

Did Pakistan Learn from its Bangladesh Experience?

*Ashok Behuria**

This article seeks to re-analyse the pattern of Pakistani response to the demands from East Bengal as a federating unit with distinct linguistic and regional identity, which led to eventual vivisection of Pakistan, and examine whether in the post-1971 years Pakistan learnt any lesson from its Bangladesh experience and used it to deal with similar assertions at ethnic and regional levels.

Keywords: *Bengali nationalism, ethnic assertion, federalism, one-unit scheme, Bogra formula, Aghaz-e-Haqooq-e-Balochistan, 18th amendment*

Pakistan's brush with its own history is at best problematic, and at worst both self-defeating and self-destructive. Perhaps, every multi-ethnic and multi-national country does have to grapple with the very issues that Pakistan has had to deal with—inter-ethnic accommodation, power-sharing, majoritarian politics, minority-ism, etc.—during the last 74 years of its sovereign existence; however, the urgency shown by the state to crush any show of resistance at any level, with the massive might of the state, driven by an acute sense of paranoia, is unique to Pakistan, with the result that it has suffered a bloody vivisection (secession of East Pakistan) followed by chronic inter-ethnic tensions. This is despite the fervent use of Islam as a common denominator of national identity and perpetuation of fear and hatred of India as a unifier.

All this begs closer analysis of the case of Bangladesh—the difficult process of constitution-making, the demand for a separate state, the

* Dr Ashok Behuria is Senior Fellow at Manohar Parrikar Institute for Defence Studies and Analyses (MP-IDSA), New Delhi.



reaction of the state, formation of a new state, the lessons learnt, if any, from this experience, and the shape of politics in Pakistan in its aftermath. In this article, an attempt is also being made to study the narratives the state has spawned, to come to terms with what many would call, a humiliating division. In the absence of an honest admission of failure of its policies, the temptation to externalise the origin of the problem (meddling by India) has inhibited the process of development of a transformative political framework that could have helped Pakistan deal with dis-integrationist threats in better ways.

HISTORY

The original federal idea of Pakistan was mooted in the Lahore Resolution of the Muslim League, on 23 March 1940. The second article of the resolution stated:

...it is the considered view of this Session of the All India Muslim League that no constitutional plan would be workable in this country or acceptable to Muslims unless it is designed on the *following basic principle*, namely that geographically contiguous units are demarcated into regions which should be so constituted, with such territorial readjustments as may be necessary, that the areas in which the Muslims are numerically in a majority as in the North-Western and Eastern Zones of India, *should be grouped to constitute "Independent States" in which the constituent units shall be autonomous and sovereign.*¹

The operative part italicised in the above excerpt talked about 'states' rather than 'state' and held that these 'units' or 'states' would be 'autonomous and sovereign'. In the resolution, it was also mentioned that 'the scheme of federation embodied in the Government of India Act, 1935, is totally unsuited to, and unworkable in the peculiar conditions of this country and is altogether unacceptable to Muslim India'. Therefore, implicit in the resolution was endorsement of the idea of a very loose federation. However, the 'truncated' Pakistan, as Jinnah called it, that finally came into being on 14 August 1947 with two different non-contiguous parts/units separated by 1,000 miles veered towards a centralised system of governance. Now that Pakistan had become a reality, there was an ideological about-turn in the views of Jinnah and his companions. Jinnah, the undisputed leader, seemed to disfavour the idea of a loose federation. The office of the Governor General that he

held till his death accumulated all executive powers and emitted a strong centralising flavour that also impeded the process of accommodation and understanding that would have ideally propelled the efforts at constitution making.

In case of India, 299 members of the Indian Constituent Assembly debating over different issues for 2 years, 11 months and 17 days finalised a constitution which survives to this day with amendments. In comparison, the constituent assembly of Pakistan moved haltingly and took inordinately long time to settle the basic issue of power sharing between the two units of Pakistan. In western Pakistan, which is Pakistan today, there were four provinces (Punjab, Sindh, Balochistan and the then North Western Frontier Province or better known in its acronymic form NWFP), while on the eastern side, there was East Bengal (which was later called East Pakistan).

EAST BENGAL DENIED NATURAL ADVANTAGE

As per the 1951 census in Pakistan, East Bengal had more population (41.93 million or 58 per cent) than all the provinces put together in the West Pakistan (33.704 million or 42 per cent).² Therefore, in any representative assembly, East Bengal was entitled to more seats which would have tilted the power balance in its favour. However, this was not acceptable to the Pakistani leaders, who came either from various parts of India or provinces on the west. The other important issue was language. The top leadership led by Jinnah held that Urdu should be the national language. The views of top leadership in the discussions³ over these issues in the Constituent Assembly smacked of arrogance and condescension. In comparison, the views of the Muslim members from East Bengal were remarkably faint and feeble, whereas the Hindu members from East Bengal were quite vocal over the issue of Bengali language. On 25 February 1948, it was Dharendra Nath Dutta who proposed as an amendment to the rules of procedure that in addition to Urdu and English, 'Bengalee' should be accepted as the language of discussion in the assembly. He argued passionately addressing his speech to Jinnah in the chair:

...I do so not in a spirit of narrow Provincialism, but, Sir, in the spirit that this motion receives the fullest considerations at the hands of the members present. I know, Sir, that Bengalee is a Provincial language, but, so far [as] our State is concerned, it is the language of the majority of the people of the State....Out of six crores and

ninety lakhs of people inhabiting this State, 4 crores and 40 lakhs of people speak the Bengalee language.... I consider that Bengalee language is a *lingua franca* of our State.... Hindustani, Hindi or Urdu has been given an honoured place in the sister Dominion [India] because the majority of the people of the Indian Dominion speak that language. So, we are to consider that in our State it is found that the majority of the people of the State do speak the Bengalee language, then Bengalee should have an honoured place even in the Central Government.

