must acquire the knowledge of human organization.

"For every thing is best understood by its constitutive causes, for as in a watch, or some such small engine, the matter, the figure and the motion of the wheels cannot be well known except it be taken in sunder and viewed in parts ; so to make a curious search into the rights of the state, and duties of subjects, it is necessary I say not to take them in sunder, but yet that be considered as if they dissolved ; that is what we rightly understood what the quality of human nature is, in what matter it is, in what not, fit to make up a civil

government, and how men must be agreed amongst themselves that intends to grow up into a well-grounded state."<sup>2</sup>

It does not need any proof that it is the theory of human nature which brings the main doctrine of Hobbes to be accomplished. The main thread of his philosophy is—man himself.

According to Hobbes the constitutive causes of human nature can be derived from the situation in which no order existed. Hobbes investigates society like the investigation of nature. His method is imaginary and its dissolution and annihilation occurs hypothetically. This situation is named by Hobbes : "natural condition of man". Man's behaviour in this condition purely depends upon his passion. "Passions and desire are so important in man's life, that life and desire come their and together. Man can never be without desire. Only dead are without desire."<sup>3</sup>

Here we can note that, unlike all moral philosophers Hobbes denies that there is the greatest good. He insists that man only desires happiness, more and more happiness. Man is unsatisfied being, nothing can give him tranquility of mind. To fulfil his desires, he wishes power. And desire of power lasts till the end of life.

The fiction of a state of nature, as a state of war, was not first established by Hobbes as it is imagined. Rather Plato seems in establishing a

similar hypothesis in 2nd, 3rd and 4th books of Republic. However in his Republic Plato denies that society is un-natural. Society, to Plato, is neither the artificial out-come of any arbitrary compact nor the result of individual's natural instincts, but, to him, men are not born self-sufficient and this is the only reason of society.<sup>4</sup>

The idea of state of nature—"war of all against all" was even well known before Hobbes. However Hobbes considered it as one of the basic concepts of society.

Hobbes draws a very dark picture of human nature. In this system fear is not the fear of tyrant but that of man's own fellows. This means that any despotism is much better than the anarchy described by Hobbes.

One thing, a reader of Hobbes always feels, is that : in his state of nature man is never free of fear—he is afraid of his own fellows ; and, in a civil society, the sword of covenant is always on his head.

Hobbes describes the state of nature in his own words : "—men in the state of nature, sprung out of the earth and, suddenly like mushrooms, came to full maturity, without all kinds of engagement to each other."<sup>5</sup>

In the first part of "Leviathan" (of man) Hobbes reviews the facilities and capacities of man, his merits and demerits. He claims that men are so equal

in all their strength that no one can claim right to anything to which another may not. This equality of rights and powers proceeds him to rivalry and rivalry generates war—an uneasing and unending war of all against all.

In this condition, all equal means that every one may kill any one and, in return, may be killed by any one of his fellows. Moreover if someone wants to claim superiority over others, the only way of decision is a battle,

The most practical and real danger in the state of nature is that : although man posses the right of anything yet no one enjoys anything in security. The danger of occupier is always there.

Right of nature, according to Hobbes, is ;  
 “— the Liberty each man hath, to use his own power, as he will himself, for the preservation of his own Nature ; that is to say, of his own Life.”<sup>6</sup>

Hobbes seems to be very much practical by saying that as long as the natural right of every one to every thing continues, there can be no security to any man. No matter how strong or wise one may be.

In the state of nature, the conflict or appetite is the most frequent reason why man desires to hurt others. One can elaborate by saying, where there is no limit to desire ; there is no limit to right as well.

Here one can assume, for an ideal society that where liberty of man needs some restrictions, the rights of men also require certain limitations. Right to anything does not mean freedom and liberty. Consequently "...if one plant, sow, build, or possess a convenient seat, others may probably be expected to come prepared with forces united, to dispossesse, and deprive him, not only of the fruit of his labour, but also of his life, or liberty. And the Invador again is in the like danger of another."

So, in the state of nature, equality of right creates distrust, and, distrust leads men to destroy and kill others. However, as Hobbes writes, "...men have no pleasures. (but on the contrary a great deale of grieve) in keeping company, where there is no power able to over-awe them all."

This is the most remarkable idea of Hobbesian philosophy for which Hobbes's reader anxiously waits.

To Hobbes, desires and passions, which are responsible for "war of all against all", are no sin. The only objection, which, according to Hobbes, is practical can be described as follows: the state of nature was to no one's interest, in the sense that, "...the weakest has strength enough to kill the strongest."

In spite of all that Hobbes never withdraws his claim that man by nature is passionate and egoistic. He insists that true nature of man can be



observed before his entrance to the civil society. Even in the civil society man possesses the passions of natural state. This has been proved by men's behaviour during the civil wars when every one is after one with the full spirit of revenge.

As Hobbes writes : "—Do you doubt its truth and ask for the confirmation from factual experience ? Let him therefore consider himself, when taking a journey, he armes himself, and seeks to go well accompanied ; when going to sleep, he locks his doors ; when even in house he lock his chests ; what opinion he has of his fellow subjects." <sup>10</sup>

Through the fiction of the state of nature, Hobbes in fact, delivers a message that state of nature is always with us even in the organized society.

It is still a feature of our society. It is certainly a characteristic of human nature. It is the very basic human constitution and we can never avoid it, even in the most civilized societies. It is our fear and our desire of self-preservation—it is the absence of faith and trust.

In hypothetical state of nature, according to Hobbes, injustice is missed. He gives the reasons that injustice means violation of law or non fulfilment of Contract ; but in that condition there is no law, and, consequently, there is no injustice. Fraud and force are there and they, actually, lead men towards

the desire of preservation. Preservation, to Hobbes, is the first principle and end of nature.

Here one can note that Hobbes is hopeful that the desire of prevention lead men towards peace, as it is also the principle end of nature. According to him, although right of nature is a right to protect, according to one's own will, yet equality of right itself leads to danger. The state of nature is a state of equality, but uncertainty-the state in which threat of use of violence is always expected.

Gooch writes that Hobbes underestimates men's equally strong instincts of mutual aids by giving much attention to the norm of self preservation <sup>11</sup>

All human institutions, as we know, depend upon mutual aid, mutual co-operation and trust. They would never be established, and even, dissolved, if man relies only on self-preservation and self-security.

Gooch writes : 'if it is admitted that people surrender all thir rights in favour of soverign, in order to escape from unbearable situation, but Hobbes himself fails to prove that the only course was the unconditional surrender of natural rights.'<sup>12</sup>

Hobbes, however, answers to such criticism as follows : Only situation to this condition is to surrender the right to do what man likes and contents himself with so much liberty, as he allows

others against himself. The main point here, according to Hobbes, is that man in the state of nature does not blindly throw away his rights, but he deliberately thinks over it and then transfers it.

“—For the Lawes of Nature (as *Justice, Equity, Modesty, Mercy* and (in summe) *doing to others, as wee would be done to,*) of themselves, without the terrour of some Power, to cause them to be observed, are contrary to our naturall Passions, that carry us Partiality, Pride, Revenge, and the like. And Covenants, without the Sword, are but Words.”<sup>13</sup>

Laws of nature, unless they are regulated by some power, are contrary to our natural passion; passions which always lead us towards pride and revenge. In other words the covenants and contracts, having no authority, are nothing but words.

