

## **POLITICS OF FEDERALISM AND NATIONALISM CAUSES SEPARATISM: THE CASE OF EAST PAKISTAN (1947-1971)**

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### **ABSTRACT**

*This qualitative paper, mostly based on secondary data, investigates the principles and practices of Federalism in united Pakistan that led to the emergence of ethno-based Bengali nationalism and finally the separation of East Pakistan. Federalism was adopted as a form of government to unite the various ethno-nationals, linguistic and cultural groups of Pakistan but it failed to keep the two wings together because its basic principles were not followed. It argues that the geographically dividend and pluralist society of Pakistan could be united by accommodating the interests of the diverse sections rather than by eliminating pluralism itself. But unfortunately, the then rulings elites of Pakistan particularly the civil and military bureaucrats of Punjab always twisted federalism in favor of the center which was against the spirit of federalism. The centralized control over power and resources and disregard to the growing reservations in East Pakistan caused ethnic and nationalist tendencies which subsequently led to the disintegration of East Pakistan.*

**Keywords:** Federalism, ethno-national groups, representation at central legislature, centripetal verses centrifugal tendencies, separatism.

### **INTRODUCTION: HISTORICAL BACKGROUND**

Since the start of 20<sup>th</sup> century the Muslims of Bengal have experienced three partitions. The bases of these partitions have not been always uniform. The first partition as interpreted by the British was based on administrative convenience, though, for Hindu nationalists it was a byproduct of the 'Divide and Rule' policy of the British. The second partition was the result of Pakistan movement that was launched on the basis of Two Nation Theory. The third and most violent partition of East Bengal was the culmination of the growing Bengali nationalism against the West wing of Pakistan due to the uneven policies of the federal government (Kabeer, 1997).

Bengal presidency was too large to be administered by a single governor. Its partition scheme was underway since the mid of 19<sup>th</sup> century, however, it was Lord Curzon who gave effect to the plan in 1905 by redrawing its boundaries. Resultantly the provinces of Bengal and Assam were reconstituted so as to form two provinces of manageable size: Bengal with a population of 54 million of which 42 million were Hindu and 9 million Muslim, and Eastern Bengal and Assam with a population of 31 million of which 18 million were Muslims and 12 million Hindu. The territories to be transferred from Bengal to the new province consisted of district of Chittagong and Dacca division, those of Rajshahi division except Darjeeling, and the district of Maldah (Qureshi, 1965: 23). The Province of East Bengal and Assam officially came into being on 16 October, 1905.

The high Caste-Hindu of Bengal and later of other parts of India showed stern resentment against the partition. On the other hand, the Muslims of Bengal not only welcomed this partition but it also paved

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way for their entry into the Indian politics after the decades long political seclusion since 1857 war of independence. The Simla Deputation and subsequently the formation of Muslim League at Dacca in 1906 was the outcome of the Hindu agitation because it estranged Muslims from the Congress politics. The driving force behind the Hindu agitation was not secular politics but religious revivalism which made the Muslims realized that they were a distinct community with their own religious identity (Jalal, 2014: 35). The annulment of the partition of Bengal 1911 by the British, however, forced the Muslims to change their political stance from purely pro-British to that of struggling for self- rule in India. After this first partition, the Muslims of Bengal played active role in Indian politics from the platform of Muslim League. When Pakistan movement expedited after the famous Lahore resolution in 1940, Bengali Muslims were at the fore front.

In 1947 the British government announced the partition scheme known as 3<sup>rd</sup> June plan which contained a provision that the provincial assembly of Bengal would be asked to meet in two parts, one representing the Muslim majority districts and the other the rest of the province. The members of the two parts of the legislative assembly sitting separately would be empowered to vote whether or not the province should be partitioned. If a simple majority of either part decided in favor of partition, division would take place. Accordingly, the members from the non-Muslim majority areas of the West Bengal met and decided by 58 to 21 votes that the province should be partitioned and that West Bengal should join the existing Indian constituent assembly. The members from the Muslim majority areas of the East Bengal met and voted by 106 to 35 (Qureshi, 1965: 225), that the province should not be partitioned and then by the same majority of votes, that East Bengal should join the new constituent assembly and that Sylhet should be amalgamated with that province. Unlike the previous partition of 1905, which was sternly resisted by the Hindu, this time they voted for its partitioned because they did not want the united Bengal to become the part of Pakistan. Resultantly new boundaries were redrawn by the demarcation commission under the chairmanship of Cyril Radcliff and East Bengal became a part of Pakistan with a physical distance of 1600 km.