Dutta was backed by Prem Hari Barma, who said that it was 'not the intention of the amendment altogether to oust English or Urdu, but to have Bengalee also as the *lingua franca* of the State'. What Liaquat Ali Khan said in response to this is worth reproducing in detail, here:

He [Mr Dutta] should realise that Pakistan has been created because of the demand of a hundred million Muslims in this sub-continent and the language of a hundred million Muslims is Urdu and, therefore, it is wrong for him now to try and create the situation that as the majority of the people of Pakistan belongs to one part of Pakistan, therefore, the language which is spoken there should become the State language of Pakistan. Pakistan is a Muslim State and it must have as its *lingua franca* the language of the Muslim nation. My Honourable friend is displeased that Urdu should replace English.... Sir, [he] never minded it, never pressed for Bengalee as long as English was the State language. I never heard in the Central Assembly for years and years any voice raised by the people of Bengal that Bengalee should be the State language.... [Moreover] we must have a State language-the language which would be used between the different parts of Pakistan for inter-provincial communications.... Urdu can be the only language which can keep the people of East Bengal or Eastern Zone and the people of Western Zone joined together. It is necessary for a nation to have one language and that language can only be Urdu and no other language.... As a matter of fact, when the notice of that amendment was given, I thought that the object was an innocent one. The object to include Bengalee was that in case there are some people who are not proficient in English or Urdu might express their views in that language, but I find now that the object is not such an innocent one as I thought it was, *The object of this amendment is to create a rift between the people of Pakistan, ...to take away from the Mussalmans that unifying force that brings them together....* My honourable friend may go on questioning for the rest of his life. He has done

that. Was it not necessary for the people of Bengal—Bengalee speaking people—to have remained united? No, because it was to be a State where Mussalmans were in a majority. Therefore, Bengal must be divided. There was no question of Bengalee language or Bengali culture taken into consideration at that time.

Liaquat even went further to kill the amendment considering the issue ‘most vital’ and ‘a question of life and death’ for Pakistan:

It is really the most vital question, a question of life and death for the Muslim nation not only for Pakistan but throughout this whole sub-continent and I most strongly oppose the amendment which has been moved. I hope the House will not lend its support to such a kind of amendment, if ever it comes forward in future.

It was interesting to observe that while Raja Ghaznafar Ali from the western part brought in the issue of other languages being spoken in Pakistan and asked as to what would happen if there was a demand to accommodate them as well, Khwaja Nazimuddin, a Bengalee Muslim from East Bengal was found tamely accepting the proposition that Urdu alone could act as a link language and the ‘majority principle’ would not apply to language of the state citing the case of India, where, he averred, Hindi was not spoken by the majority. It was also noticeable that there was a marked communal divide over the issue and the motion was supported by mostly the Hindu members of the assembly (i.e., Bhupendra Kumar Datta, Prem Hari Barma, Siris Chandra Chattopadhyaya), while those who opposed the motion were all Muslims, i.e., Abdur Rab Khan Nishtar and Alhaj Muhammed Hashim Gazder. Finally, the motion was defeated marking, quite early in the day, the inability of the top leadership to foresee the shape of things to come. In fact, barely a month later, on 21 March 1948, during his trip to East Bengal, Jinnah made an announcement that only Urdu can be the national language, which went down poorly among the population there.

Ten days earlier, on 11 March 1948, the students of East Bengal had observed a general strike to protest non-recognition of Bengalee as the official language; however, their voices went unheard. Jinnah’s spirited defence of Urdu as the national language on 24 March in the Curzon Hall in Dhaka and later reiteration of the stance on radio on 28 March only aggravated the situation further. As Jinnah’s successor, Khwaja Nazimuddin, from then East Bengal, stuck to the same position. Gradually, the step-motherly attitude of the Pakistan government towards

East Bengal galvanised the Bengali population into action. As the popular movement in favour of Bengalee language gathered momentum, the state adopted a repressive policy *vis-à-vis* the protesting students and on 21 February 1952, a number of students were killed in police firing leading to further protests across East Bengal.

LANGUAGE ISSUE COMES UP AGAIN

In April 1952, the issue of Bengalee language came up again and this time round, there were some Muslim voices from East Bengal (A.K. Fazlul Huq) and west part of Pakistan (Sardar Shaukat Hayat Khan, Asadullah Khan Jan) who backed the motion brought in by Raja Kumar Chakravarty. Predictably, the Hindu members (like Bhabesh Chandra Nandy, Sris Chandra Chattopadhyaya, Dharendra Nat Datta, Bhupendra Datta, Birat Chandra Mandal) supported grant of official status to Bengali language. However, with a 41–12, voting a motion was moved which said that ‘there being no immediate necessity of taking a decision thereon be it resolved that the Question be decided by this Assembly when it comes up before it in due course’. It was clear that the Bengali Muslim leaders like Nurul Amin, Nur Muhammad looked at the issue as if it was a communal issue because it was being backed by Hindu Bengalis from East Bengal. There were references to Dr Shyama Prasad Mukherji inciting youth from East Bengal to raise the issue and there was a debate over whether Bengali language was closer to Sanskrit or had an evolution of its own, backed by Muslim rulers of Bengal, with heavy borrowings from Urdu and Persian language.

In the meantime, the apathy shown by the top leadership inevitably led to an autonomist political assertion in the politics of East Bengal as a native coalition of Awami Muslim League, the Krishak Praja Party, the Ganatantrik Dal (Democratic Party) and Nizam-e-Islam led by popular Bengali leaders—A.K. Fazlul Huq, Huseyn Shaheed Suhrawardy and Maulana Bhashani—trounced Muslim League in the March 1954 provincial elections. The United Front demanded autonomy in decision making in East Bengal in all subjects, except in defence and foreign policy, and the recognition of Bengali as an official language.

EAST BENGAL HARDENS STANCE ON LANGUAGE

As the situation in East Bengal continued to simmer, the leaders of Pakistan continued with their efforts to deny Bengalis as much political importance as they deserved and equalise representation from both parts

of Pakistan in the face of numerical disadvantage that western part had *vis-à-vis* the east. The Bogra formula which proposed more seats in the lower house for East Bengal (165 out of 300) also brought in an upper house (50 seats) with co-equal powers where East Bengal was offered equal representation with the other four provinces. This was resented by politicians in East Bengal.

