Impediments to Democracy in Pakistan

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Abstract

Military interventions remain a significant feature in the politics of the developing world. This is particularly the case in many countries of South Asia where domestic military actions have interrupted the political and democratic process. In the political discourse, democracy means "rule of the people (demos)". This doctrine requires a country to have a fully developed political, economic and social system in which the state is represented by an incumbent government that enjoys its sovereignty through the will of people. Through the long history of political development, "democracy" has connotations frequently been coupled with terms like "commonwealth" and "social contract". Today, despite the fact that most countries declare themselves to be democracies, in practice they only pay it lip service. The real spirit of democracy, called by Rousseau "the general will", is not being realized, especially in the underdeveloped countries. There is a universal concern today about the status of democracy. On the one hand, all the world forums created in the West, including the United Nations, are urging the developing countries to adopt democratic systems. Yet on the other hand, it has become difficult for the developing world to apply democracy in letter and spirit. To think of a proper and sustainable democratic

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society will remain a dream for the people of Pakistan, unless it is supported by socio-economic structure as its base. One can learn from its development in Europe, but in Pakistan there is a great disconnect between the two. So although the country has gone through its constitutional development and adopted a constitution, its weak political structure and low level of economic development allow the military to intervene in Pakistan's politics intermittently.

Introduction

The question of why democracy could not take root in Pakistan has many dimensions. There is a popular and general consensus that the most important element in explaining the failure of democracy is the repeated military intervention into domestic politics, as well as the ideological environment of Pakistan. The basic reason, of course, lies in the absence of a firm socio-economic structure, which in turn leads to the weakness of the effective political institutions in a society.[1] Most of the social scientists discussing the failure of democracy in Pakistan emphasize only secondary factors. Thus Shuja Nawaz opines that the interaction of the military and political leaders, along with their respective ambitions and inclinations, accounts for some of the soldiers' interventions.[2]

Military interventions that topple civilian regimes are not uncommon in underdeveloped countries in Africa, Asia and Latin America. But their techniques and justifications are not monolithic. Sometimes military dictators will take refuge in ideology to justify their takeovers, or raise the patriotic slogan of rooting out corruption from the civilian administration. Such charges of venality, mismanagement and lawlessness, of course, simply highlight the institutional weakness of a civilian government. On the ideological level

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1   Samuel P. Huntington, *Political Order in Changing Societies*, 13th ed. (London: Yale University Press, 1977),196.

2   Shuja Nawaz, *Crossed Swords: Pakistan, Its Army, and the Wars Within* (Karachi: Oxford University Press. 2008), 139.

of justification, one can cite the intervention of General Pinochet which toppled the elected government of President Allende of Chile. General Pinochet, supported by the United States, made it a point to dislodge the recently elected, radical-reformist (sometimes labeled as pro-Soviet) administration in his country. In this context one might include the demand in July 1977 of General Zia-ul-Haq for the resignation of the democratic government of Zulfiqar Ali Bhutto, the then Prime Minister of Pakistan. In other cases the army has claimed to be more righteous and convinced civilian governments to abdicate through a sheer show of force. This happened in Pakistan in October 1999 when General Pervez Musharraf demanded the departure of the then Prime Minister Nawaz Sharif. This reflects the model of the "praetorian" state. For, as Ilhan Niaz notes, Musharraf's stated objective was to establish a unity of command that would enable the praetorian center to exercise direct control at the local level, while circumventing the higher bureaucracy as well as the provincial and national politicians and assemblies.[3]

After a military takeover, the dictator usually introduces his own system of government only after abrogating the constitution, or placing it in abeyance. General Zia took refuge in an ideology of Islam and Pakistan, and asked for changes in the constitution and the laws of the land so that they would accord with *Shariah*. Adherents of democracy commonly think such arguments are mere excuses to justify the unconstitutional steps taken by the military dictator, and this suggests the hypothesis that a *coup d'etat* is less likely to happen in countries whose higher socio-economic development is supported by strong state institutions.