Hooker thinks that compact, according to Hobbes, is between the members of a group, not between the ruler and the subjects. It means that people were beggared themselves. If men possessed reason enough to Contract among themselves why they did not give any direction to ruler of their own choice.<sup>14</sup>

Grierke boldly remarks that “Hobbes stifled the social contract at its birth. No unconditional and irrevocable surrender of natural rights could occur, for men would not be such fools.”<sup>15</sup>

Philosophy of Hobbes has not only been severely criticized in his own time, but even now. It has been said by many philosophers that the model of human natural state presented by Hobbes is unscientific and untrue.

Hobbes quickly answers the interference of passions in human life is confirmed by experience. He himself admits that perhaps there has never been such kind of state which he recommends himself ; but we can observe it from the conduct of man in settled states, man's attitude in civil wars, the relations at all times. He writes : "The greatest objection is, that of the Practice ; when men ask, where, and when, such Power has by Subjects been acknowledged. But one may ask them again, when, or where has there been a kingdome long free from Sedition and Civill Warre."<sup>16</sup>

Hobbes insists that the principal urge in human nature is striving to dominate, and this principle always determines relations not only among individuals but also among states.<sup>17</sup>

In modern society we find this principle every where. Bourgeois society is so challenged these days because of his uprooted human beings. What we find in the capitalist society, is an un-satisfied soldier, a poor man, depressed peasant. Are not they typical inhabitants of our society, where the only rule, the only principle is-might is right.

Macpherson analyses that Hobbes stresses facts so much that he completely ignores the rights of the subjects. He questions whether any science is entitled to deduce rights from the facts <sup>18</sup>

The question arises : if men of Hobbes were so appetitive, and, as Hobbes assumes that they were always motivated by their desires, how did they become capable of making the obligation, according to Hobbes, is possible and necessary ? Here they burn their boats add for them there is no chance for the fulfilment of their desires. Knowing all this how did they get ready to surrender all their rights and acknowledge obligation to a sovereign ?

In this context Sir William Temple writes : "if men are like sheep why do they need any Government ? If they are like wolves, how can they suffer it" <sup>19</sup>

If it is admitted that individuals submit to obligation because of their own self-interest, then how is it possible to hold a society together on the basis of self-interest. Self interest may be changed with the changed circumstances. How self interest can be taken as a principle of holding society together ?

Self-interest varies from person to person, how can it hold a society together ?

Goldsmith rightly says that Hobbes's state of nature, like his concept of space, is mainly negative. His state of nature, where societies may be established. The state of nature, to him, is not a society, and this concept enables him to make a distinction between social and non-social.<sup>20</sup>

Perhaps Hobbes wants to show the advantages and disadvantages of a civil society.

Goldsmith is quite right in saying that, like space, the state of nature is not an absolute moral vacuum. It has moral agreements. Just as space does not exclude the existence of physical bodies, same the state of nature does not exclude the existence of bodies. The concept of state of nature, in fact, provides a frame of work, in which the political societies can rationally be analysed.<sup>21</sup>

With all such weak points and drawbacks in the Hobbesian theory of state of nature, it may be concluded, that when Hobbes depicts that man's action and his thought are physically determined, in fact, he leaves empty room for the conceptions that man can develop self controlled change in his condition. He can change his condition, if he wishes. No matter being dependent upon the motions of his body, he enables himself to control his passions and, consequently, makes his life the best.

This is the most important and radical argument of Hobbes—the argument which a reader

always expects from him. This quality of man, as he describes, is, in all respects, longer and bearable.

No doubt man comes to know his quality only through the natural means. When he gets fed up from his too much reliance on his passions, he applies his reason—the most distinguished quality of man.

As far as his theory of human nature is concerned, it may be concluded that men are not essentially bad and not essentially good. If he is bad, then there could be many reasons for it; for example, the non-fulfilment of basic needs, poverty, immoral literature and many other physical and psychological reasons. It means that man is, essentially, good. It is the conditions which make him bad. Thus it is the society which makes him bad or good.

As it has been proved by experiences, that those forms of governments/political regimes, which crushed the needs of man and where men were deprived of civilized traditions and institutions, a modern and settled way of living and a social atmosphere, are mainly responsible for the worst type of human tendencies.

Man always needs happiness, peaceful living, where he can develop all of his capacities—capacities of curiosity and invention, where he can criticize, converse, laugh, can give expression to his

thoughts and breathe in an atmosphere of freedom, where none can force him to forgo his rights and where he finds justice and fairplay.

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# **COLLECTIVIZATION AND THE FIRST FIVE YEAR PLAN IN RUSSIA (1928-1932)**

*Naemm Kureshi\**

"The transition from private to collective farming was pushed forward with utter recklessness in 1929 and early 1930. For the countryside, it meant a far more brutal upheaval than any previous agrarian measure since the imposition of Serfdom".<sup>1</sup>

Theodore H. Laue

"In the case of agriculture, enforced collectivization was pushed by vigorous coercion. At the beginning of June 1929 only 4 percent of the farmers were employed on collective farms. By the beginning of March 1930 the figure had risen to 55 percent and by 1936 to 90 percent".<sup>2</sup>

David Thomson

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MAEMM

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### Background

The Bolshevik Revolution in Russia was something unique and profound in its consequences. It did not merely make a change of government—an end to the Monarchy and the establishment of a form of Parliamentary government—but signified a social and economic revolution which took over from their old private owners all the economic resources of the state. Contrary to the Marxist theory, the revolution had come in a backward peasant country and not in a highly industrialized state where the class struggle between the capitalist employer and the factory proletariat would be most clearly marked. Certain important factors contributed to the success of Bolshevism. The social gulf between the dominant classes of landlords and the mass of illiterate peasantry was a wide one. The small and inexperienced middle class could not defend itself. The educated and progressive forces in the country concentrated against the weak and inefficient but absolute monarchy passing from a prolonged state of fighting a modern industrialized state like Germany. Russia's failing monarchy encouraged Bolshevism to take over control.