On 24 October 1953, Fazlul Huq read out the resolution passed by people of East Bengal to the constitutional proposal presented by then prime minister, Muhammad Ali Bogra on 7 October 1953, which invoked Lahore resolution and expressed its dismay that the proposal '[gave] no indication of East Bengal's universal demand for complete zonal autonomy on the basis of the historic Lahore Resolution of 1940', expressed its displeasure over equating of East Bengal with smaller units like Balochistan and Karachi in the proposed upper house and favoured the idea of 'a unicameral Federal Legislature directly elected by the people having two specified reserve subjects, namely Defence and Foreign Affairs'. Huq went on to appeal in favour of complete autonomy and asked the assembly to 'leave East Pakistan to work out its own destiny'. Saner voices like Khan Abdul Ghaffar Khan urged the assembly to heed the appeals being made by the representatives from East Bengal. On 8 April 1954, taking the floor after March 1954 election in which the League was wiped out in East Bengal, he said:

The Bengalis are our elder brothers—Bengal is the largest province, and its people constitute the majority of the people of Pakistan. If we ignore Bengal now, it will be tantamount to ignoring the majority of Pakistan, which will be against all accepted democratic practice. The newly elected representatives want the dissolution of this House and its replacement by a newly elected House, which should frame Pakistan's constitution. Bengal has given its verdict against the Muslim League and I believe, if fresh elections were to be ordered in the other provinces of Pakistan now, the verdict would not be in favour of the League. In these circumstances, if the voice of Bengal is not heeded or attended to, frustration would be widespread in the country. Unfortunately, conditions in our country are such that any further discontent and dissatisfaction will ruin us. It is therefore necessary to hold talks with the new representatives of Bengal and come to a compromise with them.

As expected, his voice was ridiculed and rejected, and he was branded as an 'enemy of Pakistan'. In May 1953, the United Front government

in East Bengal was dismissed and the legislature suspended. Later, the then Governor General, Ghulam Muhammad dissolved the Constituent Assembly through an executive proclamation on 24 October saying that 'the Constituent Assembly as at present constituted has lost the confidence of the people and can no longer function'. The Prime Minister was, however, asked to run the administration, with a new Cabinet, until the elections. Maulvi Tamizuddin, President of the dissolved Assembly, challenged the order in the Sindh High Court, which quashed the decision. However, the government appealed in the Federal Court, where the then Chief Justice Muhammad Munir, upheld the decision and Tamizuddin lost the case.

THE SECOND CONSTITUENT ASSEMBLY DELIVERS THE EQUALISER

The second constituent assembly of Pakistan was constituted through an order of the Governor General in May 1955. It comprised of 80 members, with the membership equally divided between the two wings of Pakistan and the members were chosen by an electoral college composed of the members of the provincial assemblies.

In September 1955, the then Governor General, Ghulam Ahmed brought in the one-unit scheme to merge the four provinces and the tribal areas in the west and called it West Pakistan, while East Bengal was renamed as East Pakistan. Ahead of it, the East Bengal provincial assembly was reinstated. The new Constituent Assembly endorsed the one-unit formula. The draft of the Constitution was introduced in this Assembly on 9 January 1956 and passed on 29 February 1956. Governor General Ghulam Muhammad assented to it on 2 March 1956 and it was enforced from 23 March 1956, the sixteenth anniversary of passing of the historic Pakistan Resolution. The representatives from East Bengal including Hussain Shaheed Shurawardy were not happy with the constitution. Mahmud Ali expressed it through a popular saying in Bengali: *Parbater mushik prosab* (the mountain has produced a mouse) and said categorically:

As one reads through the pages of the Constitution before us, it becomes evident that it is nothing but a deception. The hopes and aspirations of the people are belied... the hopes and aspirations that actuated the hundred million people in the sub-continent of India to struggle for the achievement of Pakistan, have been sadly belied. There have been delays in the past for which the Constituent Assembly entrusted with the responsibility had to go. Today we are

going to give the country a Constitution. It is in no respect better than the one proposed by the former Constituent Assembly. If their proposals were unacceptable to the people, the present ones are still more so. Then, Sir, what for were all these delays and what for are all this hurry? *Is it not in the interest of adjustment between the members of the oligarchy that has been ruling over us sometimes in disguise and at some other times in the open?*

This constitution at least recognised Bengali as one of the languages of the State, provided for parliamentary form of government and a unicameral legislature. However, the sense of disenchantment of the people of East Pakistan continued, who still felt that ‘an oligarchy’ had rooted itself deeply within the power hierarchy, impervious to their demands of equal and equated share in the statecraft.

Within two and a half years, the constitution was abrogated and martial law was declared by Ayub Khan. It was now his turn to engineer yet another constitution through a self-appointed constitution commission (on 17 February 1960). The constitution came up in March 1962 and it endorsed a federal state with a presidential form of government. Unicameral legislatures at the centre and in the provinces were mere lame-duck ones while all executive power was vested in the office of the president.

INTO THE 1960s AND THE 1971 EXPERIENCE

In the 1960s, Pakistan had to pass through the war of 1965 with India, which was planned under the nose of inconclusive and initiated the decline of Ayub Khan. The early 1960s witnessed growing political assertion in East Pakistan under Awami League with a new popular leader, Sheikh Mujibur Rahman, who felt the pulse of the people well and evolved his famous ‘Six Points’ in February 1966, where the spirit of the Lahore declaration was invoked to establish a true federation, where the constituent units would be autonomous with absolute power to tax and collect revenue while the federal government will only deal with defence and foreign affairs. It went even further to propose two different freely convertible currencies for the two wings and a separate military and paramilitary forces for East Pakistan with the Naval headquarters to be based in East Pakistan. Mujib’s stance pitted him against many fellow Awami Leaguers in rest of Pakistan. Ayub was furious and Mujib was branded as a separatist and secessionist. The ill-advised step that Ayub government took in January 1968, to lodge a fictitious case of

conspiracy against Mujib (allegedly aided by India) and some in-service and ex-servicemen, known infamously as the Agartala conspiracy case, contributed to Mujib's stature as the voice of Bengali people of East Pakistan. When the case fell through and Mujib was released unconditionally in February 1969, he was given a hero's welcome with a new title, 'Bangabandhu' (friend of Bangla), at Paltan ground in Dhaka. There was a popular unrest in East Pakistan following this release. In the political turmoil that ensued, Ayub had to resign and go. Gen Yahya Khan took over the administration on 25 March 1969 and imposed martial law. Through a Legal Framework Order (LFO), Yahya Khan held the first ever oft-claimed only-free-and-fair elections in Pakistan on 7 December 1970, based on adult franchise and the seats were allocated to both the wings strictly on the basis of population, disregarding the earlier logic of parity and one-unit.