The theoretical foundation of such an assumption is that military interventions are very much related to the socio-economic conditions found in developing countries. Moreover, a strong civilian government supported by political

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3   Ilhan Niaz, *The Culture of Power and Governance of Pakistan: 1947-2008* (Karachi: Oxford University Press, 2010), 150.

institutions and democratic values are the indicators of the level of political development in any society. Samuel Huntington argues that the theory of political development and decay stresses the importance of the institutionalization of political organizations and procedures.[4] Huntington conceptualizes that where there is evidence of a weak institutional framework, a vacuum of leadership exists and, since army remains a contender for power and also has leadership potential, it can easily take control. For him this is a type of "Praetorian State" which is marked by the politicization of the social structure due to absence of political institutionalization. The military's interventions in Pakistan present just such a praetorian model. In this respect, S.E. Finer, a pioneer in this field, has questioned the role of the military in a society and asked: just what degree of separation should there be between a civil government and its army? He emphasises that a government can be efficient enough to keep the civil-military relationship in balance by ensuring that the need for intervention by the armed forces in a society is minimal.[5]

For Finer, countries with minimal political cultures attract persistent military interventions. Hassan Askari Rizvi, who has also analysed the reasons and causes for military interventions in Pakistan, seeks to explain how the professional military establishment of pre-partition times transformed itself into a national political actor. He also refers to an institutional imbalance which is reinforced by two inter-related trends in the political domain. One is the process of political decay and degeneration which was set in motion soon after independence. And the second is that the bureaucracy and the military maintained a professional disposition that is marked by hierarchy, discipline, and *esprit de corps*. He believes that these developments accentuate the institutional imbalance and have worked to the disadvantage of civilian leaders. The result has been that a

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4   Niaz, *The Culture of Power and Governance*, 150.

5   Samuel E. Finer, *The Man on Horseback: The Role of the Military in Politics* (London: Pall Mall Press, 1962). 271

weak and fragmented political structure has been unable to sustain itself without support and cooperation from the bureaucracy and the military. This has enabled the bureaucracy and the military to enhance their role in policy-making and management, and they began to dominate politics.[6]

Veena Kukreja has attempted to study military intervention by applying a theoretical framework to an empirical study of civil-military relations in South Asian countries, specifically Pakistan, Bangladesh and India. She highlights that military interventions in Pakistan took place in conditions of weak civil institutions, and so closely resembles a praetorian model. But at the same time, in the case of Bangladesh and Pakistan, the role of the military in politics is less rigorously tied to a theory because military leaders have resorted to the formula of legitimacy and consolidation. Her proposition is borne out by the low level of political and economic institutional stability, and the volatile socio-economic environments of Pakistan and Bangladesh. And in fact, a military intervention is a clear reflection of the weakness of the political system and institutions which are unable to respond to demands for political participation by outsiders. Therefore, they end up succumbing to military interventions.[7] Likewise, as P.F. Gorman points out, military interventions generally take place in countries of a lower income status.[8]

Another theoretical approach focuses on the centrality of the military. This suggests that where there are greater resources and cohesion in a military establishment, there is a greater likelihood of military intervention in politics. Lawrence Mayer and John Burnett have developed a

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6   Hasan Askari Rizivi, "The Military and Politics in Pakistan", *Journal of Asian and African Studies,* 26, no. 1-2 (1991): 27-42.

7   Veena Kukreja, *Civil Military Relations in South Asia: Pakistan, Bangladesh and India* (New Dehli, Sage Publication, 1991).

8   P.F. Gorman, "Internal Defense and the Less Developed Countries", in A. Jordan (ed.) *Issues of National Security in the 1970's* (New York: Fredrick A. Praeger Publishers, 1997), 126-150.

concept of the "centrality" of the military within a state. In their view the sectorial interests of the military, and its parasitic nature as an institution, gives it centrality to the state's claim on the legitimate use of violence, and allows the soldiers to dominate politics.[9] J.C. Jenkins and A.S. Kposowa, while agreeing with and endorsing these views, add only that this occurs especially if the civilian institutions are weak. Therefore, the stronger the military institutions are in proportion to the national economy, the weaker will be the institutions of civil society and politics.[10] As Finer has pointed out, a centralized chain of command and efficient communications network make military officers a cohesive group that enables them to organize effectively to seize power.[11]

The Concept of Democracy and its Evaluation

The concept of democracy is very ancient. Generally, it means arriving at a consensus in a gathering where either all, or a group selected by all, is considered to represent the whole of a society. In certain ancient social groups there were a variety of such democratic practices, like the early *Punchiyat* system of the Aryans or the citizen assemblies of some Greek city states. The word "democracy" is derived from the two Greek words *demos* (people) and *kratos* (rule), and so means "rule of the people" or "the rule of the majority". Plato did not like it, and Aristotle ridiculed it by calling it "mobocracy", which means the rule of the crowd. There are many definitions of democracy, but one of the most popular and acceptable is Abraham Lincoln's that it is "government of the people, by the people, for the people".[12]

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9   Lawrence C. Mayer & John. H. Burnett, *Politics in Industrial Societies: A Comparative Perspective* (New York: John Wile & Sons, 1977).

