

## **Parliamentary Democracy in Pakistan**

A system of government in which people directly elect representatives to the parliament is known as Parliamentary democracy. The parliament elects the prime minister from within its members who through the parliament is directly answerable to the people. The parliament is responsible for making laws and taking other important decisions for the country. In presidential democracy the president is directly elected by the people to head the executive branch. The president though independent of the legislature, works in consultation with the legislative branch on issues of national importance. The west took centuries to attain the level of democracy that exist in most of the western world today. Though its relevance and benefits to the greater world in its present form is a question mark, yet the system has visibly contributed meaningfully to the wellbeing of the western society. Courtesy capitalism and fast expanding globalization, this has in most of the cases happened at the expense of deprived people of poor regions and countries. The evolution of democratic process in western societies has undoubtedly added to the wisdom of common people in exercising their choices while choosing future leadership. It has generally been viewed that people choose its leadership primarily taking into account its domestic issues and concerns rather than their country's international obligations associated with its international stature. The recent election of Donald Trump as US President bears testimony to this fact. The bottom line remains that people's will is decidedly manifested in their domestic priorities first and national interests abroad later. That is what has happened in the recent US presidential elections to the surprise of many.

Subjecting third world countries to such refined processes without having them equipped for the change is an unfair ask to say the least hence the experience mostly failed wherever attempted. Common people in these countries have some specific justified expectations from potential leadership while most of their demands are usually unjustified not qualifying on merit and fair play. Potential candidates who succeeds in painting the rosiest picture to the people succeeds. Host of other factors like lack of education, ethnicity, baradarism and crookedness of candidates all contribute meaningfully to the success in election process. Making false promises to the some justified and some unjustified demands of the majority illiterate populous, the great number of crooks makes it to the corridors of power after spending millions, to be recovered as the first sacred task on attaining access to the treasury. and unattainable promises by the potential leaders

over most of which they fail to deliver. The whole edifice therefore, stands on one cheating the other with utter disregard to deliverance and merit.

Pakistan in its almost 70 years of history has experienced both presidential and parliamentary systems and neither has delivered to the satisfaction of the majority. This is not for any flaw in the system but its faulty and self-centered implementation by the people running it. The periods of our presidential governments were all preceded by martial laws hence vehemently opposed by the political elite of the time as they considered it their inherited privilege and right to rule the country. There is no denying the fact that the local bodies system considered the essence of democracy and also serving as the nursery of future leadership were not only introduced during our presidential regimes but also delivered at the grass root level whenever empowered. Most of the presidents being ex-military men while possessing total powers could not deliver to the expectations as they were haunted by lack of legitimacy and political constituency thus resorting to measures mostly for perpetuating their regimes costing dearly to the system and the country in the long run. On the contrary, whenever the political elite came into power, the local bodies system was shelved for vested interests. In our parliamentary democracy, elected members of national and provincial assemblies never liked to share their powers with political workers at grassroots level. In principle, their prime responsibility being only legislation but in practice they are keener in development projects for obvious reasons. Even if we disregard the aspect of corruption and kickbacks for a moment, yet they want to remain relevant to their voters for securing their future election. Almost everywhere in the world however, developmental works fall in the domain of local governments. If we evaluate the recent past then despite having almost two full tenures of parliamentary democracy the local bodies system remains in limbo due to political expediencies.

Considering Pakistan's internal dynamics some of the anomalies experienced with the parliamentary system are; One, the country being low on literacy and having no mature local bodies system, it is neither able to offer suitable candidates nor the populous yet groomed desirably to make rightful choices. Two; with legislative and developmental powers concentrated in the same hands, neither is attended to hence both suffers in the process. Three; with party based system sans local bodies, selective areas are chosen for developmental works thereby depriving other areas from the fruits of development. Four; with majority population concentrated in Punjab , only that political party can be in a position to form government at

Islamabad which gets maximum seats from the province thus perpetually denying the opportunity of federal leadership to smaller provinces. Five; in our parliamentary system where there is hardly any intra party election, the party leadership revolves around one figure who is mostly focused on passing the baton to family kith and kin thus depriving the party and country to genuine leadership. Six; in most cases party leadership is held hostage by few financially strong and influential party members applying effective breaks on emerging potential leadership. Seven; the increasing role of money in politics effectively denies honest and experienced people the opportunity to participate thus depriving the country of their talent and contributions.