The new elected assembly had 313 members—169 from East Pakistan and 144 from West Pakistan including 13 seats reserved for women (six from West and seven from East Pakistan). The Awami League secured 160 out of 169 seats in East Pakistan and even without the seven reserved women seats was in a comfortable position to form government at the centre. However, this was not acceptable to the West Pakistan leadership. Zulfikar Ali Bhutto's Pakistan Peoples' Party (PPP) had secured 81 out of 144 seats, which was about half of the strength of Awami League.

The West Pakistan leadership was found unwilling to accept the fact of Awami League's victory and procrastinated unnecessarily, which acted like pouring *ghee* on fire. Bhutto was rushed to Dhaka on 27 January 1971 with a large delegation of 15 leaders to negotiate with Mujib on his six points. Mujib was predictably inflexible, and Bhutto was neither authorised by Yahya nor in a mood himself to concede on matters relating to taxation, external trade, foreign aid as well as over the issue of military and paramilitary forces for the Eastern wing. The talks were destined to fail. When Yahya announced the inaugural session of the newly elected Assembly to be held in Dhaka on 3 March 1971, Bhutto refused to allow elected members of his party to attend it and in fact, reportedly threatened to break the legs of anyone from his party who would dare to attend.⁴

On 1 March 1971, Yahya chose to postpone the date, which was not received well in East Pakistan. As street protests intensified in East Pakistan and Mujib hardened his stance, Yahya Khan announced that the inaugural session would be held on 23 March, to which Mujib

said that he would consider it only if martial rule was lifted and power transferred to the elected government. Seeing the situation worsening fast, Yahya did attempt to work out a deal with Mujib and flew down to Dhaka on 15 March and stayed there for about 10 days commiserating with Mujib and Awami League leaders over the six points. After initial hesitation, Bhutto also joined the discussions on 21 March but to no avail. Mujib took strong objections to the military killing his brethren in East Pakistan even when the talks were on and declared 23 March as a public holiday. In the meantime, the leadership of West Pakistan, both military and political, decided to bring in excessive force to deal with the situation. The main ruse was that the armed goons of Awami League, advocating independence, had started attacking pro-Pakistan forces in East Pakistan, and in the face of such armed secessionist threat, there was no alternative to military action.

As Yahya Khan flew out of Dhaka on 25 March in the evening, the military was ordered to carry out indiscriminate action in an apparent bid to silence the voice of the Bengalis by force. By all accounts, the intervening night of 25–26 March was the bloodiest one. Soon after Yahya's plane touched down in Karachi, the Pakistan army unleashed a reign of terror, which has been written about by journalists, diplomats and scholars as a clear instance of Pakistan's desperate and foolish attempt to keep the country together. What happened afterwards is well-known—large-scale migration of people from East Pakistan to India fleeing genocide unleashed by the Pakistan army; Pakistan's attack on India's western front forcing India to join what was otherwise a bloody civil war; and finally surrender of the Pakistani forces on 16 December 1971, which is remembered with a sense of humiliation in Pakistan as *Sukoot-e-Dhaka* or fall of Dhaka, even today.

NARRATIVES IN PAKISTAN

If one analyses the narrative that has been spawned by successive governments, there is a clear effort to suppress the facts that explain the situation leading to the demand for separation in East Bengal. It is most visible in the history textbooks that officially depict the entire issue. For example, the Class V textbook developed by Sindh Text Book Board makes an introductory mention of the 1971 experience in a cursory manner:

In 1971, the people of East Pakistan protested against the Government and started a civil war for a separate country. Pakistani

troops tried to stop them but India militarily intervened in the civil war. A new country Bangladesh came into being on 16 Dec 1971.⁵

The History textbook designed by Punjab Text Book Board is even more economical with truth: 'In December 1971, East Pakistan was separated due to conspiracy of India and became a new country named Bangladesh'.⁶

The Pakistan Studies textbook developed by the Punjab Curriculum and The Textbook Board for Class VII⁷ re-emphasises India's role:

The results of the elections made it clear that the Awami League could form government in the center. West Pakistan's political leadership and bureaucracy were concerned because the manifesto on which the Awami League had won was unacceptable to the political leadership of West Pakistan. Therefore, the transfer of powers to the new government was delayed, resulting in a wave of concern in east Pakistan. General Yahya Khan held talks with the head of Awami League, Sheikh Mujibur Rahman, but these did not succeed. Thereafter, a civil war situation developed in east Pakistan. Bengalis chanted slogan of independent state with the help of pro-Indian organization Mukti Bahini. Pakistan armed forces had to intervene to crush the revolt. Thus, bloody riots began in east Pakistan. (p. 53)

It goes on to say:

...Under these circumstances, on March 15, 1971 Zulfikar Ali Bhutto, General Yahya Khan and Sheikh Mujibur Rahman met in Dhaka to restore peace. The negotiations ended without any results. Due to the tense situation, millions of Bengalis began migrating to India. India officially announced to help the Bengalis. Indian army provided weapons to the rebels and started training them which worsened the situation between Pakistan and India. General Yahya Khan send more troops to east Pakistan, with the result that Pakistan army gained control of most of the areas. Given the situation, India attacked East Pakistan with its armed forces. The Pakistan army in East Pakistan contained the Indian forces for two weeks. When they ran out of supplies and no more aid could reach from West Pakistan, India succeeded in its nefarious designs. Thus, on December 16, 1971, East Pakistan got separated and became an independent country by the name of Bangladesh. (p. 54)