10   J.C. Jenkins & A.S. Kposowa, "The Political Origins of African Military Coups", *International Studies Quarterly,* 36, no. 3 (1992): 271-291.

11   S. E. Finer, *The Man on Horseback,* 2nd ed. (Boulder, CO: Westview Press, 1988).

12   US President Abraham Lincoln, in the Gettysburg Address, delivered on November 19, 1863, stored at the Library at Congress, placed at *www.virtualgettysburg.com/exhibit/lincoln/feature.htmlcited.* Also cited in the

When democracy was practiced in the Greek city state of Athens in fifth and fourth centuries BC, the population was divided into two classes: free citizen and slaves. All the legal rights were reserved for free citizens, and slaves (and women) could not participate in the decision-making. Any person not living his life according to the will of the people could be ostracized. This was a formal exclusion from a group for ten years from Athenian territory, through social rejection. However, the psychology of ostracism goes much further, and it has been defined as "...any behaviour in which a group or individual excludes and ignores another group or individual".[13] All the people of a particular locality would gather for law-making, more often than not in the market place. But to be selected as an office bearer, there were conditions. For example, one had to own some property. If we study the earlier practices of democracy in the West European countries and the United States of America, this same condition was also applicable there for casting a vote. Yet the major difference between the modern democracy and that practiced in ancient Athens is that voters now seldom participate directly in the process of law-making. Rather, they choose their representatives to speak on their behalf in the legislative assembly, whereas in Athens the citizens were part of the law-making process throughout the year.

The British Heritage of Democratic Institutions

In the last days of their Empire the British introduced limited democratic institutions and qualified universal suffrage. In the subcontinent, including the area of present-day Pakistan, before the British, a governor was appointed by the Mughal emperor in Delhi and he ruled as a despot on the pattern of the central government. In terms of the Western feudal system, they operated as vassals, dependent on the

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"The Collected Works of Theodore Parker: Discourses of slavery", vol. V, (London: Turboner and Co-Paternoster, 1863), 105.

13   Ilja Van Beest, Kipling D. Williams and Erik Van Dijk, "Cyber bomb: Effects of being Ostracized from a Death Game", *Group Processes & Intergroup Relations,* 14, no. 4 (2011): 581–96.

goodwill of the king. This practice was later on adopted by the Sikh rulers of Punjab as well. However, the leaders of the All-India Muslim League, headed by Quaid-i-Azam Muhammad Ali Jinnah, were mostly educated in secular institutions created by the British, and only oriented to the art of government as introduced by their British rulers. They wanted to form a legislature, executive, and judiciary in the traditional Western model. But the cultural trends of their society were not conducive to immediately accommodating the Western style of government. So many conflicts erupted among various ideological, cultural and socio-economic segments of a society which were not prepared to digest the values of a Western democratic system. Although the Western educated leaders of the various parties wanted to adopt a Western secular order of democracy, Muslim religious leaders, however, were not ready to accept anything less than the full implementation of *Shariah* for running day-to-day affairs in a future state of Pakistan.

For his part, Muhammad Ali Jinnah, the founder of Pakistan, wanted to form a state in which the followers of every religion would be free to practice their faith. In his August 11, 1947[14] speech in the Constituent Assembly, he made it clear that religion has nothing to do with the affairs of state. The leaders of the new Pakistan were drawn mainly from educated feudal class or the *slariat* (as Humza Alavi[15] called the bureaucratic class). They all had various degrees of personal commitment to Islam. To some, religion was a private affair of every citizen on the basis of personal behavior within a modern democratic state. To others it represented a tradition, within the framework of which their forefathers had ruled India. But there were also groups that subscribed to Islam as a total way of life, and therefore determined to establish Pakistan as a theocratic state.