The banner of two nation theory under which the two wings were brought together despite their physical distance soon lost its vitality. In the first decade of Pakistan new social identities based on socio-economic and political factors started to grow in East Bengal, later on East Pakistan (Jalal, 2014: 43). The dispute between the East and West wing over federal structure, provincial autonomy and language issue delayed the constitution making process. During the military rule (1958-69) the gap between the East and West wing of Pakistan widened to the unbridgeable level which finally led to the third and most violent partition and the emergence of Bangladesh in 1971.

### **1. Federalism**

Federalism has long history, but this system as a form of governance gained momentum during the second half of twentieth century. Currently there are 27 states constituting more than 40% population of the world that has adopted this system as form of governance (Elazar, 1987: 6). Federalism works under some basic principles. Of these, the most important one is sharing power and self-rule. This principle enables this system to keep the diverse sections of society under the umbrella of a single political system wherein the constituent units do not lose their distinct identities (Watts, 1996: 6). Under this system the constituent units enjoy greater economic prosperities and security against any internal and external threats. Also due to its flexible and dynamic character this system can be molded by each country according to its own specific demographic and geographical conditions. Owing to these principles, this system is more suitable for the countries inhabiting by various ethnic, linguistic and cultural groups and nationalities.

### **2. Federalism in Pakistan**

The choice of federation in Pakistan is actually the product of some historical, geographical, cultural, ethnic and linguistic factors. Historically, during the British rule Muslims League always demanded for federal system and provincial autonomy with a view that they would be able to form their own government in those provinces where they constituted majority (Aziz, 1998: 20). The Government of India Act 1935 had introduced a federal system though with a limited measure for provincial autonomy. The desire for regional autonomy later found expression in the famous Lahore Resolution of 1940, which strongly advocated for the provincial autonomy of the constituent units (Choudhry, 1956).

The concurrence over federation in Pakistan was, therefore, partly because of the Muslim League historical experience in United India and its consistent demand for federation with maximum provincial autonomy. Geographical distance of more than 1000 miles between the East and West Pakistan was another factor in this regard. To keep the two wings together federalism was the only feasible system to be adopted as a form of governance (Ali, 1996: 10-12). The demographic variations in term of language, culture and ethnicity also necessitated the Pakistan's choice for federation.

### **3. Divergence over representation at center**

The first constituent assembly of Pakistan was assigned a task to frame federal and provincial constitutions and to work out a formula for sharing powers between the center and federating units. During the constitution making process the Basic Principle Committee (BPC) had to face many issues such as: the role of religion in state affairs, the discord between East and West Pakistan regarding their representation in the central legislature, division of powers between the center and federating units, controversy over national language and capital (Burks, 1954).

The discord between the two wings of Pakistan over the composition of central legislature appeared after the first draft of constitution was presented by BPC in 1950. The draft did not provide any detailed composition and strength of the central legislature. However, it entailed some basic principles with respect to the representation of federating units in the central legislature. The draft constitution provided that there shall be a federal legislature consisting of two houses. The house of units was to consist of equal number of representatives from all the federating units while the lower house was expected to give representation on the basis of population (BPC Interim report, 1950: Islamabad, NDC file no. 18/CF/50:1-3). The proposed parity scheme i.e. equal representation of federating units in the upper house was vehemently criticized by the people of East Pakistan as they had numerical preponderance over the four federating units of the West wing. According to the 1951 census report as cited by Burks, the overall population of Pakistan was 75,842,000 of which 56% (42,063,000) belonged to East Pakistan, while 44% (33,779,000) belonged to the West Pakistan (Burks, 1954: 544). Owing to their numerical preponderance the proposed parity scheme was declared by the East wing as tantamount to the conversion of their majority into minority in the central legislature.