This narrative is followed by outlining of the causes of 'the secession of East Pakistan'. Nine causes are discussed out of which the four main

ones are related to Hindus and India. Even while discussing the issue of geographical distance of one thousand miles between the two wings of Pakistan, it is mentioned that India was there between the two 'engaged in its efforts to undermine Pakistan's integrity ever since the partition of the subcontinent in 1947'. The second important cause was that the Hindus dominated trade and government jobs in east Pakistan and they 'were stirring up separation sentiments under hidden motives'. Among the causes was also the role of the Hindu teachers who controlled the education sector entirely and 'poisoned the Bengalis against Pakistan and aroused their sentiments'. After this there is a brief mention of the problem of representation and a quiet admission that although the Bengalis 'accepted representation on the basis of equality in the constitutions of 1956 and 1962, yet they did not get their legitimate rights which led to frustration in them' (p. 55). However, the issue of interference by India that 'provided training to Mukti Bahini workers and encouraged the separatists' worsening the situation further is brought out towards the end ahead of Mujib's six-point formula and election of 1970 as possible reasons for formation of Bangladesh. All in all, there is an attempt to inject a negative idea about India into the minds of the students, at an impressionable age by implying that the situation could have been salvaged had India not interfered and that the Pakistan state was not to be blamed too much for the entire episode. Such narratives have enabled a mindset that is reflexively anti-India.

**REPORT OF THE HAMOOD-UR-RAHMAN COMMISSION:
SOFT ON ARMY ACTION**

At the level of the state, the blame for the 1971 debacle was never conclusively put on any particular institution or event, if one goes by the reports of the Hamood-ur-Rahman Commission that was set up 10 days after the surrender of the Pakistan army at the hands of India, to enquire into:

the circumstances in which the Commander, Eastern command, surrendered and the members of the Armed Forces of Pakistan under his command laid down their arms and a ceasefire was ordered along the borders of West Pakistan and India and along the ceasefire line in the State of Jammu and Kashmir.

The first and second reports of the commission held that the defeat was the cumulative impact of moral, political, international and military

factors. The second report which was leaked to the media maintained that

...due to corruption arising out of the performance of Martial Law duties, lust for wine and women and greed for lands and houses, a large number of senior Army Officers, particularly those occupying the highest positions, had not only lost the will to fight but also the professional competence necessary for taking the vital and critical decisions.⁸

It also held that 'extensive and prolonged involvement of the Pakistan Army in Martial Law duties and civil administration had a disastrous effect on its professional and moral standards'. Distilling from the views expressed by various officers from the army, navy and air force, the commission drew this conclusion that

the foundation of this defeat was laid way back in 1958 when the Armed Forces took over the country... While learning the art of politics in this newly assigned role to themselves, they gradually abandoned their primary function of the art of soldiering, they also started amassing wealth and usurping status for themselves.

Interestingly, the report, while investigating into allegations of excesses seemed to imply that these actions were in response to 'harrowing tales of atrocities narrated by the large number of West Pakistanis and Biharis committed on them by the Bengali insurgents'. It cited the book by a renowned journalist of high-standing, Mr Qutubuddin Aziz, who took pains to marshal the evidence in a publication called *Blood and Tears*⁹ and held that

...[the] tales of wholesale slaughter of families of West Pakistani officers and personnel of several units had also reached the soldiers who were after all only human and reacted violently in the process of restoring the authority of the Central Government.

There is a quiet admission that 'indiscriminate killing and looting could only serve the cause of the enemies of Pakistan' and 'in the harshness, [Pakistan] lost the support of the silent majority of the people of East Pakistan'. It was also pointed out that there was deep hatred against the Bengalis within the armed forces of Pakistan and there were orders to eliminate Hindus. The commission found Gen Tikka Khan more responsible and sensitive to human rights issues than Gen A.A.K. Niazi and held that 'the words and personal actions of Lt. Gen. Niazi were calculated to encourage the killings and rape'.

In sum, the report spent a great deal of its energy and attention rubbishing Mujib's allegations about widespread rapes and wanton killings including targeting of intellectuals. It held that the claims were exaggerated while the action of the Pakistan military was a natural reaction to the existing circumstances in East Pakistan. Nevertheless, the Commission recommended that 'irrespective of the magnitude of the atrocities... it's necessary for the Government of Pakistan to take effective action to punish those who were responsible for the commission of these alleged excesses and atrocities'. It also considered it imperative,

...to book these senior army commanders who have brought disgrace and defeat to Pakistan by their professional incompetence, culpable negligence and wilful neglect in the performance of their duties, and physical and moral cowardice in abandoning the fight when they had the capability and resources to resist the enemy.

Dwelling on the political background, the commission held that no effort was made between May and September 1971 to initiate a political dialogue and this led to popular disaffection, which was leveraged well by India to mount training programmes for the Mukti Bahini and conduct guerrilla raids into Pakistan territory. Yahya Khan's refusal to negotiate with both Mujib and Kamal Hussain, both under Pakistani custody, drew criticism from the Commission in this connection. Lastly, the Commission took exception to Gen Niazi's decision to surrender when he could have held out for at least two more weeks and if he 'had done so and lost his life in the process, he would have made history and would have been remembered by the coming generations as a great hero and a martyr, but the events show that he had already lost the will to fight' after the fall of his major fortresses at Jessore and Brahmanbaria on 7 December 1971 and the 'question of creating history, therefore, was never in his mind'. The Commission also sought public trial of Yahya Khan and Gen Niazi for their moral degeneration.

POST 1971 PAKISTAN: LESSONS LEARNT?