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14   Muhammad Munir, *From Jinnah to Zia* (Lahore: Vanguard Books, 1980), 30.

15   Cited in Kathleen Gough and Hari P. Sharma, *Imperialism and Revolution in South Asia* (Lahore: Peoples Publishing House, 1975), 146.

The Early Application of Democracy in Pakistan

Historically speaking, the task of giving a constitution to Pakistan fell to Jinnah's lieutenant and the first prime minister of Pakistan, Liaquat Ali Khan. He was himself a moderate who subscribed to the parliamentary and democratic state along the lines envisaged by Jinnah in his maiden speech to the Constituent Assembly of Pakistan on August 11, 1947. But Liaquat Ali Khan was also conscious that he possessed no local or regional power base, and had no previous electoral constituency in the areas falling within the new Pakistan. He therefore deemed it necessary to gain support from the religious groups. Accordingly, he was instrumental in passing the Objectives Resolution[16] in the Constituent Assembly on March 12, 1949. Later on, during the Zial-ul-Haq's regime, this resolution was moved from the preamble to become an integral part of the Constitution of Pakistan 1973. The Resolution begins with the words: "Sovereignty over the entire universe belongs to Allah Almighty alone" and it goes on to emphasize Islamic values. Hindu members of the old Constituent Assembly protested. They did so because Islamic states have traditionally distinguished between the Muslims as full citizens, and the *dhimmis* [Arabic: non-Muslim citizens of an Islamic state] or nonbelievers who were denied certain rights and saddled with certain additional obligations.[17] Thus approval of the Objectives Resolution can be considered a partial success for the pro-Islamic forces. Indeed, according to A. K. Brohi it became the cornerstone of Pakistan's legal edifice.[18]

Meanwhile, the death of the Quaid-e-Azam in 1948 had also triggered many controversies and power struggles between various political groups. Gradually the old bureaucracy of the British period, men who had worked

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16   Hamid Yusuf, *Pakistan in Search of Democracy: 1947-77* (Lahore: Afrasia Publications, 1980), 34.

17   For details, Hamid Ali Khan, *The Political and Constitutional History of Pakistan* (Karachi: Oxford University Press, 2011).

18   A. K. Brohi, *Fundamental Law of Pakistan* (Karachi: Din Muhammad Press, 1958), 34.

closely with the existing structure of the government, started emerging as a dominant political force. The then Finance Minister Ghulam Muhammad and his successor in 1951, Chaudhary Muhammad Ali, being senior civil servants themselves played the dominant role in pushing the bureaucratic element onto the horizon of Pakistan's governance. Internal strife within various groups of the Muslim League weakened the political party as a major force and lowered its credit. This in-fighting within the league resulted in the imposition of governor's rule in the Punjab and Sindh, and chaotic political instability in the Punjab grew still worse during the early 1950's. Ultimately, Governor General Ghulam Muhammad was able to oust Nazimuddin from the office of the Prime Minister. Keith Callard observed that the price of this governor general's coup was high.[19] Three major conventions of Cabinet Government had been destroyed or gravely weakened:

   a.   The tradition of the impartiality of the office of the governor general had been demolished.

   b.   The conventions of cabinet parity and cabinet solidarity had been disregarded.

   c.   The role of the legislature as the maker and sustainer of the government had been impugned.

According to various observers, this action was directed not only against the prime minister, but against the Constituent Assembly as well. This was the first indirect intrusion of non-democratic practices which are still continued so that all dismissals made by civilians are backed by the military, or dominated by bureaucrats, or both.[20]

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19   Keith Callard, *Pakistan: A Political Study* (Oxford: Allen & Unwin, 1968), 137.

20   Zafar Iqbal Javed, "The Challenges to Political Stability in Pakistan", *International Journal of Asian Social Sciences,* 2, no.7 (Online Publication, July 15, 2012): 1067-1073; Amélie Blom, "Pakistan: Coercion and Capital in an 'Insecurity State'", *The Paris Papers,* (Paris: Institute d'études de l'Islam et des Sociétés du Monde musulman, (ISmm/eHeSS), accessed from:

   www.defense.gouv.fr/content/download/153081/.../Paris_paper_1.pd; Tahir Kamran, "Democracy and Governance in Pakistan", *South Asia Partnership-Pakistan Papers*, *www.sappk.org/;* Hassan Askari Rizvi,

This, then, was only the first such episode. Subsequently, it was repeated in 1958 by Ayub Khan, in 1977 by General Zia-ul-Haq, and in 1999 by General Pervez Musharraf. In all these cases, the failure of the civilian governments can be ascribed to various factors and forces working behind the scene. Therefore, on the basis of three military coups in the past, it can be said that it is the so-called "establishment" that is the major cause of the destruction of democratic institutions in Pakistan.