The issue of state language was left untouched by the BPC but Bengalis feared that Urdu might be imposed upon them as the sole national language (Sayeed, 1954). The report recommended equal legislative powers for the two houses of central legislature. In case of any dispute, a joint meeting of the two houses of legislature was to be summoned to resolve the issue. The report was criticized both in the East and West wing on various accounts but reaction from the East was graver than the West. The provision of "equality of powers" of both houses was rejected by Bengali politicians as it would bring the Western wing at par with the Eastern wing in the central legislature (Choudhry, 1969: 69-70). Although the first report of constituent assembly was dropped as a result of the Bengali criticism, it widened the existing ethnic diversity between the East and West wing and gave birth to parochial and nationalistic tendencies among the people of East Pakistan.

It was followed by a Provincial Convention in Dacca where the people of East Pakistan were promised regarding the retention of their majority in the legislature. The convention suggested for a democratic government, with two regional autonomous governments, one in East and the other comprising the West wing units and a central legislature that would only deal with foreign affairs, defense and currency. Under the premiership of Khwaja Nazimuddin, BPC was directed to prepare a second draft of the constitution. Unlike the previous report, the second draft report provided for the equal representation of East and West wing in both the houses of parliament. The number of seats proposed for the lower and upper house were 400 and 120 respectively that were to be equally divided between the East and West Pakistan (Choudhry, 1969: 72).

The second draft gave additional powers to the House of People, particularly with respect to the financial matters, that were to be only dealt with by the lower house. The function of the upper house was reduced to mere a revisionist body. Moreover, the Council of Ministers was to be collectively responsible to the lower house. The draft constitution suggested that in case of dispute over the exercise of powers

between the two houses a joint meeting of the parliament would be summoned to decide the issue (Constituent Assembly Debates of Islamabad, (1951-53): NDC file no. 26/CF/53:9-12).

#### **4. Bengali-Panjabi discord**

The draft recommended giving equal representation to both East and West wing in the House of units invited scathing criticism from West Pakistan or more precisely from Punjab as the rest of the smaller provinces were in favor of the draft. The Panjabi group feared the logic of fragmentation in the West. The report was criticized on multiple grounds. It was contended that it brought a single province of the East wing at par with all the West wing units together. They construed it as a deliberate attempt of dominating the whole country by establishing Bengali domination (Choudhry, 2005: 619-22). The draft was termed as against the principles of federalism, referring to the examples of various federal states wherein the house of units provided parity representation to all the federating units regardless of their size and strength. Apart from political circles, the government officials of Punjab also opposed the parity formula of the draft (Malik, 1988: 8-12). The Panjabi members of BPC including MA Gurmani and Chudry Nazir Ahmad declined to put their signatures to it. According to K. B. Sayeed, the Premier of Punjab, Mia Mumtaz Muhammad Daulatana, had signed the draft himself but was rallying opposition to it in Punjab assembly (Sayeed, 1960: 416). The reluctance of the Panjabi politicians to acknowledge the Bengali majority not only led to the failure of the second draft but also intensified the sense of growing nationalism among the people of East Pakistan.

The dismissal of Khwaja Nazimmudin, a Bengali Prime Minister of Pakistan, by the Governor General Ghulam Muhammad on the pretext of Law and order situation in Punjab was another blow to the already fragile federal system of the country. The new Prime Minister Muhammad Ali Bogra, on the direction of Ghulam Muhammad, included two members of Armed Forces i.e. General Ayub Khan (Defense minister) and Major General Iskandar Mirza (Interior minister) into his 15 members' cabinet (Afzal, 2001: 142). The inclusion of these two members not only led to an increased centripetal tendency but also gave institutionalized role to the military in politics. The oligarchy of civil and military bureaucracy established and politicians became increasingly dependent upon them.

#### **5. Dissolution of the First Constituent Assembly**

Bogra succeeded in getting his draft constitution approved by the constituent assembly on October 7, 1953, known as Bogra formula. Like the previous reports, Bogra formula also maintained bicameral legislature comprising the upper house and the house of units. According to this formula, the distribution of seats was as follow:

**Table 1: Allocation of seats in the central legislature under Muhammad Ali Bogra Formula**

Units	Allocation of seats in the House of people	Allocation of seats in the House of Units	Total seats
East Pakistan	165	10	175
Panjab	75	10	85
NWFP including Frontier states and Tribal ArEast	24	10	34
Sind and Khairpur	19	10	29
Baluchistan including Baluchistan Union, capital of Federation and Bahawalpur	17	10	27
Total	300	50	350

**Source:** Choudhry, 1969:76.

As indicated by the above table an overall equality was retained for both wings i.e. each wing was allocated total 175 seats in both the houses of the parliament. Bogra's formula was also criticized from various quarters; however, the major stakeholders were likely to agree on it. The process to convert this formula into a constitution were not yet finalized when Ghulam Muhammad dissolved the constituent assembly, as the latter was reportedly involved in reducing the powers of the Governor General (Ahmad, 1981: 34-35).