It is useful to ask here whether the ruling elite of Pakistan, the feudal-military combine or the 'miltablishment' a term popularised by Najam Sethi, a perceptive observer of civil-military relations in Pakistan, learnt any lessons from such a debacle. Subsequent developments in Pakistan suggest that the inertia of political lassitude and quest for accumulating power continued with most rulers of Pakistan. Zulfikar Ali Bhutto,

the populist, who had raised a political storm *vis-à-vis* Ayub Khan and reaped a good political harvest in West Pakistan, after assuming power from Yahya Khan, as perhaps the first and last civilian martial law administrator of Pakistan on 20 December 1971, made an effort to frame a new constitution for the country. At long last, the first session of the National Assembly was held on 14 April 1972 at the State Bank Building, Islamabad. All 144 Members from West Pakistan and two from erstwhile East Pakistan (Noor-ul-Amin and Raja Trived Roy from Chittagong) participated in the session and an Interim Constitution was adopted on 17 April 1972. It provided for a Presidential form of Government and the Assembly was given an extended life till 14 August 1973, within which the new constitution was to be finalised. A 25-member Constitution Committee was formed on 17 April 1972 to prepare the first draft. The Committee presented its report on 31 December 1972, and it was passed by the Assembly in its session on 10 April 1973, not without controversy. It was signed by the President on 12 April 1973 and promulgated on 14 August 1973, the day, Bhutto was sworn in as the Prime Minister and Fazal Illahi Choudhary as the President of Pakistan.

The debates in the Assembly on what form the new constitution should take were very interesting. Predictably, the issue of parliamentary form of government and federalism were debated. The opposition parties, especially the National Awami Party (NAP) which formed government in then NWFP and Balochistan and JUI were courted by Bhutto to ease the process of constitution-making. However, the Baloch and Pakhtun members continued with their demands of provincial autonomy and a decentralised form of governance which was not taken well by Bhutto and his followers, who were gravitating towards a centralised power structure under the façade of a federal form of government. Mir. Ghous Bakhsh Khan Bazanjo (also written as Bizenjo) thundered in the house:

...a Constitution, a Government, a system or any 'Ism' are all meant for the human beings and for their well-being and prosperity. The people of a country are not meant for any Constitution or any 'Ism'. Therefore, we had expected that after such a bitter experience that we had had in East Pakistan, there would be presented a Constitution, which would promote unity, solidarity, love and affection in the country and would guarantee the integrity and solidarity of the people. It is clear that this can only happen when the people of different parts of Pakistan are given responsibility and proper and lawful share in the affairs of the country in this

Constitution. Howsoever we may like to hide and make efforts to conceal the facts by simulation, it is an open secret that Pakistan is a multi-national state. In this country, different languages are spoken, there are different civilizations and various people have different thoughts and views regarding their affairs. We have always tried to conceal the facts; sometimes we did it in the name of religion and sometimes we tried to stifle the voice of the people by branding them as enemies of Pakistan. But it is a fact that so long as we do not give due rights and place to the people having different ways of life, we would not be able to lay the foundations of a united and integrated Pakistan. This can only come about when Pakistan becomes a federal parliamentary state in the true sense. And in that federation, different federating units are given their due rights. There is no doubt that the word 'Federation' has been used in the Constitution, but when we read the Constitution, we find neither federal nor parliamentary system in it.¹⁰

Bizenjo went on to argue that the States/provinces should be allowed to retain the revenue generated from their soil and particularly referred to sui gas and earnings from fishing along the coastlines of Balochistan and raised his objections to the interim constitution allocating such sources of income to the centre. He forcefully argued:

The total allocation for Baluchistan in the annual budget comes to Rs. 8 crore, whereas the Centre is getting Rs. twelve and half crore from Sui gas only. Then, why are we told that our Province is a deficit one? Baluchistan earns foreign exchange worth Rs. 350 crore from fish and the Income from minerals is in addition to it. I would submit Sir, that our main sources of income should be returned to us.¹¹ (p. 375)

Abdul Hayee Baluch spoke of Wali Khan also brought out the ruse that the NAP-ruled provinces had with the centre and talked about the need for recognising the multi-national character of Pakistan:

I think it is necessary that this House should recognise this basic fact and *as the State is a multi-national State of different nationalities*, so their languages and culture must be given due status and their due share and that only could be done by providing them as the national languages—all these four languages as the national languages of Pakistan and the official languages of their respective provinces and Urdu should be the State language or official language of the whole State.

Mian Mahmud Ali Kasuri, a PPP parliamentarian (with NAP background and father of Khurshid Mahmud Kasuri) tried to impress upon the members the dangers of ignoring the minorities and criminalise them and stop projecting Pakistan as a project of few Punjabis alone:

Every Baluchi is a 'ghaddar', every Pathan is a 'ghaddar' and if you go to Sind, to Punjab, you will find people who say that Sindhis want Sind Desh. Apparently, only a few people in Punjab are the custodians of Pakistan.¹²

The constitution that finally emerged out of the debates provided for a parliamentary form of government with a federal form exemplified by a bicameral legislature. The lower house had 10 seats reserved for minorities who were to be elected through the system of separate electorate. In the run-up to the adoption of the constitution on 10 April 1973, Bhutto displayed the very same dictatorial leanings that characterised his predecessors in uniform. Bhutto was hell-bent on manufacturing a consensus by hook or by crook to back the constitution, which was being framed. In February 1972, shortly before the whole exercise began, Bhutto took charge of the National Press Trust, the official media, to disseminate the official narrative and control the press. He used his authority to harass political leaders opposed to his policies and some of them died under mysterious circumstances; others were intimidated, threatened and taken into custody. On the eve of finalisation of the constitution, the Governors of the two NAP-led governments in Balochistan and NWFP were on 15 February 1973, in reaction to which the NAP government of the NWFP resigned. The governors of Punjab and Sindh were ordered to ensure that all the members would be present to back the constitution in the assembly.¹³ Interestingly, five opposition parties who boycotted the debates on constituent making in the assembly were suddenly seen to be engaged by members of the ruling party on 9 April 1973 and made to accept all the provisions of the new constitution! That the opposition was largely ignored during the process of constitution making can be gleaned from the following facts. The appeals of the NAP for recognising the multi-ethnic/multi-national character of the state and basing the constitution on a non-majoritarian outlook guaranteeing equality of all four major ethno-national groups fell in deaf ears. The NAP's boycotted the proceedings at a time when the assembly had approved only one-third of the provisions of the draft constitution. Only one out of about 400 amendments proposed by the opposition was accepted. The remaining

two-thirds was adopted in the absence of opposition members. About 1,600 amendments moved by the opposition members were allowed to lapse. It was strange to find the opposition finally coming to the assembly on the final day backing the constitution, which could not have been possible without 'the threat of prosecution on treason charges'.¹⁴

Be that as it may, the 1973 constitution lasts to this day even if it had been either amended to suit the needs of the military rulers or kept under suspension during the rule by two military dictators—Zia-ul-Haq and Pervez Musharraf.