Another point of view holds that feudalism, and in particular religious fundamentalism, are the main causes of the failure of democracy in Pakistan. This is because conservative and traditionalist groups are consistently aspiring to establish a government based on *Shariah*. Just after the inception of Pakistan, on January 13, 1948, the newly organized Jamiat Ulema-e-Islam passed a resolution demanding the appointment of a leading Muslim Divine to the office of Sheikh-ul Islam, with appropriate ministerial and executive powers over the Qazi throughout the country.[21] The Jamiat also took steps to organize public opinion throughout Pakistan in favour of a purely Islamic Constitution, and even worked out plans for organizing a Ministry of Ecclesiastical Affairs which would remain immune to the ordinary changes of government.[22] This was the pressure which led to approval of Objectives Resolution as mentioned above, with its assertion of the Sovereignty of God over, above and for all. Liaquat Ali Khan, the then prime minister of Pakistan, declared that the state would not play a part of the neutral observer. The state, therefore, would

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"Democracy in Pakistan", unpublished paper prepared for the project on State of Democracy in South Asia as part of the Qualitative Assessment of Democracy Lokniti (Programme of Comparative Democracy) Centre for the Study of Developing Societies Delhi, available at: http://democracy-asia.org/qa/pakistan/Hasan%20Askari.pdf

21   The daily *Dawn*, Karachi: January 14, 1948.

22   Leonard Binder, *Religion and Politics in Pakistan* (Berkeley, University of California Press, 1968), 98.

create conditions such as are conducive to the building up of a truly Islamic society.[23]

Theocracy refers to a political system which deals with the affairs of the state as governed and run by clergy in accordance with the canons of the revealed books and religious law. In case of Pakistan, a *mullah* or council of *mullahs* should rule the state according to the *Shariah*. Its partial application was implemented during the era of Zia-ul-Haq (1977-88). Moulana Abul Hasnat Syed Muhammad Ahmad Qadri, President Jamiat-ul-Ulama-i-Pakistan was asked that if we were to have an Islamic state in Pakistan, what would be the position of the *Kafirs* [Urdu: non-believers]. Would they have a voice in the making of the laws, the right to take part in administering the laws, and the right to hold public office? He replied that their position would be that of the *dhimmis*. They will have no voice in the making of laws, no right to administer the laws, and no right to hold the public offices.[24] Keeping this historical perspective in view, we can conclude that theocracy in its full sense was never a part of rule of governance in Pakistan.

There is another explanation of the failure of democracy in Pakistan presented by the group of social scientists led by Hamza Alavi.[25] They argue that in Pakistan the most dominant feature of governance and rule has been the "over developed state". By this they mean that the civil and military bureaucracies did not allow the traditional classes, such as the feudal and capitalist, to take over the reins of the government. Instead, they always treated the latter as mere allies. Even theocrats were used to promote the interests of the civil and military bureaucracy. And in reality, these types of alliances can be distinctly seen during the rule of military dictators like Zia-ul-Haq and Pervez Musharraf.

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23   The daily *Dawn,* March 08, 1949.

24   Munir, *From Jinnah to Zia*, 59-60.

25   Hassan Gardezi and Jamil Rasheed, eds., *Pakistan: The Roots of Dictatorship. The Political Economy of a Praetorian State* (London: Zed Press, 1983), 42.

Civil-Military Conflict in Pakistan

All the military coups have justified the dissolution of the parliament by claims that the country faced a constitutional, political and economic crises intensified by corruption. In each case, they claimed that the former prime minister had dared to jeopardize highest constitutional office, national integrity, prestige and honor of the country. Similarly most of the federating units were not satisfied and protested against the role of the federal government. People were complaining about bad governance, corruption, the distortion of hierarchal chain of commands, and the economy was about to collapse and reaching a point of no return. Consequently, the army claimed it had no choice but to act.