The dissolution of constituent assembly not only delayed the constitution making process but also increased polarization between the two wings of the country. This step of the Governor General was more

resented in East Pakistan than the Western wing. The litigation against the dissolution was led by Bengal politician, Mulvi Tamizuddin Khan, speaker of the first constituent assembly. His endeavor was frustrated by the Federal court headed by Justice Munir who was supporter of the feudal-bureaucratic establishment of West Pakistan. At that time military and judiciary openly sided with the West Pakistan establishment to keep the East Pakistani out of the power equation. In federal system judiciary has important role to play. It prevents the interference and encroachment of federal or provincial governments on the spheres of powers of other. It preserves the supremacy and inviolability of the constitution by declaring any law of the central or provincial government as *ultra-virus* and therefore null and void if it violates any provision of constitutions. But unfortunately the federal court of Pakistan by implying the 'Doctrine of necessity' interpreted the constitutional provision in such a way that strengthened the hands of the central government against the federating units (Haq, 1991: 316). The verdict of apex court had far reaching impacts on the future course of working relationship between the federation and federating units.

#### **6. One Unit Scheme**

The second constituent assembly was elected in May, 1955. The most contentious task assigned to the assembly was to introduce One Unit system in the West wing. In its struggle against East Pakistan, the Punjabi members of the assembly made hectic efforts to introduced One Unit Scheme and all the Western provinces were merged into One Unit. An apparent logic behind One Unit Scheme was to reduce complexities in the distribution of powers between the East and West wing units in the central legislature but actually this merger was an attempt to counter the overall demographic edge of the East over the West. As asserted by Khan, "the One Unit Scheme was envisioned to do away with the Bengali supremacy in the central legislature" (Khan, 2005: 26).

Some political leaders of the smaller provinces such as Abdul Sattar Pirzada of Sindh and Khan Abdul Qayyum Khan of the NWFP (now Khyber Pakhtunkhwa) declared their disagreement to this scheme (Malik, 1988: 21). They argued that by the introduction of One Unit Scheme, the province of Punjab by the dint of its population would dominate the rest of the smaller provinces of the West wing. To get the smaller provinces on board for the One Unit Scheme, the central government resorted to intimidation and suppression of the dissident forces. The Public and Representative Offices Disqualification Act (PRODA) that was enacted by the first constituent assembly of Pakistan in 1949, was used as a weapon against those leaders asking for provincial autonomy. Abdul Sattar Pirzada, Chief Minister of Sind, was replaced by Muhammad Ayub Khuro, as the former had garnered majority in his provincial assembly against the One Unit Scheme. After a month, the central government with the help of Ayub Khuro got success by securing 100 ballots from the similar assembly in favor of One Unit Scheme (Sayeed, 1967: 78).

The central government used similar tactics in NWFP to get the scheme approved. Abdul Qayyum Khan, the Chief Minister of NWFP, was replaced by Abdul Rashid Khan as the former was one of the stern opponents of the One Unit Scheme. The new Chief Minister extended support to the central government with respect to the merging of NWFP in the One Unit Scheme as he was pledged that NWFP would be declared as the provincial capital of the West wing. The central government also assured him that Dr. Khan Sahib would not be made as the premier of the West wing government (Adeney, 2007a: 105-106). Resultantly, the Bill initiated for One Unit was approved by majority despite tough opposition from inside and outside the constituent assembly.