Though 70 years may not be too long a period yet it should be considered enough to evaluate the pluses and minuses of the systems we experienced. There is hence a requirement of initiating a serious debate at various tiers across the country on the suitability of either presidential or parliamentary democracy for our country. It is however, my considered opinion that given our domestic make up and experience of past 70 years, a presidential system promises better future for our country. In either of the case the system will require a robust local bodies system in place and a serious effort to create more provinces on administrative grounds with equal representation in the senate if we are truly aspiring for a strong Pakistan.

### **Khawaja Nazimuddin**

Nazimuddin belonged to an elite family and his life was full of honours and triumphs, but more than that all his career was notable for the nobility of his heart and conduct. The numerous victories, he scored and the highest offices as well as titles of great honour which were bestowed on him right from 1922 to 1953. It was the early twenties, when Nazimuddin started his career as Chairman of the Dhaka Municipality in 1922, a position he held till 1929. During that time, he was also a Member of the Executive Council of Dhaka University. For his good work at both these institutions, in 1929 he was appointed a Member to the Governor's Executive Council. He continued to serve in this capacity till 1937. He was elected a Member of Bengal Legislative Assembly from Barisal Muslim constituency in 1923, 1926 and 1929 and was the Education Minister of united Bengal from 1929 to June 1934 and later as Minister for Agriculture. In the former capacity he successfully piloted the Compulsory Primary Education Bill; removing disparity that existed in education between the Hindus and the Muslims. As Minister for Agriculture in 1935, he piloted the Agriculture Debtors Bill and the Bengal Rural Development Bill which freed poor Muslim cultivators from the clutches of Hindu moneylenders.

Nazimuddin was associated with the Muslim League from the mid-thirties and remained concomitant with it till his last breath. The Muslim League was re-organized in Bengal in 1935 by virtue of the inspiration given by the Quaid-i-Azam and the active leadership of Khwaja Nazimuddin. He was among the pioneers from Bengal to respond to the Quaid-i-Azam's call to reorganize the Muslim League in Bengal in preparation for the forthcoming general elections of 1937. Since then he has been one of the most loyal lieutenants of the Quaid-i-Azam and one of the most ardent supporters of the Muslim League. He had been an emphatic and consistent Muslim Leaguer. His able leadership had brought all the different Muslim parties under one platform except that of Fazlul Haq and his Krishak Praja Party. His refusal to join the Muslim League meant a certain division of the Muslim votes which would have been fatal for them. To avoid this catastrophe at the time of election in Bengal, the two parties United Muslim Party and New Majlis Party merged in Muslim League to form an election alliance. Thus, the Muslim League was emerged as the single largest party in the election.

In the Election of 1937, Nazimuddin as ML candidate was defeated by Fazlul Haq, the KPP leader, in the Patuakhali constituency. But later, he won from the North Calcutta constituency vacated by Suhrawardy. But his early defeat so deeply affected him that later he always avoided to contest elections. He failed to emerge as a mass and popular leader, instead he concentrated his energies to oblige his political masters.

In 1937 he was appointed Home Minister in Haq's Coalition Ministry. On 1 December 1941, he resigned from the Cabinet because of differences between Haq and Jinnah. Fazlul Haq was expelled from the League and his Ministry way to another Ministry in coalition with the Congress members. During the Shyama-Haq Coalition (1942 to 1943), Nazimuddin acted as the Leader of the Opposition. On 24 April, 1943, Muslim League formed the Ministry with Nazimuddin as the Prime Minister on the fall of Haq Ministry on 28 March 1943. The circumstances were unpropitious. The spectre of famine was increasing the fear in Bengal. Nazimuddin and his Ministry boldly faced the situation and resolutely set themselves to the task of overcoming the famine. Due to the machinations of the opposition and the shifting loyalty of some elements, the Nazimuddin's Cabinet was dissolved on 28 March 1945 and he lost Chief Ministership to Suhrawardy. However, he remained a member of the all India Muslim League Working Committee from 1937 to 1947.