“The War, then, produced the opportunity. Fate produced the leader in Lenin. His great intellectual and personal powers enabled him to dominate the situation: he saw the opportunity when others did not.”<sup>3</sup>

Lenin's Decree on Land stated simply that 'landlord property is abolished forthwith without compensation'. The leaders of the new government were determined to establish a proletarian dictatorship and to gain for it the support of the vast mass of peasantry which formed the bulk of Russian population. They planned to obtain that support by sharing out among the peasants 150 million dessyatin of land that belonged to the large estates.<sup>4</sup>

Lenin called for a boundless will to advance the country to the position of world preeminence, particularly in terms of industrial strength, the basis of modern civilization. He also urged upon fanatical reliance on organization. But he was not bent upon achieving socialism in a hurry as he would revise and adjust the schedule to suit the country whose population consisted largely of peasants. In his own words, Lenin said :

"Our aim—is to prove to the peasant by deeds that we are beginning with what is intelligible, familiar, and immediately accessible to him in spite of his poverty and not with something remote and fantastic from the peasant's point of view ; we must prove that we can help him - Either we prove that or he will send us to the devil. That is absolutely inevitable."<sup>5</sup>

In taking over the government he was supported by the good will of all the important elements of society—the soldiers, the peasants, the workers

and the non Russian nationals. 'His unique position in the party and in revolution may be attributed to the fact that he combined the traits of an organizer and educator with those of a penetrating thinker'.<sup>6</sup>

He initiated a new phase from 1911-1928 in which the New Economic Policy (NEP) was introduced. This policy allowed the peasants to sell most of their grain for whatever price it would fetch and hence stimulate the production of consumer goods in general through the incentive of open market, as under capitalism. Private trade was permitted and under certain safeguards hiring labour for private enterprise was also allowed. State however controlled the large scale industry.

Lenin was cautious and emphasized the need to appease the peasants to make Soviet progress dependent on their willingness to change.

He said :

"Link up with the peasant masses, with the rank-and-file toiling peasants and begin to move forward immeasurably, infinitely, more slowly than we expected, but in such a way that the entire mass will actually move forward with us. If we do that we shall in time get an of this movement such as we can not dream of acceleration now".<sup>7</sup>

That is why Lenin had left open the basic question of whether Soviet Russia could, within the predictable future, transform into complete Socialism.

NEP was designed by the Communists to save themselves from the possibility of losing their political power as a consequence of having antagonized the great body of peasants. 'perhaps the most important single feature of NEP was the replacement of the system of requisitions by a fixed grain tax, which in 1924, with the stabilization of the ruble on a gold basis, was commuted into a money tax on agriculture. The peasant was thus set free to dispose of his products in the open market'.<sup>8</sup>

NEP thus made important concessions to the peasants and a policy of forced requisition was abandoned. Agriculture was restored and along with it the small industrial establishments and domestic trade to private enterprise with some degree of state control. The state, however, retained control of production in the large and medium sized industrial plants and the complete monopoly of foreign trade. 'Russia's economic life, as a consequence, came to present a strange picture of intermingled state socialism, state capitalism and private capitalism'.<sup>9</sup>

To meet this situation, the basic problem of the Soviet economy was that of transforming a backward country into a largely industrialized state without having to depend on the private capitalists at home or on investors abroad. The scheme which promised to translate this dream into reality included mainly the agricultural collectivization beginning with the First Five Year Plan in 1928.

### Stalin-the Man of Steel and Russian Economy

"Stalin had no respect for mass participation in public administration. What counted in his eyes was master minding the minute and unending details of articulation, observing the drift of power at the articulate points of organization, and being willing to go to any lengths of ruthlessness for the sake of success."<sup>10</sup>

Stalin was the man, after the death of Lenin, who could give vigor to Leninist traits—the boundless will to advance the country to a position of world preeminence in the realm of industrial strength and the fanatical reliance on organization. 'Under the prevailing conditions Russian society did not manage to produce a more civilized dictator'.<sup>11</sup> Hans Cohn remarks about him :

"Stalin, a man devoid of theoretical profundity, incapable of stirring the masses by his eloquence, but energetic and persevering in the practical work of building the party organization."<sup>12</sup>

Under Stalin, the goals of economic policy were set sky high in order to overtake and surpass the level of industrial production in the highly industrialized countries in a short span of time. 'The biggest historical task set before the dictatorship of the proletariat the, creation of socialist society, demands the concentration of all forces of the party, the government, and the working class



on the problems of economic policy'.<sup>13</sup> The fulfilment of the Soviet ambition was socialism through industrialization. In 1929, Stalin declared :

"We are going full steam, ahead towards socialism through industrialization, leaving our country-old 'racial' background behind. We are becoming a land of metals, a land of automobiles, a land of tractors, and when we set the USSR on an automobile and the muzhik on a tractor, let the noble capitalist, so proud of their 'civilization', attempt to catch up. We shall see then which countries can be labelled as backward and which as advanced." <sup>14</sup>

The question was as to how were these ambitions to be put into practice ? There were different opinions in the party as to the proper course of Soviet economic development. The supporters of Lenin's directives for NEP led by N. Bukharin believed in granting still more powers to the peasants especially the Kulaks, rich peasants to provide a strong and prosperous rural base upon which should the industry grow. The other group led by Trotsky and E. Preobrazhensky held the view that if agriculture was to produce more it had to be supplied with more and better industrial equipment.

"Stalin, on other hand, proceeds from the apparently more realistic assumption that there is no hope for a world revolution for the time being, that socialism must therefore first be

developed in the Soviet Union, and that the necessary conditions for such development must be created through the industrialization of the country and the collectivization of its agriculture."<sup>15</sup>

Thus, the need for reorganization of agriculture on a large scale mechanized basis through the institution of huge state and collective farms was considered essential because it would provide a base for sound economy at home and also ensure a large amount of foreign exchange needed for the establishment of gigantic industrial projects. In order to meet the initial needs for industrial equipment for boosting up agriculture and other small projects, the country had to sacrifice the satisfaction of to-day's needs in the name of the great historical aims.

### **The Scheme of Collectivization**

The Soviet government, as early as 1925, had contemplated the introduction of a more organized and planned system of national economy. Eventually, on October 1, 1928 the State Planning Commission (Gosplan) prepared an official Five Year Plan to be inaugurated for the years of 1928-1933.

The plan promised 'radical reconstruction of the productive foundations' of the country. The country was making the 'unprecedented experiment of tremendous capital construction carried on at the expense of current consumption, at the price of

harsh regime of economy'.<sup>16</sup> The Plan aimed at transforming Russia from a comparatively weak agrarian economy into a large industrial country largely independent of capital countries. 'During the period of the first Five Year Plan the changes in the agriculture were more drastic than in any other branch of the Soviet economy'.<sup>17</sup> The Plan aimed at collectivization of agriculture with a view to eliminate the danger of restoration of capitalism inherent in the continued existence of individual farms. Agriculture was to be reshaped, through the huge state and collective farms, on a large scale mechanized basis. This step towards the organized farms was expected to bring about the socialization of the agrarian system and thus to include agriculture into the sphere of planned economic life. It was no longer to be a stumbling block in the way of socialism.

To subjugate peasants to state control was a long cherished dream of communists. They had let the land slip into the hands of peasants in 1917, because the circumstances demanded so, because they needed peasant support. The peasants have always played a big role in the political revolutionary insurrections where they have been provided with effective leadership and necessary pre-conditions of rebellion. In the Russian example as in many others, the communists had utilized the tremendous fury of the peasant world to their own benefit. The traditional Russian state had been weakened by its participation in World War I. The

inherited organization of the resources failed upon which the traditional leadership was based. This situation enabled the new leadership—the Communist Party—to seize power with the help of disaffected peasantry to whom the communists provided organization. Since the peasantry is incapable of an organized and sustained effort towards a revolutionary insurrection, if left on its own, the communists in order to provide a long range strategy train the staff of professional revolutionaries i.e., to utilize the peasant force. The question is what is the fate of peasantry after its potentialities have been utilized towards successful revolutionary insurrection?