The dissident smaller ethnic groups formed an Anti-One Unit Front in 1956, headed by Abdul Ghaffar Khan. The NWFP branch of Awami League led by Pir of Manki Sharif was an active group of this front along with other ethno-national groups such as the Red Shirts of NWFP, the Azad Pakistan Party and the Sindh Awami Mahaz. This front was subsequently converted into National Awami Party (NAP) (Zutshi, 1970: 78). The leadership of NAP who opposed the One Unit Scheme and asked for provincial autonomy was detained by the government. Abdul Ghaffar Khan, who headed this Front, was labelled as 'anti-Pakistani' and was detained by the government for three years (Tendulkar, 1967: 93). Apart from a long list of others, Sheikh Mujeeb Ur Rehman was also arrested from East Pakistan (Kutty, 2009: 57).

#### **7. The Growing Unpopularity of Muslim League in East Bengal.**

The geneses of the separation of East Pakistan were actually laid during the period from 1947 to 1956. Muslim League that was founded at Dacca in 1906 was showing signs of losing political control over

political affairs in East Bengal on the issue of national language. East Pakistan saw the rise of a number of political parties during this period. Suhrawardi became its chief antagonist in East Bengal who separated his followers from the Muslim League and formed his own party, Awami Muslim League, which later on became Awami League. Bashani was another leader who came to eminence in East Bengal with his own political party, National Awami Party (NAP) heading political force opposed to the Muslim League (Khan, 2009: 543).

Being unable to test its popularity at the polls in East Bengal, Muslim League had to postpone provincial elections in East Bengal. When the elections were finally held in East Bengal in 1954, all other political parties formed an alliance known as the 'Jugto Front' against the Muslim League. Out of the total 309 seats, Muslim League secured only 9 seats, suffering a humiliating defeat at the hand of opposition parties. From this point onward, Muslim League ceased to be a political force of any eminence in the East Pakistan (Khan, 2009: 545). In West Pakistan too, the political situation for Muslim League was equally discouraging. In the prevailing situation the central government arrived into a clandestine deal with the Awami Muslim League by promising to form a coalition government under the premiership of Hussain Shaheed Suhrawardi. The central government also pledged the leader of Awami League that full provincial autonomy would be granted to them and they would be brought at par with the West wing in all respect (Afzal, 2001: 154). However, such promises were never realized.

Political situation further deteriorated after Iskandar Mirza became the president. The new president, with the support of General Ayub Khan, circumvented the Awami League and established a mix government, comprising the United Front, the United Progressive Parliamentary Party, the Scheduled Castes Federation and the Pakistan National Congress (Afzal, 2001: 156). The unconstitutional steps of the central government and the use of share force against dissented factions not only widened gap between the East and West wings but also caused dissention in smaller units of the West wing against Punjab. These authoritative steps of the central government were against the spirit of federalism which led to an increased involvement of the civil and military bureaucracy in Pakistani politics.

#### **8. Federal structure under 1956 constitution**

The first constitution of Pakistan framed by the second constituent assembly in 1956, introduced a unicameral legislature, National Assembly. For any successful federation bi-cameral legislature is the ideal system as the upper house gives representation to the federating units on the basis of parity. It protects the smaller provinces from the exploitation of bigger provinces in parliament. The lower house (National Assembly) comprised 300 members that were equally divided between the East and West Pakistan. It was again a clear violation of the federal principle because the population of East Pakistan was greater than the overall population of the four federating units of the West wing.

The constitution of 1956 in its fifth schedule mentioned three lists of powers. However, the mechanism for the division of powers was quite deceptive. In the federal list that had 30 items wherein every single item further contained a large number of sub items. The provincial list that contained 90 items was deliberately elongated by dividing main items into a number of sub items. In federal list, for example, 9 federal taxes were placed under an item no 26 while in the provincial list 20 taxes from item no 71 to 89 were numbered separately (Constitution of Pakistan, 1956).

Despite the distribution of powers, the central government had overriding authority to exercise powers mentioned in the provincial list. Under Article 109 of 1956 constitution, all the residuary powers belonged to provinces but the federal government was authorized to make amendment in the constitution with respect to the residuary powers with the approval of the provincial government (See Article, 10, section 2 of 1956 constitution). The emergency powers given to the president via articles 191 and 193 considerably undermined the role of provincial legislatures. Under article 191 (1) president might issue a proclamation of emergency in case there was some external threat or internal disorder beyond the control of the provincial government. Members of the constituent assembly from East Pakistan under the leadership of Mehmood Ali protested against the emergency powers of the president by asserting that any movement on the part of the provincial government against any arbitrary step of the central government can be inferred as internal disorders thereby invoking proclamation of emergency (Ali, 1996: 98).