In 1946, Nazimuddin was elected a member of the Central Legislative Assembly in New Delhi and was appointed Deputy Leader of Opposition. That reflected the trust and confidence bestowed on him by the Quaid-i-Azam at that very critical juncture. Throughout this period of struggle, Nazimuddin remained one of the Quaid's trusted colleagues. The nation and the leaders of the Muslim League did not forget his sincerity to the cause of the Muslims of India and to the Muslim League.

Within the formation of Pakistan he became an important part of the early governments. He was appointed Chief Minister of East Bengal after the creation of Pakistan on 14 August 1947. In the contest for leadership, Nazimuddin was supported as against Suhrawardy by the Central League leadership, because of Suhrawardy's involvement with the united Bengal movement, and his association with Gandhi.

On two different and difficult situations for the country Nazimuddin was called upon unanimously to serve the nation. First, on the occasion of the passing away of the Quaid-i-Azam in 1948, he was considered by everybody to be the most suitable person to occupy the office of the Governor General of Pakistan. He accepted the office as a challenge and became the second Governor General of the country. At this point in time, the position was largely ceremonial, and executive power rested with the Prime Minister, but he performed his role as constitutional Governor General with dignity and propriety. Secondly, when after the assassination of Liaquat Ali Khan in 1951, the cabinet members of L. A. Khan unanimously invited Nazimuddin to take over as Prime Minister. Later, he was also elected a member of Pakistan Constituent Assembly as well as the President of Muslim League. He commanded the respect and enjoyed the confidence as Prime Minister, yet On 17 April, 1953 was dismissed in clear violation of the constitution by Governor General Ghulam Mohammad with the help of the civil-military bureaucracy and also invited Mohammad Ali Bogra to form the new ministry.

Many factors had contributed to Nazimuddin's ouster from the Prime Ministership. The poor state of economy, issues of constitutional, political and foreign policies, the Punjabi-Bengali rivalry, the anti-Ahmadi movement were some of the more important reasons. However, the unconstitutional and undemocratic dismissal of Nazimuddin as Prime Minister of Pakistan was a serious blow to the development of democracy in Pakistan.

In June 1953, Nazimuddin resigned from the post of the Presidentship of Muslim League and kept himself aloof from active politics, and stayed at peaceful vicinity of his daughter's home. In

1958 he was awarded by the title of *Nishan-i-Pakistan*. He refrained himself from politics and led a life of retirement until 1962. But, in 1963 he returned to politics and became the President of Pakistan Council Muslim League. He devoted his energies for the revitalization of Muslim League. He struggled hard for the restoration of democracy and protection of fundamental rights and rejected the dictatorial attitudes of Ayub's regime. He was a great patriot, he strongly resisted the secessionist tendencies in East Pakistan at the cost of his own popularity. He played a leading part in obtaining Miss Fatima Jinnah's consent in becoming presidential candidate of the opposition political parties.

With all this background, he remained a humble and a pious person throughout his life and was never arrogant. He experienced many ups and downs in his political career, but he never lost his bearings and always conducted himself with patience. He was loyal and faithful to his political patrons. He was a gentleman par excellence. His loyalty was by nature whether it was to British or the Muslim League. British liked him for his feudal connection and loyalty and elevated him to the prestigious slots. Muhammad Ali Jinnah and Liaquat Ali liked his sincerity and devotion to the Muslim League and with their blessings Nazimuddin reached to the echelon of power in Pakistan. To Ghulam Muhammad he was, however, an "inefficient" and a "comical figure" of a man and as Governor General, he brutally knocked him out from the Prime Ministership.

Nazimuddin, however, because of his performance and absence of Charisma proved an unworthy successor of Jinnah and Liaquat Ali Khan. When he was the Governor General, the power lay with the Prime Minister Liaquat Ali Khan. When he became the Prime Minister, the power lay with the Governor General Ghulam Muhammad. It seems power always dodged him and was never within his grip.

