



Failure of Federalism in Pakistan, Lessons for the Future, an International Perspective

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Abstract

Diverse societies have no option except federalism for the integration and harmony of conflicting ideas of ethnic nationalities. A best suited system of state affairs that devolved the powers constitutionally among the constituent unit is called federalism. In 1947 existing provinces formed the federation of Pakistan with the hope that the provinces will be provided maximum autonomy with democratic norms in the country. Unfortunately after the very few years of the forming of a new federation, democratic process was halted and dictatorship was enforced in the state. Army directly or indirectly remained involved in the matters of government and dictatorship regimes introduced authoritative policies. The main focus of every authoritative regime was on the centralization of powers and on making such decisions which were not in the favor of the state. During the eras of Ayub and Yahya khan such policies were adopted that ruined the confidence between East and West Pakistan which resulted into failure of federalism in 1971. After the disintegration, democratic governments were thrown out by Zia ul Haq and Pervez Musharraf by imposing Martial



Laws that gave birth to sectarianism, terrorism and separatist movements within the country. The policies of the dictators jeopardized the harmony of the state. In this study it is drawn that if federalism in Pakistan has to work smoothly for creation of welfare, harmonized and integrated state then democracy with its true spirit is necessary and crucial for Pakistan.

Key Words *Federalism, Dictatorship, Democracy, State, Integration, Harmony*

Introduction

Ethnically divided states adopt federalism for controlling the conflicts by sharing political and economic authority to the nationalities or sub national units, if it is not done then fear of disintegration of the state turns into reality. Federalism is a form of government in which powers are constitutionally shared to the constituent units for smooth functioning of the state affairs. But federalism works well in the presence of democratic regimes. Dictatorships or authoritative governments destroy the spirit of the federalism and masses of the deprived sub national units are enticed to revolt against these governments that usually turned into violence or civil disobedience against the federation and finally federations are collapsed. That is very true in the case of Pakistan. (Ali, 2020)

Pakistan emerged on August 14, 1947 and adopted federalism under the covers of Government of India Act 1935 with parliamentary form of government. In 1956 first constitution of newly emerged state was enforced that was a continuity of interim constitutions. Till October 7, 1958 democratic federalism with its many flaws remained in practice and people has the opportunity to raise their voices against the existing regimes but after that Martial Law was enforced in a geographically split state that proved a fatal jolt for Pakistan (Ahmad, 2018).

Dictatorship of Ayub Khan, A Set Back for Federalism

Ayub Khan regime was a new Era for federalism and power sharing in Pakistan. He completely shunned parliamentary democracy and introduced presidential federalism in the state. Later on this system was called controlled democracy. He led Pakistan towards development and modernism with the help of bureaucracy but failed to realize the fact that without the provision of democratic political and economic rights equally to the residents of a state, integration remains in danger. Ayub Khan neglected the demand of general elections in the state and worked like a dictator throughout his regime. Military take over took place when only four months left in general elections as was promised by



political leaders in February 1959. Ayub Khan was ruling over country with the help of civil and military bureaucracy in which East Pakistanis were few in numbers due to some historical facts. (Rizvi, 1974)

Ayub Khan had tendency towards power gaining even before his implementation of Martial Law, as the army chief his opinion was sought in every political issue of the state. Despite his many statements that he refused to make any response to the Governor General's offer to take over the country, the fact is that he assisted Governor General in three most crucial occasions. The dismissal of Khwaja Nazim-ud-Din in 1953, in 1954 when Ghulam Muhammad dissolved the first Constitutional Assembly and abrogation of the constitutional draft of 1954 prior to its adaptation. Army influence increased in Pakistan politics with the death of Quaid-e-Azam in 1948. Muslim League's decreasing popularity also was a cause in shifting power towards civil and military bureaucracy (Khan, 2009). There has been no limit to the depth of their biasness, chicanery, deceit and degradation. Having nothing constructive to offer, they used provincial feelings, sectarian, religious, and racial differences to set a Pakistani against a Pakistani. In this mad rush for power and acquisition the country and people could go to the dogs as far as they were concerned." (Rizvi, 1974). With these views he tried to change the direction of political power and structure of country. Ayub Khan put a ban on political parties on October 8, 1958 which remained till June 1962. He was a severe critic of politicians. He thought them corrupt and responsible for all wrong doings. Syed Hassan Askari says "Ayub Khan wanted to eliminate the influence of the politicians from the body politic because he considered them responsible for the past ills of the polity. That is why Ayub Khan passed two orders to keep these politicians away from next political scenario in 1959 named PODO (Public Offices Disqualification Order) and EBDO (Elective Bodies Disqualification Order). The EBDOed politicians started their operation behind the wall opposing the accumulation of power in one person. In 1963 he redefined political parties by imposing ban on EBDOed politicians to associate with any political party" (Rizvi, 1974). After that, he created Convention Muslim League to legitimize his rule. In sum it can be said that Ayub Khan regime was the regime of control over political values through which system could be maintained and federalism was in serious trouble during his stay in power.