As has been pointed out by numerous observers, Bhutto was also very authoritarian in his approach and repeated the mistakes of his predecessors by not allowing the opposition to play its role and using the army and machinery of the state against his political opponents. Even if he recognised federalism as a major objective of the 1973 constitution, he was not too willing to allow the provincial governments to assume any degree of autonomy. Like the military dictators preceding him, he was extremely obstreperous in his dealings with his detractors and did not brook any opposition to his point of view. Bhutto started by striking an agreement with both the NAP and Jamat-ul-Ulema-i-Islam (JUI), however, he refused to pay any attention to their genuine appeals during the process of constitution-making, especially for cultural autonomy. For example, the issue of the Baloch government rooting for Roman instead of Arabic script and endorsing education in mother tongue riled many in the central government.

Soon afterwards, the Baloch versus Punjabi issue was raised by the centre and on a trumped-up charge that the Baloch leaders were in league with external forces and were planning sedition against the state, the Balochistan government was dismissed in February 1973. The political turmoil gave a fresh lease of life to Baloch insurgency. The army was soon sent in, and with the help of Iranian as well as American helicopter gunships the resistance was put to rest. According to some estimates, there was armed engagement between more than 80,000 Pakistani troops and some 55,000 Baloch guerrillas. And the casualty was high—about 3,000 Pakistan troops and 5,300 Baloch guerrillas.¹⁵ In 1976, federal government initiated the Hyderabad Conspiracy case against 55 persons from NWFP now Khyber Pakhtun Khwa (KPK) and Balochistan. The political atmosphere was thus vitiated again on the same issue of language and provincial autonomy soon after secession of East Pakistan and formation of Bangladesh.

Interestingly, Zia-ul-Haq, the military dictator who usurped power from Bhutto took full advantage of the situation and reversed the steps taken by Bhutto against Baloch and Pakhtun nationalists. When Musharraf came to power in 1999, he continued with the policy of Bhutto *vis-à-vis* the Baloch insurgents, which was to use excessive force to crush the rebellion. The killing of veteran Baloch leader Nawab Akbar Khan Bugti in July 2006 when the cave in which he was present collapsed due to massive bombing by the Pakistan military. The insurgency has continued despite the use of disproportionate force and, in fact, intensified to such an extent that like in the case of Bangladesh, even palliative political measures like *Aghaz-e-Haqooq-e-Balochistan*¹⁶ offered by civilian administration in 2009 was not acceptable to the people of Balochistan, many of whom are demanding independence rather than autonomy.

In fact, Nawab Bugti's case was a classic one. As a young man educated at Oxford, he had voted in favour of accession to Pakistan in the Shahi Jirga held in 1947 and he had a chequered political career that saw him participating openly in the political processes and becoming the 6th chief minister and 4th governor of Balochistan. Even then, the praetorian reflexes of the Pakistani state turned him into a hardcore rebel, unwilling to compromise. The pre-Bangladesh syndrome of holding Pakistan together by force rather than carefully crafted political consensus continues to haunt the power-scape in Pakistan.

FEDERAL RELATIONS TODAY

Coming to the issue of federal relations, the political class showed some maturity after the signing of the charter of democracy in 2004. After Pakistan reverted to democracy, the two main political parties (Pakistan Muslim League-Nawaz and Pakistan Peoples' Party or PPP) have, despite intense political competition between them, hung together on issues that threaten to undermine civilian power. The passing of 18th amendment in April 2010 that removed all extra-constitutional undemocratic and praetorian insertions into the 1973 constitution and restored the system of the parliamentary democracy could not have been possible without both parties coming together on this important issue.

The third political force in the shape of Imran Khan's Pakistan Tehrik-e-Insaf (PTI) has also so far not reversed some of the federal provisions in the 18th amendment despite the displeasure of the deep state. The argument of the military has been that these provisions

impede the process of national integration by allowing provinces to defy the centre and pose a critical challenge to national security. These provisions, in a way, come in the way of the deep state bringing in security measures intended to perpetuate its hold on power at the cost of the civilian dispensation. The amendment among other things has tilted the balance of federal power sharing in favour of the states at least in theory. In practice, however, while the federal government largely determines the federal dynamics, the deep state or 'miltabishment' influences the way the federal relations are carried out on the ground.

A close analysis of the federal situation in Pakistan reveals that 'the military's dominant role [has] serious implications for the multi-ethnic federation as well, undermining provincial rights and autonomy guaranteed through the 18th amendment'.¹⁷ The miltabishment has even held 18th amendment more dangerous than the 'Six Points' of Mujibur Rahman that led to secession of East Pakistan.¹⁸ In a situation, where a hybrid civil–military system is at work, it requires a perennial struggle for states to safeguard the rights and privileges granted to them through the constitution.

CONCLUSION: HAS PAKISTAN LEARNT ITS LESSONS?