History will remember him as a gentleman and a man of virtue though not great. His loyalty to his political masters and his birth in the Nawab's Family of Dhaka, were the elements of his success. His paralysis of will to act even at times of emergency and his unimpressive personality were the reasons of his failure. He lacked the charisma of a leader and could not fascinate the populace. No doubt, he had his shortcomings, but they were the defects of his qualities. He was well aware of his flaws but was not willing to play dirty tricks simply for the sake of power.

He was not morally corrupt and power hungry, he never aspired or conspired for power, it always bestowed upon him as a reward of his loyalty and sincerity, while, his political rivals used every fear and foul means to grasp power. Although, he lacked the qualities of a shrewd

politician, a resonant and visionary leader, but in human qualities of piety, honesty and dignity, he was out standing.

Nazimuddin was a victim of *realpolitik*. A powerful and ambitious troika of Ghulam Muhammad, Sikandar Mirza and Ayub Khan backed by the civil and military bureaucracy and the assistance of short sighted and self-centric politicians conspired against him and ousted him from power. His undemocratic and unconstitutional ouster from power proved to be a most catastrophic for democracy in Pakistan. His dismissal was the bench mark of political degradation, instability and chaos, which ultimately lead to the imposition of the first Martial Law by Ayub Khan. The rise of the undemocratic forces which were least concerned to popular aspirations paved the way to disintegration of Pakistan.

### **Muhammad Ali Bogra Formula (1953)**

When Muhammad Ali Bogra became the Prime Minister of Pakistan, the main task ahead of him was to achieve an agreement on a workable constitution for the country. He worked hard on this project and within six months of assuming power, came out with a constitutional formula. He presented the formula to the Constituent Assembly on 7th October 1953 and it is known as the Bogra formula. The major features of the formula were:

- The federal legislature would comprise of two houses – the House of Unit and the House of People. The total strength of the House of Units would be 50, which was to be equally divided among five units namely, East Bengal, Punjab, NWFP, Frontier States, Sindh and Khairpur, Balochistan. The House of Units would be elected indirectly by the legislature of the units. The Bogra formula reduced the 9 units of West Pakistan into 4 units.
- The House of People was to have a total number of three hundred members, to be divided among the five units in this manner – East Bengal 165 members, Punjab 75, NWFP 13, Sindh 19, State of Khairpur 1, Balochistan 3, and Bahawalpur State 7.
- Both Houses were to have equal powers in all matters. There was a provision for a joint session of the two for the election of the Head of the State and for the disposal of votes of confidence.
- In case of a difference of opinion between the two Houses, a joint session of the two Houses would be called and the matter would be decided by a majority vote, provided that the majority included thirty percent of the members from each zone.

- It maintained the principle of parity between East and West Pakistan in combined Houses, with 175 seats for each zone. So in total, both the wings were to have 175 seats each in the two Houses of the Legislative Assembly.
- In place of the Board of Ulama, the Supreme Court was given the power to decide if a law was in accordance with the basic teachings of the Holy Quran and Sunnah.
- The two houses of the Legislative Assembly formed the Electoral College for the Presidential elections and the President was to be elected for a term of 5 years

This proposal was received with great enthusiasm however, there were some points of criticism as well. The issue of equal powers to both Houses attracted a lot of criticism and some people maintained that since the lower house represented the people it should have more power. But generally this proposal was accepted although the parliament was divided on the response to the formula. Another significant measure during this period which facilitated the problem of constitution making was the settlement of the language issue. In 1954 the Constituent Assembly of Pakistan decided that the Bengali and Urdu would be the national languages of Pakistan. This decision facilitated the constitution making process.

Unlike the two reports of the Basic Principles Committee, the Bogra Formula was appreciated by different sections of the society. There was great enthusiasm amongst the masses as they considered it to be a plan that could bridge the gulf between the two wings of Pakistan and would act as a source of unity for the country. The proposal was discussed in the Constituent Assembly for 13 days, and a committee was set to draft the constitution on 14th November 1953. However, before the constitution could be finalized, the Assembly was dissolved by Ghulam Muhammad, the then Governor General of Pakistan.