Ayub Khan also introduced indirect electoral system to the country. Initially the strength of Basic Democrats was 80000 which were divided equally to East and West Pakistan. Later on they were also declared as Electoral College for the election of National and Provincial Assemblies as well as the election of president. Their strength increased to 1200000 and 60000 were elected by each wing. Through these basic democracies Ayub Khan won presidential election in 1965 against Fatima Jinnah (Ivor Jennings, 1973).



More than 700 delegates represented the conference but only 21 attended from East Pakistan. Sheikh Mujeeb was leading them. This was the moment in which Sheikh Mujeeb for the first time presented his famous six points. He was looking much anxious for political autonomy to East Pakistan than worrying about Tashkent declaration. (Younis, 2017). As soon as conference concluded government arrested many political leaders in West and East wing among them was Sheikh Mujeeb who was later blamed of making a secessionist move known as Agartala Conspiracy. The movement for regional autonomy which was started in Ayub Khan Era described the story of his centralization policies which bitterly harmed the integrity of the country. In democracy majority did not need political protections. Opposition parties formed DAC (Democratic Action Committee) for the talk with Ayub Khan. DAC demanded dissolution of One Unit and Sheikh Mujeeb demanded provincial autonomy on the basis of six points in a round table conference with Ayub Khan in Rawalpindi but Ayub Khan did not respond and Sheikh Mujeeb withdrew himself from talks which created chaos in East Pakistan. Seeing all this situation Ayub Khan resigned from the office in March 1969 and Yahya Khan who had controlled the power reacted sharply by imposing martial law abrogating constitution of 1962 and by banning political parties. (Mussarat, 1998)

Disintegration of the Federalism (General Yahya Khan Regime)

On the evening of 25th March 1969 Ayub Khan made his address last time to the nation on radio. He announced to leave the power for Yahya Khan. By stepping down in favor of Yahya Khan, Ayub Khan violated his own given constitution. It was described in 1962 constitution that after the resignation of the president, the speaker of the National Assembly should work as the president of Pakistan and the election for new president should held within 90 days (Yousaf, 1999).

Yahya Administration took several steps to boost economic situation and social justice in country. Monopolies and Restrictive trade practices (control and prevention) ordinance was enforced in 1970. A new financial institution naming Equity Participation Fund with its headquarters at Dacca was established mainly for promoting economy of East Pakistan and less developed areas in West Pakistan. Government showed his will for wider distribution of economic resources by launching Fourth five-year plan (1970-75).

With the assumption of authority Yahya Khan made a promise to the nation of holding free and fair elections and transfer of government to the public elected representatives as soon as they formed as suitable constitution (Sayeed, 1980).



On July 28, 1969 he appointed Justice Abdul Sattar as the chief election commissioner. In November by fulfilling the demand of small provinces of West Pakistan he gave announcement for the dismemberment of one unit and also gave the date for fresh elections as October 5, 1970. Legal frame work order (LFO) was issued on March 30, 1970 which provided to frame new constitution. Allocation of seats for central and provincial assemblies was made as are shown in the table.