“The Russian and Chinese examples—... indicate that while such a revolution may be made with the aid of peasantry, it is not made for the sake of peasantry.”<sup>18</sup>

The communists in Russia had always kept in mind the marxist conviction that effective agriculture was possible only in large, mechanized units resembling factories.

“For that reason, the Communists had tried to save the Latifundia and the model farms of Tsarist Russia from the peasant’s land hunger and transformed them into state farms.”<sup>19</sup>

As has already been mentioned, the peasants were given concessions under the NEP and that was the need of the hour. For some time the experiments of collective farming were subsided as agriculture was reinstated to the power pattern of

small scale farming. But, under the NEP the communists realized that the amount of grain delivered to the urban consumers was much less as compared to the period before the war. It was so because of the absence of large estates producing for the market. Thus the Marxist analysis of collective farming was confirmed. Moreover it was evident that the peasants, with limited resources and innate conservatism were incapable of achieving any basic improvement. Obviously, the communists could not tolerate the backwardness of agriculture and a drag on economic progress because of peasant spontaneity.

Hence, Stalin was driven to seek a better method of controlling Soviet agriculture as the economic and political necessity demanded it. Collective farming—a compromise between private farming and the farm factory—was the answer.

The collectivization plan ran on the following lines :

“It consolidated many small household plots into large units suitable for mechanized equipment, combined the herds and draft animals, and pooled the equipment needed to operate the new holding. Machinery, however, was handled separately by the Machine Tractor Stations which served a number of collective farms. The peasant now raised to the dignity of a ‘collective farmer, collective farmer’ merely retained his hut, a small plot of land

to go with it, and a few animals for his private needs".<sup>20</sup>

The policy of collectivization in agriculture gained considerable momentum during the years 1928-34. It had a two fold purpose: to increase agricultural production in order to feed the industrial workers in the new factories raising their standard of life, and to reassert the socialist character of Russia by the liquidation of the Kulaks-the richer and the hardest working peasants with skill who had grown prosperous by private trading under NEP.

"...the Communists rulers of Russia recognized in a prosperous peasantry a potential bourgeois enemy".<sup>21</sup>

So for the theoretical structure of the management of the collective farm was concerned, it was run by democratic principles-through an elected leadership in the form of a managerial board. But in practice, the guiding decisions on the production were determined by the national plan and the chairman of the managerial board was appointed by the party secretary. As far the position and responsibility of the collective farmers to the state was concerned, they could do as they pleased with their private plots, but the collective was bound to deliver to the state its planned products according to the schedule regardless of the vagaries of the harvests.

## The Ordeal of Collectivization

The years 1929 and 1930 saw the transition from private to collective farming. The new scheme was pushed forward with utter recklessness. 'For the countryside it meant a far more brutal upheaval than any previous agrarian measure since the imposition of serfdom'.<sup>22</sup> The implementation of the scheme involved ruthless measures since no household surrendered willinly its land, live-stock, and costly implements. The government was convinced that mere persuasion and propaganda was not enough. Therefore millions of families who resisted the move were uprooted and separated. The more one possessed, the more he fought against collectivization. Every where the horrors of the new scheme were seen. As a punishment against resistance men were sent to forced labor in the new industrial centers and the waste lands ; the women and children were left behind to shift, for themselves.

"At Samara on the Volga in the summer of 1932 a large gang of miserable looking men was to be seen marching under armed guard. Russian friends affirmed that they were peasant resistors being punished by forced labor".<sup>23</sup>

"But 'there are no fortresses which Bolsheviks cannot storm'. Heavy taxes and fear of the future drove even middle peasant households into the collective farm. Those households which refused to join were loaded

with burdensome taxes and allotted the poorest lands".<sup>24</sup>

The atrocities of the Civil War were recalled when thousands of peasants were killed on the spot in pitched battles. Famine broke out in the wake of collectivization and millions of animals were slaughtered.

"The famine of 1932-1933 was the most terrible and destructive that the Ukrainian people have ever experienced. The peasants ate dogs, horses, rotten potatoes, the bark of trees, grass-anything they could find. Incidents of cannibalism were not uncommon. people were like wild beasts, ready to devour one another. And no matter what they did, they went on dying, dying dying.

They died singly and in families. They died every where, in the yards, in street cars and on trains. There was no one to bury these victims of Stalinist famine".<sup>25</sup>

The policy provoked resistance, especially in Ukraine and the North Caucasus. It led to large scale slaughtering of live stock by the peasants. According to Lee F. Bennis, between 1929 and 1930 :

"...peasants killed some 25 percent of their cows, 33 percent of their sheep, and 50 percent of their hogs. This they did partly because they expected to lose them anyway as a result



of forcible collectivization, and partly because the government's ruthless requisition of grain had the two fold effect of causing a shortage of foodstuffs for the peasants and fodder for their animals."<sup>26</sup>

No account was taken of the individual human suffering caused by the policy. The peasants who had made the communist revolution successful were looking forward to greater concessions and compensations, but the communist regime was exacting in a colonialist fashion what Stalin once in a frank mood called "something of a tribute".<sup>27</sup>

"If the Tsarist state was bent on protecting the interests of the land owning class, with which the governing bureaucracy was strongly infused, the Communist regime has been preoccupied with the problem of extracting from the countryside food stuffs for the growing industrial working class, on which it originally based itself. But the regime, bent on a rapid industrialization and primarily on developing heavy industry, did not want (and in the early years of its existence was unable) to compensate the peasant farmers properly".<sup>28</sup>

In contrast to what followed, the NEP period is sometimes viewed as the happiest period of the Russian peasantry. In the words of Cyril E. Black, the Russian peasant during the short lived NEP period 'was more of his own master than at any

time before or since. It is True he had no voice in the government and the land was legally nationalized. The peasant nevertheless was actually in full control of his small holding. Though excessive parcelling of land holdings was not conducive to efficient farming, the peasant managed to make a living. Such greivances as he had over taxes and prices and shortage of capital pale into insignificance compared to what to follow'.<sup>29</sup>

Even Stalin could not escape confessing to Churchill the ordeal of collectivization during early 1930's as worse than the War. The reports of the horrors perpetrated during the collectivization campaign have recently been confirmed by a highly revealing document. It is a secret Stalin Molotov letter of May 8, 1933 addressed to all party and government agencies including secret police.<sup>30</sup>

"The Central Committee and the Sovnarkom are informed that disorderly mass arrests in the countryside are still a part of the practice of our officials. Such arrests are made by chairmens, of Kolkhoz administration, by chairmen of village soviets and secretaries of party cells, by Raion and Krai officials ; arrests are made by all who desired to, and who, strictly speaking, have no right to make arrests. It is not surprising that in such a saturnalia of arrests, organs which do have the right to arrest, including the organs of OGPU,

perpetrate arrests without basis; acting according to the rule: 'First arrest and then investigate' ".<sup>31</sup>

The situation as a result of the forced collectivization, however, precipitated conflict within the Communist party. 'In 1929-1930, a Right group, led by Rykov, Bukharin, and Tomsy, attacked Stalin on the ground that his ruthless liquidation of the Kulaks and his rapid and compulsory collectivization of peasants estates was altogether too radical'.<sup>32</sup>

In the spring of 1930 Stalin was compelled to remind the 'over zealous communists that collective farms could be formed only after due preparation and with the voluntary consent of the prospective members'.<sup>33</sup>

Stalin saw the danger of the situation and in 1930 therefore called a halt. At this juncture, the worst abuses of forcible collectivization were eliminated by government decrees.

