

The mirage of democracy

Democracy
Dawn

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EVERY time the general takes a political decision the cry goes up he is destroying democracy. The actual destroyers of democracy in the last thirty years have been the elected prime ministers starting with Zulfikar Ali Bhutto and ending with Nawaz Sharif in 1999.

The only possible exception was Mohammed Khan Junejo who according to his dim vision, tried to assert himself as the civilian head of government. His was however not a particularly intelligent way of going about it.

We had actually got it all wrong from day one. Mr Jinnah was committed to parliamentary democracy but he could not help the anomalous position created in his life time. The prime minister was definitely subordinate to the governor-general. Since he died in little more than a year after independence, he cannot be held responsible for perpetuating such an arrangement.

Liaquat Ali Khan became a real prime minister. Although he came from the fringes of East Punjab he was not acceptable to the ruling elite of what was then West Pakistan. He was not elected from Punjab or even Sindh. He was elected from Bengal. He was eliminated from the scene towards the end of 1951. Nazimuddin stepped down from governor-general and became prime minister and Ghulam Mohammed took over as governor-general.

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the transaction, promptly declared it lawful under the "doctrine of necessity." The process started in October 1951 was finally completed in seven years. It was the result of a sort of group think and not the machinations of a master mind. As one columnist said, what the Punjab mind thinks, the army follows or words to that effect.

In a way it was the dawn of a golden age. Foreign assistance flowed into Pakistan in copious quantities. The economy was reasonably well managed. There was some corruption but not excessive. The major political issue was control of East Pakistan and perpetuation of Ayub Khan. Both were achieved through indirect elections formally called "Basic Democracy." Indirect elections had the approval of Thomas Jefferson who favoured this process for election of the president in the US. This can still influence the election of the US president even if this form is now only a

forces under an UN agreement. It was this resolution which Mr Bhutto was alleged to have torn up and left that particular UN session in a huff. One sympathizes with Bhutto's dilemma. How could civil supremacy be restored without the defeat and humiliation of the Pakistan army? He succeeded.

As far as constitutional development was concerned, he produced an acceptable version of the Westminster model. The problem with the Westminster model is that unless there are checks on the prime minister, it easily degenerates into prime ministerial dictatorship. Within six months of promulgating the Constitution a series of amendments fulfilled Bhutto's desires. He was now master of all that he surveyed. The supremacy of the civil authority over the military was established beyond doubt. So what if the Westminster model was left in ruins. Bhutto then proceeded to systematically destroy himself — the result of a

serious infection with the virus of megalomania. In such a situation it can be a terminal human condition, and it eventually killed him.

There is no need to remind people about the return of the military and its consequences. Authority was nominally returned to the civil with the selection of Junejo as prime minister; but Section 58 (2) (b) now empowering the president to sack the PM and/or dissolve the National Assembly kept hanging over him and when the president got fed up he was told to go home after a little less than three years in office.

There has been much

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what led to the subsequent falling out between the governor-general and the prime minister is not quite clear. If some, now probably retired bureaucrat, who was a youngster at that time with inside information, could come forward and, for a change, try and tell the truth, it might add to our knowledge.

The governor-general dismissed the prime minister in 1953, most probably in collusion with the Chief Justice of Pakistan and with the full support of the Pakistan Army in the person of General Ayub Khan. It was actually the first army coup but with a carefully preserved civilian face and a facade of parliamentary form.

Prime ministers came and went but the politicians nevertheless managed to cobble together a constitution by 1956 based on "parity" between East and West Pakistan. The threat of a permanent East Pakistan majority was theoretically reduced if not averted. Since East Pakistan was already a unit, West Pakistan was also converted into one unit and the smaller provinces subordinated to the administration in Lahore. With the promulgation of the constitution the clamour for elections rose. It was apprehended that any government which emerged from this process may still be dominated by Bengal. There was only one solution: postpone the elections indefinitely. Since that was not possible, the military had to be brought in to "save" the country. They dutifully did so in October 1958. Given his previous track record the Chief Justice of Pakistan who was most probably, already a party to

vestigial remnant of the original electoral college.

While there are many virtues in indirect elections, it has one fatal flaw. By reducing the number of voters it makes it much easier to manipulate the final result. In spite of all the hoopla about the genius of the people; this was Ayub Khan's objective, and he achieved it.

The whole business came full circle with the 1970 elections which were reasonably free and fair. This created a serious problem, a Bengali prime minister became inevitable. Only desperate measures could avert this. The March action was taken by the military in order to "save Pakistan." The next day Z.A. Bhutto proclaimed Pakistan had been saved. On the other hand, Air Marshal Asghar Khan said Pakistan had been destroyed. By Pakistan, Bhutto meant West Pakistan while the Air Marshal was referring to the country as it then existed.

It is difficult to understand this action from a military point of view. How could anyone expect to crush an "insurrection" from a distance of 1,500 miles, inhabited by a hostile power, without overwhelming superiority in the air or adequate sea power. Besides how does the majority of the population "insurrect"? The defeat of the Pakistan army was inevitable. A better general may have saved something from the wreck through the opportunity provided by the "Polish resolution" to in the UN Security Council bring hostilities to an end, and evacuation of Pakistani

three years in office.

There has been much pontification, especially by constitutional lawyers and our intelligentsia, that 58 (2) (b) has more or less destroyed the so-called Westminster model. Constitutions are not dropped from heaven. They grow in society. For instance, the British constitution is unwritten. As someone pointed out, "You take a bit of law here, a code of practice there and add a dash of custom and precedent and — just like that — you have the British constitution." How is this to be replicated?

If one looks at the way the British constitution evolved over the last eight centuries, it has really been a slow change from absolute monarchy to a fully democratic system which can be assumed to have arrived in 1929 when women were ultimately given the right to vote. The power structure comprised of the monarch, the House of Lords, the House of Commons, the political parties and ultimately public opinion. The power of the monarch has declined and the nobility has been more or less disbanded. The power of the prime minister has increased, possibly too much. However, even now the power to dissolve parliament is exercised by the monarch but the convention is that it is exercised on the advice of the prime minister.

While we in Pakistan have from the outset outward forms of the parliamentary system, the substance has always been missing. Our politicians are not even aware of its existence.

(To be concluded)