Whenever military took over the reins of the government, they captured the important posts of governance and introduced their senior retired and serving officers into the civil bureaucracy. When referring to the Zia-ul-Haq tenure, Omer Noman noted that the highly centralized authoritarian rule and economic decline in this period led to regional class disparities, and these led in turn to sense of deprivation among the provinces.[26] Such comments need not only be confined to Zia-ul-Haq but are equally applicable to all the military regimes in Pakistan. Subsequently, in an effort to regularize the employment of ex-military men, a quota was set for the enrolment of the retired officers in the various government departments. However, the numbers continued to increase gradually. It is said that more than 23 percent of posts in corporate business and industry belong to the Army Welfare Trust and Fauji Foundation.[27] After consolidating power in the industrial and administrative sectors, the soldiers turned their guns towards the housing and educational sectors. Now it is reported that the Defense Housing Authority is the biggest land developing

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26 Omar Noman, *Pakistan: Political and Economic History since 1947* (London: Routledge, 1990), 32-33.

27 Aysha Siddiqa, *The Politic of Military Economic Interest*, An un-published paper (2004), cited in Akbar Zaidi, "State Military and Social Transition", *Economic and Business Weekly*, December 5, 2005.

organization and that it ranks with Bahria. This reflects the Army's efforts to acquire and hold in its custody all the valuable lands from the civil area. Moreover, all three armed forces have established their own universities and set out to control major portions of the country's primary and higher educational systems.

Ideology of Pakistan and Religion

The word ideology has always been used in Pakistan as a lethal weapon. It therefore becomes imperative to define ideology in its true historical perspective, so that later on it becomes easier to discuss the ideological weapons used by the state apparatus. Before proceeding further here the comments on this issue of K. K. Aziz are pertinent:

> And above all social change hangs the sword of ideology…drawn but undefined, cutting but unrecognizable, relentless but furtive…In fact no one knows what the ideology is (or even what an ideology is?) but everyone is warned against doing anything against it…This hazy view of ideology disqualified it from acting as the governing mechanism or the master switch of social change.[28]

The term "ideology" was first coined by the French scholar Antoine Destutt de Tracy in 1796.[29] He used it to designate the science of ideas, which he hoped to establish along the lines laid down by Pierre Jean Cabanis as a component and supplement to physiology. De Tracy's elements of ideology are aimed at covering a vast area and encompassed a "history of the means of knowledge" divided into three parts: the formation of ideas, or ideology properly so called; the expression of ideas or grammar; and the combination of ideas or logic. Its main part was to consist of an application of these means of knowledge to the human will, which would provide a theory of human action, a real political economy.[30]

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28   K. K. Aziz, *Pakistan's Political Culture: Essays in Historical and Social Origins* (Lahore: Vanguard, 2001), 401.

29   Antoine Louis Claude Destutt deTracy, *A Treatise on Political Economy*, translated and edited by Thomas Jefferson (Georgetown: Joseph Milligan, 1817; reprinted New York: Augustus M. Kelley, 1970), x.

30   Georges Labica, *Marxism and the Status of Philosophy,* (Sussex: The Harvester Press, 1976), 288.

To simplify this definition in the modern sense of Western knowledge, "ideology is a body of ideas used in support of an economic, political or social theory or way of thinking of a class, culture or individual".[31] This definition is more or less the same in the Webster and Oxford dictionaries. Put differently, in the narrow sense of the word, an ideology comprises a system of attitudes and ideas. It is an interpretation of the historical process that is used as a justification of a particular social and state system, and which with the utmost clarity expresses the interest of a definite class, along with the fundamental features of all the forms of the social consciousness of this class. In the context of Pakistan, since independence Islam has played the key role in the ideology of the young state. Though Quaid-e-Azam was considered a secular man in all other aspects of his life, he used the Islamic ideology as a political strategy to attract the Muslim voters of North Western India. So while liberals try to prove Quaid-e-Azam was a secular leader of a Muslim state, Islamic fundamentalist try to prove that his Two Nations Theory was based on his personal love for Islam.