"Peasants who had been collectivised by force were permitted to take their property and become individual farmers once again if they wished. Additional inducements were soon held out to those who would voluntarily join, however, and it was decided that 5 percent of the net income of each collective should be set aside yearly as a fund to reimburse peasants

for animals and machinery which they had contributed to the enterprise".<sup>34</sup>

### **How far Did Collectivization Prove Beneficial ?**

Analysing the policy of collectivization, from the perspective of its ultimate gain, we find that the policy was largely successful. A monstrous determination on the part of communists to achieve the desired objective, carried them through the ordeal of collectivization successfully, although it was at a terrible cost, human and economic that the objective was achieved.

"At the beginning of June 1929 only 4 percent of the farmers were employed on collective farms. By the beginning of March 1930 the figure had risen to 55 percent and by 1936 to 90 percent".<sup>35</sup>

Collectivization in agriculture involved the carrying out of an immense technical and administrative revolution. In 1928 there were 25,000,000 separate peasant holdings which were often scattered strips in the open fields. But by 1940, these separate holdings were consolidated in large farms, 244,000 in number under centralized control and technical direction which was part of the plan.<sup>36</sup> 'These great farms averaged 100,000 and 200,000 acres, the largest, the "Giant" located in the northern Caucasus, put under the plow, nearly 300,000 acres in 1930'.<sup>37</sup> On these farms lived 75,000,000 people, mostly in villages.

Mechanization was a most essential feature apart from the consolidation of holdings. So great advances were made in this sphere. For sowing, reaping, and threshing, machines were introduced extensively. In the same way, tractors were used as widely as possible in ploughing. Service stations were opened for their maintenance. Tens of thousands of tractors and household combines great machines which reaped and threshed grain the same time were put into service'.<sup>39</sup>

"Of the total produce of each farm a certain amount went at a low fixed price to the state ; the remainder could be sold either to the state or in the open market at higher prices. The return on this sale was divided among the peasants on the basis of the labour-days contributed by each. Dwelling-houses and garden-plots together with implements and some animals could be held individually".<sup>39</sup>

The brutal determination of the government whipped up progress and as a result in 1933 an excellent harvest was reaped as against the poor harvests of 1931 and 1932 when the Kulaks sabotaging the government slaughtered their animals.

The government, by applying a policy of coercion was able ultimately to force the peasants to submit to the new order and with its establishment came eventually acceptance and increasing

production, ——. Agriculture was collectivised, the Kulak threat to socialism was removed and output was in the long run enormously increased."<sup>41</sup>

Naum Jasny provides statistics of agricultural production from the year 1927-28 to 1937 showing a great leap in the upward direction.

"While gross agricultural production increased, according to official data, from 15.5 billion roubles in 1927-28 to 20.1 billion roubles in 1937 ('unchangeable 1926-27 price) or by around 30 percent, net agricultural output, or the contribution of agriculture to net national product, is supposed to have jumped from 9.2 to 14.9 billion rubles, or 62 percent."<sup>42</sup>

The First Five Year Plan as a whole was a great success too. In the analysis of F. Lee Benus :

"No other important country could show a rate of quantitative industrial progress to compare with that of the Soviet Union during these years. In the production of machinery, tractors and petroleum the original plan had been exceeded. On the other hand in certain industries, notably iron, steel, coal and textiles the production had failed to meet the schedule of original plan. Furthermore it had been discovered that huge industrial plants were easier to construct than to operate efficiently."<sup>43</sup>

The spectacular progress in industrial output is also supported by the statistical figures as provided by Naum Jasney :

"While gross industrial output in unchangeable 1926-27 prices rose from 21.8 billion roubles in 1928 to 95.4 billion rubles in 1937, or by 338 percent, net industrial production or its contribution to the net national product allegedly grew from 8.7 billion roubles in 1928 to 50.9 billion rubles in 1937 or by 285 percent according to official data. The net industrial output was 39.9 percent of the gross output in 1928, rose to 53.3 percent in 1937, and was expected to rise even higher in 1942."<sup>44</sup>

However, while there were great absolute gains in both the production of agriculture and industry under these planned measures for progress, the lot of the mass of Russian people did not improve proportionately. It in fact suffered some reverses in the process.

"For the great mass of the Russians, perhaps the worst failure of the plan was in the matter of wages and living standards. Although money wages went up faster than had been contemplated, because of currency inflation prices became high in terms of the roubles which the Russians received for their products or labour. In the second place, there was very real shortage of food stuffs and of manufactured articles for daily consumption. The

great majority of Russians were worse off in 1932 so far as food supply was concerned than they had been in 1927. In fact, the year 1932-33 saw severe famine conditions in parts of Russia. Furthermore, consumption goods were sacrificed to the production of factories, power plants, and basic articles like steel, petroleum and coal, with the result that many manufactured necessities of daily life became so scarce that they could not be generally obtained at any price. The First Five Year Plan nevertheless, undoubtedly constituted a landmark in Russian industrial history."<sup>45</sup>

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## DISTRICT COUNCIL AS LOCAL SELF- GOVERNING INSTITUTION IN PAKISTAN

*Ishtiaq Ahmad Choudhry*

Local Government is generally defined as the, "Infra Sovereign geographic sub-divisions of a sovereign or quasi sovereign state providing public services in a particular area"<sup>1</sup>. Or, it can be explained as the authority to determine and execute measures within a restricted area in side and smaller then the whole state<sup>2</sup>. However the local self-Government, different from Local Government, as an integral part of a democratic political system is distinct for its emphasis upon the freedom of locality to decide and act. Without it, the local institutions can better be termed as the political sub-divisions, sub-servient to a monarch, a dictator or an oligarchy, administrative sub-divisions facilitating the administration but none of them is a form of local self-government which could safely be termed as the gross root democracy<sup>3</sup>.

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Local self-government is known for a number of advantages which a society or the political system gets from it other than as a political and administrative convenience for the state or national government. As the nurseries for the development of the political talent, as the channels for the mass participation in the political process or as the instruments to keep the local bureaucracy responsible and accountable to the public and the local Government institutions play a vital role in both developed as well as developing political systems. But the condition is that these institutions must be self-governing and local in the true sense.

In this brief paper, an attempt is made to evaluate that how a District Council, an important rural local body, functions as an autonomous and self-governing institution to meet the requirements of a democratic society. For this purpose the author has closely studied the functioning of various District Councils and specially of three districts of Punjab *i.e.* Multan, Dera Ghazi Khan, and Vehari during their two terms (1979 to 1983 and 1983 to 1987).