### **Dissolution of the 1st Constituent Assembly**

Pro-US Governor General, Ghulam Muhammad, and Prime Minister, Muhammad Ali Bogra, were moving well and in a cooperative way. Both had a mission to bring Pakistan in the Western camp. However, they were afraid of the ever increasing popularity of the anti-US and anti-establishment forces in the country, especially in East Bengal. Victory of United Front in the 1954 provincial assembly elections appeared as a threat to their intentions. The members of the Constituent Assembly of Pakistan had openly started criticizing the attempts to bring Pakistan closer to the United States. In a statement issued on September 22, Fazlur Rahman, the formal federal minister, alleged that the proposed Pak-US cooperation would 'seriously jeopardize the



political and economic interests of Pakistan and it would ultimately result in the colonization of the country by America. On his initiative the assembly decided to send a trade delegation to Soviet Union with an idea to bring the two countries closer.

Furthermore, the Constituent Assembly was not happy with the ever increasing role of the Governor-General and day to day affairs of the government. They also disliked the power of the Governor-General to dissolve the government. When Ghulam Muhammad was on an official tour of NWFP, the CAP amended the constitution and snatched away his discretionary power under which he had dismissed Nazimuddin's government. Ghulam Muhammad cut short his tour and immediately returned back to Karachi. On his return he first of all tried to win over important politicians including Ayub Khuhro, Mumtaz Daultana, Fazlul Haq and Dr. Khan Sahib etc. and then took Ayub Khan into confidence. Once he was sure that he had the backing of the people who matter on October 24 he dissolved the CAP on the ground that it had lost the confidence of the people of Pakistan. He imposed press censorship and promised fresh elections. Bogra, the Prime Minister of the dissolved assembly endorsed the move and declared CAP was responsible for imperiling national unity by provoking personal, sectional and provincial rivalries and suspicion. He was made the Prime Minister of the Cabinet which used back door to gain power.

### **Maulvi Tamizuddin Case**

Maulvi Tamizuddin Khan, the president of the dissolved CAP did not submit to the idea and along with other members tried to hold the already scheduled session of the assembly on October 28. When they were not allowed to enter the assembly hall, on November 7 he filed a writ in the Sindh Chief Court against the action of the Governor-General. On February 9, 1955, a full bench of the Sindh Chief Court gave verdict in favour of Maulvi Tamizuddin and ordered that the Governor-General had no power to dissolve the CAP. After the ruling, Maulvi Tamizuddin called the meeting of the CAP on March 7. Bogra, after consulting Ghulam Muhammad, who was in Paris at that time for his medical treatment, decided to challenge the decision in the Federal Court. Chief Justice of the Federal Court, Justice Muhammad Munir, assured the government that the judgment of the Sindh Court would be reverted. The Federal Court, working according to doctrine of necessity, did not go into the question, whether the CAP was legally dissolved or not. Rather, they rejected the writ on technical ground that Section 233A under which the writ had been issued in favour of Maulvi Tamizuddin was not yet law since it had not received the assent of the Governor-General. One member of the five member bench, Justice

A.R. Cornelius held that the assent of the Governor General was not required for constitutional Act and believed that their decision of the Sindh Chief Court should be upheld. The history of Pakistan would have been different, had the voice of Justice Cornelius been heard by the other four judges of the bench.

### **Iskandar Mirza (1898-1969)**

In August 1955, Major General Iskandar Mirza took over as Governor General when Ghulam Muhammad became too ill to continue. He was confirmed as the fourth Governor General of Pakistan on October 4, 1955.

Iskandar Mirza was a civil servant and it is widely believed that he lacked the parliamentary spirit. He was of the view that democratic institutions could not flourish in Pakistan due to lack of training in the field of democracy and low literacy rate of the masses. He wanted a controlled democracy for Pakistan with more powers for the civil bureaucracy. He thought that politicians should be given the power to make policy but not allowed to interfere in administration. Iskandar Mirza was also a great advocate of the One Unit scheme and it was under his rule that all the four provinces and the states of West Pakistan were merged into one unit in October 1955.