Table 1: Seats of federating units in National Assembly According to LFO

Province	General Seats	Women Seats	Total
East Pakistan	162	7	169
Punjab	82	3	85
Sindh	27	1	28
NWFP (KPK)	18	1	19
Tribal Areas	7	-	7
Baluchistan	4	1	5

Source: Election Commission of Pakistan



Table 2: Seats of provincial Assemblies According to LFO

Province	General Seats	Reserve for women	Total
East Pakistan	300	10	310
Punjab	180	6	186
Sindh	60	2	62
NWFP (KPK)	40	2	42
Baluchistan	20	1	21

Source: Election Commission of Pakistan

The National Assembly was bound to frame the new constitution within 120 days. Political activities were completely started from January 1, 1970. Simple majority of the new National Assembly was necessary for the approval of the constitution. Election would be held on adult franchise bases for the new Assembly. The five principles which were laid down for framing new constitution were as:

(1) It must be federal with the assurance of integrity and solidarity of Pakistan. (2) It must preserve Islamic Ideology. (3) It must be democratic with the provision of free and fair periodical elections. (4) Sharing of power be made in such style that provinces must enjoy maximum autonomy but federal government should also enjoy adequate legislative, administrative and financial powers. (5) It must ensure the participation of people in national activities and must contain provision for the removal of disparities on economic front in all provinces of Pakistan (Legal Framework Order, 1970).

In East Pakistan Sheikh Mujeeb who was leading the Awami League particularly and other parties generally contested elections on the grounds of maximum provincial autonomy and swept the polls by getting 167 seats from 169 mentioned for East Pakistan. PPP secured 82 out of 138 allotted to West Pakistan and got only 1 seat from NWFP (new name KPK). National Awami Party emerged as the largest party in Baluchistan and NWFP (KPK).



Table 3: Seats won by various political parties in the elections of 1970-71 (National Assembly)

Political Party	East Pak	Punjab	Sindh	NWFP	Balochistan	FATA	Total
AI	16	0	0	0	0	0	160
PPP	0	62	18	1	0	0	81
ML(Q)	0	1	1	7	0	0	9
PML Council	0	2	0	0	0	0	2
JUI (Hazarvi)	0	0	0	6	1	0	7
JUP	0	4	3	0	0	0	7
NAP (Wali)	0	0	0	3	3	0	6
JI	0	1	2	1	0	0	4
PML (Convention)	0	7	0	0	0	0	7
PDP	1	0	0	0	0	0	1
Independent	1	3	5	0	0	7	16
Total	162	82	27	18	4	7	300

Source: Afzal 2001: 396, Talbot, 1998: 200, and Rizvi, 1988: 176-177.

The election results indicated clear division between people of East and West Pakistan that was harmful for the federalism in Pakistan. Now according to the LFO no majority or agreement of provinces was required for framing new constitution. Awami League has the legal authority to form government and to construct a constitution. But six points of Sheikh Mujeeb became bone of contention between the leaders of East and West Pakistan which were viewed as symbol of separation by the west wing leaders of Pakistan. By opposing six points Bhutto turned out as the greater nationalist leader. The National Assembly session which was scheduled to be held on March 3, 1971 was postponed by Yahya Khan on the aspiration of Z.A Bhutto. It created violence and strike in East Pakistan which forced Yahya Khan to announce new date of the session as March 25, 1971. Yahya Khan who was in Dacca for breaking the dead lock on constitution making,



left Dacca on March 25 and Sheikh Mujeeb was arrested the same night and brought to West Pakistan. This was a blunder by the military government. Now Awami League had no way except to resist. Yahya Khan ordered for military action. Awami League created Mukhti Bahini (Liberation Army) with the help of India and started civil war. This situation was favorable for India to dismember Pakistan. India intervened the situation by moving its army on East Pakistan border. A war was fought between Pakistan and Indian army. This lasted for 14 days. (Jahan, 1994). Eastern command of Pakistan surrendered on December 16, 1971. 90 thousand of Pakistan army men including some civilians were captured as prisoners of war by India and East Pakistan became Bangladesh. First phase of Pakistan Federalism ended at this juncture. Yahya Khan was forced to resign and he handed over the power to Z.A Bhutto who became president and civilian chief martial law administrator of Pakistan (Kaushik, 1984). Although some efforts were made by the political and military leadership to create harmony between East and West Pakistan and for the integration of federalism but negation of sharing of powers to the provinces by the central governments resulted in the failure of federalism in Pakistan on December 16, 1971.