The second basic factor in the creation of the Islamic ideology of Pakistan was the interpretation of the "Objectives Resolution", approved on March 12, 1949, nearly six months after the death of Quaid-e-Azam. Having declared sovereignty over the universe to be God's alone, it goes on to define Pakistan's sovereignty as being based on "the authority which He has delegated to the State of Pakistan through its people for being exercised within the limit prescribed by Him". This is termed as "a sacred trust". More importantly, perhaps, is the fact that this first clause is supported by two others that clearly outline Islamic expectations concerning the role of religion in the new state. These read:

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31   D.I. Chesnokov, *Historical Materialism* (Moscow: Progress Publishers, 1969), 354.

> Where in the principles of democracy, freedom, equality, tolerance and social justice, and as enunciated by Islam, shall be fully observed.

> Wherein the Muslim shall be enabled to order their lives in the individual and collective spheres in accord with the teachings and requirements of Islam as set out in the Holy *Quran* and the *Sunnah.*

As mentioned above, these declaratory "objectives" suddenly assumed great significance when General Zia incorporated the resolution of 1949 into the constitution of Pakistan. Immediately after coming to power, Zia made it abundantly clear in his public statements that without an Islamic Ideology, the very existence of Pakistan would become meaningless. In one of his interviews he said: "As far as Pakistan is concerned, there is no doubt that it is [the] fortress of Islam: the only individual country which came into existence because of Islam, alone an example to the whole world and from that point of view, it is not the fortress, the bastion of Islam only in this particular part of the world".[32]

Muslim scholars have expressed a variety of views on ideology. One such is Dr. Fazalur Rehman who insists that Pakistan was a non-ideological state. In his opinion, in the communist and socialist countries ideology came into existence before emergence of the State, but in the case of Pakistan he said that the State was created without any articulated ideology.[33] The re-imposition of military rule needed some legitimacy and ideological support, and a campaign for the enforcement of the Laws of the *Shariah* was a convenient way to obtain this. The military rulers also gained the support of the landed aristocracy, as well as the industrial and commercial interests, because in an Islamic system their right to hold property was granted by religion. Changing the country's laws became the focal point of President Zia's initial stage of Islamization and within eight month of his assumption of authority, he launched the first phase of his reforms.

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32   General Muhammad Zia-ul-Haq, Interviewed by Foreign Media. vol. I (March-December, 1977), (Islamabad: Ministry of Information): 127-128.

33   Fazlur Rehman, "Islam and the New Constitution of Pakistan", *Journal of Asian and African Studies* VII, no. 3-4 (July 1973): 201-202.

Accordingly, laws were introduced pertaining to adultery and fornication, gambling and alcoholism, the introduction of prayers, the provision of facilities for prayers in government offices, the collection and distribution of *zakat* and *ushr* [Arabic: Government tax on agricultural yield], the creation of *Shariah* Courts, confirming that the certificates and degrees issued by religious institutions as being considered as equivalent to those issued by other universities and colleges, and so equally acceptable for attaining jobs; the banning of alcoholic drinks in government messes and at government receptions; enforcing the duty to honour and respect the *ulema* and religious leaders, the observation of Islamic etiquettes during private and formal congregational assemblies; measures aimed at cleaning up government media departments such as radio, TV and the press, which allegedly was supporting a secular vision, and which now would have to project an Islamic and Pakistani viewpoint, and lastly, the holding election on non-party basis. In addition, Zia also gave the religious sects of his choice free license to open *madrassas*. According to A. H. Nayyar, "The Madrassas have, not surprisingly, become a source of hate-filled propaganda against other Sects and the sectarian divide has become sharper and more violent".[34] Traditionally, madrassas were not in conflict with each other, but they now were pushed into be political competitors.

The above laws were all enacted through the Martial Law regulations, because, although the Constitution of 1973 was not abrogated, it had had been suspended for indefinite period of time and the national and provincial assemblies were inactive. President Zia chose the birthday of the Holy Prophet (PBUH) to announce his first package of reforms. He then explained that the process of the Islamization of

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34 Cited in Saeed Shafqat ed., *New Perspectives on Pakistan* (Karachi: Oxford University Press, 2007), 126.

laws simply meant that men were being summoned to obey the decrees of Allah Almighty.[35]