It was during his tenure that Chaudhry Muhammad Ali presented the 1956 Constitution and Iskandar Mirza was elected the first President of Pakistan.

### **Decline of Muslim league**

The career of the Muslim League in East Pakistan (now Bangladesh) from 15 August 1947, the day it assumed political power from the Raj, to the election of 8 March 1954, when it was massively defeated by a newly-formed United Front. Exploring the decline of the popularity of the League is an important objective of the book. In the process, it also seeks to explain the nature of 'politics' in East Pakistan, in particular, the emergence of a state bureaucracy with paternalistic and undemocratic tendencies. The process through which the bureaucracy got stronger also entailed the alienation of the people from both the government and the League. The themes are highlighted in the series of chapters devoted to specific and important issues. An examination of these issues usefully complements what students of East Pakistan politics have (rather selectively) emphasized so far: the Language movement of the 1950s, the crisis of federalism and problems of two economy. An argument is eventually built up on the nature of the state and 'nationhood' in East Pakistan. The preponderance of the bureaucracy in the colonial

style of governance, the peculiar history of Muslim nationalism in East Pakistan are seen as factors that contributed significantly to disrupt the process of nation-building.

### **One Unit**

When Pakistan came into existence the geography of Pakistan was completely confusing in a sense of divisional land. The land of Pakistan was geographically divided into two parts which were known as East Pakistan (now current Bangladesh) and West Pakistan (Islamic republic of Pakistan). It is crystal clear that East Pakistan was 1000s kilo meter far from West Pakistan. On the other hand West Pakistan was itself divided into four provinces. The East Pakistan was considered one province. It was difficult for east Pakistani to be prosperous with privileges which it had. So there were a lot of hurdles between east and west. Such as language issue, sharing of powers etc. additionally West Pakistan was more developed and it had a strong military and bureaucracy.

Nevertheless the rulers of Pakistan tried to solve the issue of disparity which was being faced by East Pakistan. The then Prime Minister Muhammad Ali Bogra brought the concept of one unit under discussion. The leaders of the viewed that the disparity and hopelessness of East Pakistan could be removed by merging all four units of West Pakistan into one unit and the campaign would have other development projects.

In this way equality east and west would come on the surface. On 30 September a bill was passed in assembly in the favor of one unit. Further more Lahore was declared the capital of one unit. The land of West Pakistan controlled by three governors which became under a chief commissioner. Knowing the fact the one unit first governor was appointed as Mushtaque Ahmed Gurmani and first chief minister was dr. khan sahib.

The question arises here whether the merging of all West Pakistan provinces was the consent of all the units of the provinces or not. The answer would be “NO” because when the campaign of one unit was initiated, firstly it was opposed by Sind assembly. It is clear as day that the center or federal has been strong all the time. The then chief minister was dismissed Pirzada Abdul Sattar was dismissed by Ghulam Muhammad.

After the dismissal of Pirzada, Muhammad Ayub Khuro was installed as the new chief minister of Sind. The Sind assembly started supporting one unit campaign. Sad to as that Ayub Khuro was dismissed in the case of corruption PRODA (public and representative officer disqualified act) “under the Act 1949, the government could start legal proceedings against ministers and

members of the assembly on the charges of misconduct or corruption.’ But after three years he was appointed as chief minister. After few months again he was dismissed. But in 1954 PRODA was lifted and Mr. Khuro was again made the chief minister of Sindh. Besides Sind and West Pakistan, East Pakistan was fully against one unit campaign because they had threat of demographic change. But passing through great hurdles one unit came into existence.

The fact cannot be denied that merging of the provinces created further troubles and tribulations. The circumstances of one unit could not bring prosperity and development in the country. Due to that the West Pakistan legislature passed a bill in October recommending the dissolution of one unit. This led to the downfall of Suhrawardy’s cabinet. The central government dismissed the ministries in Punjab, Sind and NWFP. One unit continued until general Yahya khan dissolved it on July 1<sup>st</sup> 1970.

To conclude, one unit created more problems internally in West Pakistan. With one unit of West Pakistan neither the disparity of East Pakistan was removed nor was any other issue was resolved.