Situation after the Disintegration

Pieces of a broken federalism were picked up by Zulfiqar Ali Bhutto and within two years passed a unanimous constitution with key features of federalism. Parliament with two houses was introduced for the first time in Pakistan. Provincial autonomy was ensured to some extent and parliamentary federalism started its journey in the state. Pakistan was moving well on the democratic path but some despotic policies of Z.A. Bhutto created the political unrest in the state. General Zia ul Haq found the opportunity and promulgated Martial Law in the state and captured federalism once again under the cruel jaws of dictatorship (Shafique, 2020).

He started centralization of powers and authoritative policies that gave rise to separatist movement in Baluchistan. He banned the political parties that are major actor for functioning of federalism which created political unrest in the country. He introduced 17th amendment that changes Pakistan from parliamentary to presidential federalism. (Saddiqa, 2020)

Lessons for the Future

Pervez Musharraf resigned from the office of president on August 18, 2008 and till now in 2020, country is successfully moving on democratic path. Democratic regime of Yousaf Raza Gillani introduced 18th Amendment in the constitution that changed the nature of



federalism in Pakistan. Now Pakistan is changed from authoritative to participatory federalism. Provinces are provided with maximum provincial autonomy. Democratic regimes have eradicated terrorism and militant activities from the state with the help of forces and effective policies. Gilgit Baltistan was provided province like status. FATA is merged into KPK. Separatist movement of Baluchistan is effectively controlled and major political parties of the province contested the 2018 elections. Present democratic government of Imran Khan is working for the smooth functioning of the federalism in Pakistan. Recently in August 2020 the democratic government has announced for the creation of a separate secretariat for Southern Punjab and fulfilled the desire of Saraiki belt for the creation of a new province. (Javaid, 2016)

Conclusion

Federalism is a device that provides ethnic harmony and integration to multi ethnic states. But federalism requires democratic system to flourish especially in case of Pakistan. Pakistan is a federalist society with many ethnic nationalities. Pakistan is comprised on four provinces along with province like status holder Gilgit Baltistan and Azad Kashmir. Ethnic divisions are also present even with in the provinces. Pakistan needed successful working of federalism for its integration and to control its diverse situation that is only possible when democratic governments would run the affairs of the state.



Bibliography

Ahmad, M. (2018). Political, Economic and Social Governance in Pakistan: Its Practices and ISSUES. *Journal of the Research Society of Pakistan* , 157-169.

Ali, G. (2020). Challenges for Federalism in Pakistan, Post Musharraf Era. *Review of Economics and Development Studies* , 57-65.

Ivor Jennings, W. j. (1973). *Constitutional Problem in Pakistan*. Preager Publishers.

Jahan, R. (1994). *Pakistan Failure in its Integration*. University Press Limited.

Javid, U. (2016). Political Challenges and Security Issues in FATA AND its impact on Economic Development. *A research Journal of South Asian Studies* , 367-380.

Kaushik, S. N. (1984). *W.W.bHUTTO.ORG*. Retrieved FEBRUARY 5, 2017

Khan, H. (2009). *Constitutional and Political History of Pakistan*. Oxford University Press.

Legal Framework Order. (1970, March 31). Pakistan.

Mussarat, P. (1998). *Federalism and National Integration in Pakistan*. Bahawalpur.

Rizvi, H. A. (1974). *Military and Politics in Pakistan*. Progressive Publishers.



Saddiqa, M. (2020). Determinants of Terrorism and its impact on Economic Growth: A Panel study of South Asian Region. *Review of Economics and Development Studies* , 413-423.

Sayeed, K. B. (1980). *Politics in Pakistan ,Nature and Direction of Change*. Preager Publishers.

Shafique, K. (2020). The problem of Institutionalization of Political power in Pakistan: An Appraisal of Zia Period (1977-1988). *Review of Economics and Development Studies* , 439-445.

Younis, M. (2017). Exclusivist Ethno-Nationalism and the Future of Federalism in Pakistan. *Journal of Arts and Social Sciences* , 1-16.

Yousaf, H. (1999). *Pakistan A Study of Political Development*. Sange e Meel Publication.