Most important, Zia created a nominated *Majlish-e-Shoora* [Urdu: consultative body] consisting of 350 members to replace the Parliament or National Assembly. Parliament was stripped of all the usual legislative prerogatives associated with legislating. To make the *Majlish* more significant and to incorporate it into the legal system, the ordinance also authorized for each court a bench of three Muslim judges to constitute a Shariat Court. Appeals from the Shariat Bench of the High Court were to be heard in the Supreme Court, where the Shariat Appellant Bench, also consisting of three judges was created. The Shariat benches were empowered to listen to petitions put before them and, in respect to existing laws, to decide on their conformity to the Islamic injunctions. Their decisions, according to the law, were final unless reversed by the Appellate Shariat Bench in the Supreme Court. If we analyze the creation of the Shariat Bench, their verdicts about Islamic laws were final. In this way they had adopted the role of the legislature, whereas basically it is the duty of a legislature to make laws. The courts can only interpret the law. But the Shariat Benches were required to amend laws which were tantamount to making law. In this way they were adopting the role of both legislative and of interpreting the law.

One may tend to agree with Hamza Alvi when he presents the concept of the "over-developed state". He says that there is a wide-spread tendency on the part of regimes and peripheral capitalist states (such as Pakistan) to acquire an authoritarian character and proliferate military dictatorships. Even the economically dominant classes, have to be content with this situation. Although the administrative arm of the state is deployed against them, it simultaneously upholds their fundamental interests. In this case progressives and even the dominant class cannot rule.

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35 "Introduction of Hudood Laws in Pakistan", as cited in Shoukat Ali, *Pakistan: A Religio-Political Study* (Islamabad: National Institute of Historical and Cultural Research, 1997), 241.

Instead one finds a very considerable accretion of powers of control and regulation over the economically dominant classes by civil and military bureaucracy. According to Alvi, this is an over-development of the State.[36] In this way the fragile democracy in Pakistan correlates with the strong military and weak democratic institutions.

Conclusion

This paper has outlined the genesis of democracy with its ancient as well as modern definitions, and the differences that developed over time. It links British history and traditions of democratic institutions to the heritage, left to Pakistan after 1947. Then it traces the factors behind the failure of democracy in that country given its structural and ideological weaknesses. The steps taken by adherents of theocracy in the process of shaping the constitution have also been discussed, as well as the failure of the forces of theocratic advocacy to carve out their own place in the polity of Pakistan. Discussing Islam and theocracy in the context of ideology, this paper has argued that since the inception of Pakistan, Islamist thought has played the key role in creating the ideology of Pakistan. Pakistan has inherited institutional imbalances since its birth: the state apparatus — both the civil and military establishments — are much better organized than are the democratic institutions in this country.

The political leaders of the newly independent state were shaped by feudal values and were ambitious to gain political power. As a result, no serious thought was given to creating a strong base or political framework for Pakistan. The military institution was growing stronger as time passed, and it was also being supported indirectly by the civilian government. This ensured a handsome share of the budget was allocated to the defense and security establishments on the grounds that the enemy stood on our eastern borders. Yet the continuity of these institutional imbalances created disadvantages for the civilian leaders and as a

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36   Hamza Alvi, "The State in Crises*",* in Gardezi and Rashid, *Pakistan: The Roots of Dictatorship,* 42-43.

consequence, the role of making policy was left more in the hands of the military and bureaucracy than in those of the civilian leaders and politicians. So in time, the military and bureaucracy came to dominate the political system as well as policy-making of this country.

The history of impediments to democracy shows that there is a great lack of political consensus-building at the operational level of the polity of Pakistan. It also reflects the fact that the Pakistani political system has to have some correlation with Islam, but that there remains a need to build a stronger consensus on Islam and its practical influence on the polity of the country. Whether there will be a need for a state with its punitive measures, or there is a need of a welfare state with egalitarian norms of Islam, still confronts the political scientists and scholars in Pakistan.

The prevailing political, social and economic conditions in the globalized world demand a moderate form of state with a stronger political structure. Every type of fundamentalism is marginalized gradually with the developments in primitive societies which lead to radical changes in the productive forces. Presently, a stronger political system with greater political consensus is particularly critical for Pakistan as there is low level of tolerance for possible dissenting views. Moreover, this is the only way to curb terrorism because in the absence of a political consensus, it will generate still stronger violent reactions. Unless the legitimacy of authoritarian rule is questioned, the democratic values cannot prevail in this country. Democratic values cannot flourish without a democratic culture.