In local Government structure of Pakistan introduced by Martial Law regime in 1979, there is a complete dichotomy between the Urban and the rural local government. Town Committees, Municipal Committees and Municipal Corporations are the elected local bodies functioning in small towns, Municipalities and the big cities respectively.

Rural areas are represented by the two types of the local bodies at two different levels. Union Councils is at village level consisting of members not exceeding fifteen as are determined on the basis of population of one thousand per electoral unit<sup>4</sup>, and Zila Council (District Council) comprising of the area of a revenue district excluding its urban areas and the cantonment areas<sup>5</sup>. All the members of these local councils, both urban and rural, are directly elected on the basis of universal adult franchise. Contrary to their predecessors under the basic Democracy system, there are no vertical or horizontal links at all among these local councils. They are completely independent of each other.

District Council as the most important and the highest level of local government is assigned about 56 basic functions in the Punjab Local Government Ordinance.<sup>6</sup> Same is the case in other provinces. The "Local" and the "Self-governing" nature of this institution depends on the fact that how these functions are performed. To find out the conclusion this paper has been divided into four parts. I-the autonomy and the independence of the District Council from governmental control. II-How much the members are involved in the decision making process III-the responsiveness of the District Council to the demands of the electorate or the lower level institutions i.e. Union Councils IV-the responsibility and the accountability of the local bureaucracy to the members of the council. These are the factors which determine the local and the self-governing status of the District Council.

## I

As far as the state control is concerned, the present local bodies are in a far better position than those under the B.D. system introduced in 1959. They are completely free of official or nominated members and all are headed by the elected chairmen responsible to and dependent on the confidence of the respective councils. In spite of this, practically still there are number of tangible state controls and the restrictions. According to the ordinance, "Government shall exercise general supervision and control over the local councils in order to ensure that their activities conform to the provisions of the Ordinance".<sup>7</sup> It also has a power, "To quash the proceedings, suspend the execution of any resolution passed or order made by the local council or committee and prohibit the doing of any thing proposed to be done if in the opinion of the government any thing done or intended to be done by or on behalf of a local council or committee is not in conformity with the law or is in any way against public interests."<sup>8</sup>

Appart from the statutory powers of the government over local bodies like financial control, right to give directions, to make inspections, District Council also inherited certain traditions from their predecessor councils and are still upholding them by imposing on themselves the obligations which were included in the previous system, *i.e.* the B. D. system. One of them is that the

annual budget of the Council is to be approved by the Commissioners of the concerned division. The incident may be quoted here in which the commissioner of Multan Division refused to approve the budget of District Council Sahiwal for 1987-88 and sent it back for reconsideration. In District Council Vehari, such examples are also found where the Council took a financial decision but made it subject to the approval of the Commissioner.<sup>10</sup> Neither the members of the District Councils know nor they are told by the bureaucracy of the District Councils that such an action is unnecessary under the present system of local government.<sup>11</sup> This indicates the lack of basic knowledge of the local councils on one hand and the reluctance of the bureaucracy to give autonomy to these elected representatives on the other band.

## II

Maximum involvement of the members of District Council in decision making process is an essential ingredient of its democratic and self-governing nature. It also shows how effectively the council plays a role for the political training of local leadership by keeping it busy in daily business. For this purpose the frequent meetings of the council are necessary. In this way the chairman of the council will have no chance to exercise the councils powers arbitrarily because of the effective and continuous check of the council and maximum presence of the members. As a principle,

the frequency of meetings of the representative bodies should be greater at the local level than at state or national level. It is noteworthy that American and British local councils meet very frequently. Most American city charters prescribe weekly meetings of the council — In Neitherland such councils meet fortnightly and in India once a month.<sup>12</sup>

As indicated in table 1, Distric Council Vehari held only 23 and 24 meetings during its first and second 4 year term respectively. Same is the case of the District Councils Multan and Dera Ghazi Khan. They met approximately once in two months for one or two hours because this is the minimum requirement of ordinance.<sup>16</sup> The table also shows that what a huge amount of work was done in this short period. Though their attendance percentage is satisfactory, but the low frequency of meetings shows that the Council is merely a rubber stamp to legalise the decisions taken by the Chairman. The whole business of the council is done by the Chairman and the chief officer and other permanent employees like chief engineer, accounts officer etc.

It is further notable that the permanent administrative staff of grade 16 and above in district council is not responsible to the Council because they are members of Punjab Local Council Service and their recruitments, promotions, transfers and disciplinary action against them if necessary is ordered by the Punjab Local Government Board



constituted by the Punjab Government for this purpose on permanent basis.<sup>14</sup> Same is the case in other provinces. It means that the council has no direct control over them who play a very basic role in making and administering the decisions and handle the whole process. For them it is very easy to manipulate the things as they wish. This factor very much minimises the involvement of the members of the District Council in decision making and implementation. To enhance the members involvement in the District Councils activities and thus providing them political and administrative training the meetings of the council should be more regular and frequent and the administrative staff under the total control of the council.

**TABLE 1**  
**STATEMENT SHOWING THE RESPONSIVENESS OF ZILA COUNCIL VEHARI**  
**TOWARDS THE UNION COUNCIL**  
**1983-87**

S. No.	Union Council	Number of the Resolutions passed to the Zila Council	Discussed in the Zila Council	Responded back by Zila Council	Number of Demands accepted by Zila Council
1.	Rath Mambard	9	—	—	2
2.	Garha Mor	9	—	—	3
3.	Zahir Abad	17	—	—	2

*Source ; Compiled with the help of the official record of the Union Councils and the Zila Council.*

TABLE 2

TABLE SHOWING THE NUMBER OF MEETINGS HELD, ATTENDANCE OF  
THE MEMBERS AND THE WORK LOAD  
1979 to 1983 and 1983 to 1987

S. No.	District Councils	Total number of meetings		Average duration of one meeting (Hours-minutes)		Average number of item discussed in one meeting		Average attendance in these meeting	
		1979-83	1983-88	1979-83	1983-87	1979-83	1983-87	1979-83	1983-87
1.	Multan	22	26	3-20	2-57	26	27	55%	68%
2.	Dera Ghazi Khan	32	23	1-28	1-22	16	18	58%	71%
3.	Vehari	23	24	2-35	2-25	31	39	59%	63%
	Average of the three districts	26	24	2-2½	2-15	24	28	57%	67%

Source : Compiled with the help of the official record of the District Councils concerned.

## III.

The influence exercised by the electorate and the lower level local bodies like union councils over the functioning of the District Council shows the responsiveness of the council and its significance as a channel for mass participation. Unlike B.D. System, the present structure of the local government is based on non-hierarchical and disintegration basis, hence there are no institutional links between a District Council and the Union Councils of the same district. Rather there is an overlapping of the jurisdiction of the two. Double membership of a person in District and the Union Council would have provided the functional representation to the later in the former but that is barred in the Punjab Local Government Ordinance<sup>15</sup> and in other provinces. In the present structure a Union Council which is, being the smallest unit of the local government can exercise some of its influence on District Council only through the resolution sent to the later. But it is the discretion of the Chairman of the council to put these resolutions before the house.<sup>16</sup> During the study of the official record of the District Council Vehari, the author traced out only a few such instances Table 2 indicates the poor responsiveness of the District Council Vehari to its lower units.