In the last five decades, Pakistan has passed through several political upheavals during which it has gravitated towards what Pakistani observers have called a hybrid political system where power is shared by both civilian and military elites with the balance tilted in favour of the latter. The memories of Bangladesh continue to haunt the military elite which has, therefore, viewed demands for ethnic/linguistic autonomy and provincial rights with extreme suspicion. While the civilian governments have sought to plug ethnic grievances through political packages like *Aghaz-e-Haqooq-e-Balochistan*, the primary way of handling ethnic assertions has been through use of brute force or raw military power. Through the regimes of Zia and Musharraf, it has been noticed that the military has increasingly arrogated unto itself extra-constitutional powers to deal with such issues which, on the face of it, threaten Pakistan's integrity and existence. To some extent, the military has been more innovative in its radical counter-insurgency measures. It has used force to manage popular rebellion rather than supporting the civilian government's efforts to seek out political alternatives to strengthen the practice of genuine federalism and inter-ethnic harmony. The military has used local political dynamic, tapped into intra-ethnic fault-lines and

used Islam against secular militant forces like Baloch insurgents and Pashtun Tahfuz Movement (PTM) to manage the situation. Use of brute military power against both the Baloch rebels and pacifist Pakhtuns along the border has aggravated the situation rather than settling it.

In the process, Pakistan seems to be held together by force rather than will of the people (especially that of the ethnic minorities). The shadow of civil–military competition for power has also hampered the process of natural evolution of political impulses that bind a multi-ethnic (or multi-national) country like Pakistan together.

If Pakistan's military has learnt anything from its 1971 experience, it is to continue to instil fear into the minds of minority ethnic groups and the provinces where they held sway to ensure that no further secession becomes possible ever, upsetting the efforts of the political class to manage ethnic disaffections with empathy through political measures. The fear of secession, often manufactured by the deep state and its collaborators in the political space, continues to perpetuate the same authoritarian and centralising mindset/reflexes that had led to the fall of Dhaka.

NOTES

1. Syed Sharifuddin Pirzada, ed., *Foundations of Pakistan Vol-2: All India Muslim League Documents 1906-1947*, Karachi: National Publishing House, 1969, p. 341.
2. Census of Pakistan, 1951, Population according to religion, Table 6, Census Bulletin No. 2, Office of the Census Commissioner, Government of Pakistan, Ministry of Interior, October 1951, p. 1.
3. The quotes used in the entire article from the discussions in the Constituent Assembly of Pakistan have been excerpted from the documents accessed from the website of the National Assembly of Pakistan available at <http://www.na.gov.pk/>, accessed on 8 September 2021.
4. As mentioned in Hamood-ur-Rahman Commission report, according to many deponents that the commission debriefed by the Commission, it could also have been the machination of Gen Yahya Khan and his henchmen who pressurised political parties based in West Pakistan not to participate in the inaugural session. There was a fear that if the session was allowed to take place it would have legitimised Awami League's inevitable assumption of power, which was not acceptable to the West Pakistan leadership. See the second report produced by the Commission leaked to media: "Tragic Events of 1971: Hamoodur Rahman Commission Report". Excerpts of the Report was published in the weekly magazine *India Today* and reproduced by *Dawn* and later by *Daily Star*, available at <https://www.thedailystar.com>.

- net/sites/default/files/upload-2014/freedomintheair/pdf/Hamoodur%20Rahman%20Commission%20Report_Dawn%20(1).pdf
5. *Social Studies for Class V*, Sindh Textbook Board, Jamshoro, 2018, p. 70.
 6. Malik Muhammad Sharif, ed., *Social Studies for Class V*, Punjab Curriculum and Textbook Board, Lahore, 2018, p. 33.
 7. *Pakistan Studies for Class IX*, Punjab Curriculum and Textbook Board, Lahore, 2020–21.
 8. ‘Tragic Events of 1971: Hamoodur Rahman Commission Report’, n. 3, p. 5.
 9. Qutubuddin Aziz, *Blood and Tears*, Publications Division of the United Press of Pakistan Ltd., Karachi, 1974.
 10. *National Assembly of Pakistan Debates, Official Report*, Monday, 17 April 1973, Printing Corporation Of Pakistan Press, Karachi, 1972, pp. 326–28.
 11. *Ibid.*, p. 375.
 12. Assembly Debates, National Assembly of Pakistan (Constitution Making), Friday, 2 March 1973, p. 595.
 13. For details, see Rahat Zubair Malik, ‘Parliamentary System and Framing of the 1973 Constitution: Contest between Government and Opposition inside the National Assembly’, *Pakistan Perspectives*, Vol. 25, No. 1, January–June 2020, pp. 29–47.
 14. See an impartial analytical piece titled ‘Constitutional History of Pakistan’, available at <https://constitutionnet.org/country/pakistan> [The International Institute for Democracy and Electoral Assistance (International IDEA), an intergovernmental organization that supports sustainable democracy worldwide.]
 15. Gulshan Majeed and Rehana Saeed Hashmi, ‘Baloch Resistance during Zulfikar Ali Bhutto’s Era: Causes and Consequences’, *South Asian Studies*, Vol. 29, No. 1, January–July 2014, pp. 321–31, available at http://pu.edu.pk/images/journal/csas/PDF/24%20Gulshan%20Majeed_29_1.pdf
 16. For an analysis of the package, see ‘The Aghaz-e-Haqooq-e-Balochistan Package – An Analysis’, PILDAT, 1 December 2009, available at <https://pildat.org/parliamentary-development1/the-aghaz-e-haqooq-e-balochistan-package-an-analysis>; and also ‘Aghaz-e-Huqooq-e-Balochistan Package: Speakers Bemoan Slow Implementation’, *Dawn*, 30 June 2011, available at <https://www.dawn.com/news/640595/aghaz-e-huqooq-e-balochistan-package-speakers-bemoan-slow-implementation>, accessed on 1 November 2021.
 17. See a perceptive essay by a young researcher, Salman Rafi Sheikh, ‘Military Creep: Pakistan’s Federal System is being Undermined by Militarisation’, *Himal*, Kathmandu, 4 Aug 2021, available at <https://www.himalmag>.

com/military-creep-pakistan-2021/. Also see Fatima Khan, 'Why the 18th Amendment has become a cause for irritation for the Pakistani Army', *The Print*, 12 June 2020, available at <https://theprint.in/opinion/why-the-18th-amendment-has-become-a-cause-for-irritation-for-the-pakistani-army/440126/>, accessed on 1 November 2021.

18. Suhail Warraich, 'The Bajwa Doctrine: From Chauvinism to Realism', *The News*, 19 March 2018.