Same is the case with the demands directly sent to the District Council individually or collectively by a locality. However if a member of the District Council pursue a resolution or demand, that is

certainly entertained. The Table No. 3 shows the responsiveness of the District Council Vehari towards the individual or collective demands.

TABLE 3

STATEMENT SHOWING THE RESPONSIVENESS OF ZILA COUNCIL VEHARI TOWARDS THE PUBLIC DEMANDS (1984-86)

Year	Number of Public Demands discussed	Number of Demands Accepted	Number of Demands rejected	Number of Demands recommended and forwarded to concerned authority
1984	1	—	—	1
1985	7	1	1	5
1986	9	2	—	7
<b>Total</b>	<b>17</b>	<b>3</b>	<b>1</b>	<b>13</b>

*Source :* Compiled from the official record of the District Council Vehari.

The reason behind this poor response of the Council is very clear. There is no integration at all between a District Council and the Union Councils in the same district. This is the most adverse structural defect having repercussions on policy, strategy and the laws and ordinances formulated in this regard.<sup>17</sup>

## IV

To keep the local bureaucracy responsible and accountable to people's elected representatives is a very significant but at the same time a difficult task, especially in such a country where the bureaucracy has been very hostile towards the political leadership and where national as well as provincial governments rely too much on it for their survival. Why the bureaucracy is an uncontrollable horse? The answer is that just due to the lack of effective, talented and organized political forces. The hostility and the rivalry between the political leadership on one hand and the civil and military bureaucracy on the other hand is a very prominent and old phenomena of our national politics. The same attitude has been penetrated from the national to the mass level. We have experienced in 1985 that even an elected leadership at central or provincial level without an organised political force at its back could not handle the administrative institutions properly. The same is the problem with the local bodies which are still based on non-party basis. Members elected on individual basis, having no party force with them, cannot tame the local bureaucracy to make it subservient to the local leadership.

A research student of the author conducted a survey in District Vehari to know the opinion of the District Councillors about the attitude of bureaucracy with them. According to the findings,

80% of the opposition members and 66% of the ruling group responded that the bureaucracy does not feel itself responsible to the elected members of the District. 61% of the total membership expressed that the behaviour of the local officers towards them is highly regrettable.<sup>18</sup> The reasons of this situation can be traced out as :

- (a) The elimination of party politics at gross-root level. Political parties are no less responsible for creating this situation than the creators of this system of partyless local bodies. Parties had never been active at local level since the very beginning. They always concentrated their efforts at national or state level by ignoring the local government institutions.
- (b) The local councillors are not properly trained. Having just nominal education, they can very easily be trapped by highly educated and professionally trained bureaucrats or technocrats.
- (c) Absence of any institutional mechanism to keep the local bureaucracy subservient to the local leadership has further aggravated the situation.

### CONCLUSION

To conclude this paper it can be said, though subject to further verification, the District Councils is the most important and the biggest unit of

Rural Local Government could not establish themselves as autonomous and self-governing institutions. On their way, there are number of institutional, non-institutional and socio-political hinderences. The local Government Ordinance need a complete overhauling in this regard. The present system was engineered by the Martial Law authorities to gain some specific objectives, and they succeeded in it to a large extent. However the local bodies formulated under this system do not meet the requirements of a democratic society. They badly failed to establish and flourish democratic norms and values at the local level because they were not formed for this purpose. To reform the system, the following suggestions can be given.

- (a) Local Government should be mentioned as a third partner in the Governmental powers like national and provincial governments and there should be effective constitutional safeguards against the provincial interference in the local affairs.
- (b) Integration between the District Council and the Union Councils in the same District should be ensured.
- (c) There must be some effective checks against undue interference of bureaucracy in the local councils.
- (d) Local councils should have total control on their permanent administrative staff.



- (e) Like British or American systems District Councils, in Pakistan should be given the complete control of the nation building department at district level.<sup>19</sup>
- (f) Grant of suitable and attractive allowances or honorarium should be given to local councillors for attending the official business.
- (g) Frequency of meetings of the councils is to be increased.

Democracy at the national or provincial level can never be stabilized until it is strengthened at the grass-root level. For this purpose all measures must be taken for the democratization of the local bodies. Drastic changes are required in these institutions because the requirements of a democratic system is entirely different from those of a dictatorial regime.

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6. *ibid*, Sec. 51.
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  11. The author availed the opportunity to talk with Dr. Mohammad Afzal, Additional Secretary local Government & Rural Development Islamabad, and he confirmed this opinion.
  12. M.A. Mutalib & Akbar Ali Khan *op. cit.*, p. 25.
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**Book Review :**

**READING IN POLITICAL PHILOSOPHY—  
VOL. I—LIBERTY**

*by Afzal-ur-Rehman, Published by Seerah Foundation,  
London, 1987*

In the modern technologically advanced, culturally anarchic and neuclearised deterrent world, democracy and liberty have become conceptually, contextually and operationally ambiguous. There are different brands of democracies and different trade-marks of liberty. Democracy and liberty are today journalistic catch words. The third world countries in general and the Muslim world in particular are confused in the interpretation and choice of democracy and liberty. The problem becomes even more serious in the countries which are suffering from absence of viable political institutions, lack of consolidation and dependent economies. The causal linkage between the backwardness, democracy and liberty is missing. This is because of the failure on the part of Muslim scholars and the decisions makers in rephrasing and recasting Islamic ideology to provide not only the

missing link but a clear consciousness among the people of Muslim nations.

Mr. Afzal-ur-Rehman's book titled "Reading in Political Philosophy-Volume I-Liberty, published in London by Searah Foundation in 1987 is a concerted scholarly effort to re-interpret Islamic Ideology and to link it with democracy and liberty.

In the prevalent political practices the main spring of democracy and liberty is identified through the West. The idea of Mother parliament, 'the Government of the people', the electoral process, the institutional functioning are of Western import. Afzal-ur-Rehman does not agree with this. He points out in this book that in reality the import is from the Muslim World. The Muslim idea of 'consultative body', 'the allegiance' and the choice of a qualified ruler were adopted by the West from the Muslim practices of the past. According to him the Muslims are the forebearer of intellectual and institutional development of democracy and liberty in the world. He further express that the socio-political and economic problems in the Muslim World are the result of failure to understand and follow Quran, Sunnah and the path of the Right Caliphs.

He rightly explains that the Muslims were the first to introduce the concepts of democracy and liberty in the 5th and 6th Century in the World where ignorance cruelty and tyranny were a common feature. Some people among us and from the West

criticise the Islamic definition of democracy and liberty and state that the ideas of consultative bodies and allegiance are narrow and limited one. American scholars like Don-Perez and Esposito have gone little further in saying that the system under the Prophet (Peace be upon him) and during the Right Caliph's time was neither democratic nor was based on liberty. These views represent partiality, prejudices and underestimation. Mr. Afzal-ur-Rehman has not only refuted these contentions but has also rightly advocated that the ideas and the practices of democracy in the Muslim World during the time of Prophet (P.b.u.h.) and the Right-Caliphs were the most successful, and, cultivated capabilities in a system to maintain and sustain it. The stories of its success were carried to Europe through traders, diplomats and scholars. The French, and Germans and later the British incorporated democracy and liberty in their socio-political net works. They developed it into an effective and efficient system. On the contrary it has become a rare commodity in the Muslim world. It is not because of ideology but due to the failure of the Muslims themselves and the decision makers of the Muslim countries in maintaining an Islamic system. The author's effort is to recultivate and reinfuse ideology into the socio-political edifice of the Muslim world.

The author in this book has tried to theorize the practices and values of the time of the Prophet (P.b.u.h.) and the Right Caliphs and appears to

share Al-Farabi's and Al-Ghazzali's view of an Islamic state. He has also pointed out that the beauty of Islam is its emphasis on directive principles and not on institutions and structures. The institutions fail and structures break down but the principles are mostly universal. This quality has made Islam a more dynamic code of life. The directive principles, strong belief system and accountability to God, is more strongly linked with democratic values than another system.

Similarly liberty being a twin sister to democracy is defined differently by two schools of thought. The first school is of naturalists and the other is of the exponents of democracy. The naturalists consider freedom as to act without any restriction. Instinctive desires and intuitive behaviour are its main features. The other school of thought is not only critical of the former but contends that balanced freedom is to act under certain values and laws solved by the society—those values and laws should neither be too harsh to crush the personality of individual or individuals, nor too flexible to provide a licence to every one to break it whenever one likes. The author has followed neither of these two schools. He has discussed liberty in five perspectives namely.

- I. The basis of liberty.
- II. Liberty, what it is.
- III. Components of liberty.



#### IV. The practice of liberty.

#### V. The place of liberty in the mainstream evolution of Western Philosophy.

The author provides that liberty becomes a force if it is devoid of a belief system that there are two paths; right and evil, out of which one is to be chosen.

The Muslim community, individually and collectively has to follow the right path which is to believe in oneness of God, and Prophet Muhammad (p.b.u.h.) as the last prophet. Quran gives the directive Principles to be followed: The author advocates that the individuals are not bound to accept the Islamic belief system. They can follow contrary path but they should also know the consequences of doing so. The Quran has cited examples of the followers of Lut and of Moses whose deviation from the directive principles either destroyed or disfigured them. The author explains that the life of individuals on this earth along with his belief system is a sacred trust which is not to be violated. Human beings are viceregents of God and they have to take care of Amanat Amanat is explained as to accept and to have a strong belief in God, His Might and His Greatness and Grandeur and His teachings. In other words individual is to act according to the teachings of God. Man should be capable of shouldering the burden of responsibilities and to fulfill the commands of Allah. Further the author has tried to establish that every thing is created in the entire universe for the service of human beings so that they may successfully fulfill the requirements of their mission as entrusted by the Creator. It is also absolutely clear that in this mission every thing in the world is subjected and he himself is not subject to anyone or anything in this world, except to fulfill the duty that he owes to his Lord which is complete submission and obedience to Him and to

His messenger. The author has divided the basis of liberty in three types of responsibilities which are to be kept in view while practicing freedom.

- (i) The duty to the sovereign.
- (ii) The duty of the Trust.
- (iii) The concept of individual responsibility.

The concept of liberty revolves around the choice in action and liberty to exercise that choice and the right to criticize or disobey. The author has assiduously researched in the matter of choice and choice of action. In the choice and rationality of choice the author does not agree with Fatalists, Levellers, Diggers, Mutazilltes or Asharites. The author considers that it is the freedom of action on the basis of which God can make individuals accountable on the day of judgement. Similarly the individuals have been given a choice to follow any religion. They should not be compelled to follow Islam. Those who do not believe in Islam they should be given information or lessons on religion of Islam and later they should be allowed to follow or not to follow it.

Criticism of the ruler or the man in power is considered to be an expression of freedom. Islam gives this right of expression to individuals against any thing or any body following the evil path. The author has quoted the examples from the period of Prophet and his four Right-Caliphs. In the same context the individuals have the right to criticize the ruler. Prophet Muhammad (p b.u.h.) said that the great Jihad is to say truth to a tyrant and the ruler of an Islamic state is to tolerate and accept what is true. If the ruler fails to be accomodating then he will be accountable to God.

The main components of liberty as substantiated by the author are Justice, protection of right, education, truth and rights of the people. Mr. Afzal-ur-Rehman has done justice while Providing a comprehensive list of components which ensures freedom and liberty in the Muslim Societies. It

is obvious that the absence of socio-political and economic justice, lack of proper protection to the rights of individuals and the deprivation of education cannot generate environments of freedom in any society.

The word Adl, Qist, Haqq and Mara'uf as used in the Quran have a very comprehensive meaning and explain the nature and quality of the discipline man is likely to achieve when he willingly decides to follow the way of Allah's messenger and in consequence attains the right balance and equilibrium between the rights of various members and elements of society. Many verses of the Quran emphasize the great importance of man's right including the right of freedom of will and their central role in establishing peace and security on the Earth. It is stressed that if the various elements of society are not treated justly and fairly on the basis of the principles of equity, no permanent state of stability can ever be achieved, conflict and struggle between the various individuals and groups will destroy the peace and tranquility of society.

The last but not the least is the aspect of liberty in which the author has tried to compare the development of Islamic concept of liberty and democracy with the development and evolution of Western Philosophy.

The comparison is a significant mean to bring forth the strength of Islamic Philosophy. The author's attempt of doing so reflects as if he is trying to locate a space in the Western Philosophy to adjust Islamic thought. In fact the development of Western philosophy from the very beginning revolves around state and individuals' relationship which is a small part of Islamic concept of polity and liberty. Moreover the agreements of the Prophet (p.b.u.h) with jews or pagans should not have been compared with the Western contractualists i.e. Hobbes, Locke and Rousseau. The Western

writers themselves while criticizing the theory of contractualists contend that the contracts were unnatural unhistorical and illogical. The agreements of Prophet, (p.b.u.h.) on the other hand are historical reality, guarantors of the rights of not the Muslims but also of the Pagans and Jews and they set the classical example of rationality in the diplomacy of the world. There is no doubt that the explanations of Prophet (p.b.u.h.) is beautifully done and it outdistances the Western Philosophy.

As a matter of fact the comparison should have been done in the introduction of the book where the Western views of democracy and liberty should have been critically scanned and the basis of Islamic expositions of democracy and liberty should have been given.

Index also needs to be added, to enhance the value of the book. Also this book, like many other books, has not responded to the questions agitating the minds of the Muslims. i.e. given the depressing plight of Muslims what effective means are available to indoctrinate Islamic ideology and how it can correspond with the solutions of our problems. Emotional answer can be many, but serious steps towards it are few and far between.

In the end we would like to add that this book is a scholarly attempt carrying an enormous significance in the realm of research. It is a dauntless and very bold effort to reinterpret Islamic Ideology in scientific terms to infuse a real spirit of Islamic values in the practice of democracy and liberty of any brand and trademark.

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