Although the constitution of 1956 contained federal structure, the overriding powers of the president, the artificial parity between the East and West in the central legislature, the absence of House of units and the creation of One Unit hampered the success of federation in Pakistan. As argued by Adeney, federations do not fail because of their multi-ethnic composition; rather they fail due to the existence of other factors such as: the number of the federating units, their composition, the extent of power centralization, the composition and structure of federal assembly and the accommodation of various ethnic communities in the state institutions at the federal level (Adeney, 2007b: 101-103).

The Adeney's criteria can be perfectly applied to the failure of Pakistani federation and the separation East Pakistan in 1971. Almost all the factors mentioned by Adeney were present in the federal structure of Pakistan. The basic principles of federalism were grossly violated. Political maneuvering, palace intrigues, and power struggle among the politicians became the order of the day. General elections that are the essence of parliamentary democracy were postponed on one pretext or the other. When general elections were finally scheduled in February 1959 there was great resentment against Iskandar Mirza, in both in wings. Politicians who have been in his close associations for past few years became disgusted due to his policy of political manipulation and intrigues. During a short span of two years (1956-1958) four prime ministers were changed.

On October 7, 1958 Mirza took the final step by declaring martial law throughout the country and abrogated the constitution of 1956 through a proclamation. Ayub Khan had already been a close partner of the feudal-bureaucratic establishment of the West Pakistan. He was given repeated extension as Commander-in-chief by the successive governments. In all these process he was closely associated with Iskandar Mirza and the latter appointed him as the chief martial law administrator. The prospects for federalism under 1956 constitution thus evaporated in thin air and the people of East Pakistan were deprived of their representative strength (albeit reduced by the principle of parity) by the coteries of the unelected men in the West Pakistan (Khan, 2009: 235).

On October 27, 1958, General Ayub Khan assumed presidential powers by declaring himself as the chief Martial Law Administrator of Pakistan. Iskandar Mirza was not only forced to leave the office but sent abroad. Ayub Khan had had very low opinion for western type of democracy and he promised to introduce a system that suit to the genius of the people of Pakistan. In his view, politicians were no more than nuisance (Khan, 2009: 236) and therefore, wanted to reduce their influence from the country politics. In 1959, he promulgated two presidential regulations i.e. the Public Office Disqualification Order (PODO) and the Elective Bodies Disqualification Order (EBDO) (Rizvi, 1988: 86-88). The latter was basically an extended form of the PODO and under this regulation different screening committees were set up to probe and investigate the cases of misconduct against the elected members of legislature. Special types of tribunals were set up to deal with the cases of misconduct against the former politicians. The word misconduct entailed different connotations such as corruption, favoritism, nepotism, misuse of powers etc.

Under these Regulations, the former members of legislative bodies such as ministers, deputy ministers and parliamentary secretaries were given a choice to withdraw from public life or otherwise face their trial under EBDO (Ibid, 1988: 87). Accordingly, by the end of December 1966, about 3000 politicians were debarred from politics only in the East Pakistan. The number of such politicians debarred from politics under EBDO was even greater than those of the East (Afzal, 2001: 226). Fearing the threat of EBDO, most of the politicians whose names were listed under EBDO preferred to retire despite the fact that very minor charges were leveled against them (Shahab, 1987: 224). This mechanism to clean politics from corrupt politicians was not only undemocratic but also a gross violation of the principles of federalism.

#### **9. Federating Units under 1962 constitution**

The word 'federation' did not appears in the constitution of 1962 except its preamble. The preamble to the constitution clearly stated that provinces including in a federation shall enjoy autonomy to the extent that is consistent with the unity and interest of Pakistan as a whole (the constitution of 1962: 79). The word 'stress' on the unity and interest of Pakistan clearly shows the center's mistrust in the provinces. The main reason behind center's mistrust in the Eastern wing was due to the growing demands of Bengalis for provincial autonomy. East wing demanded provincial autonomy and federal system based on Pakistan

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resolution of 1940. Similarly, the resistance of ethno-national groups to the One Unit system in the smaller provinces in the West made them dubious in the eyes of the center.

For any successful federation there required a Bi-cameral legislature, wherein the upper house represent the units on parity basis while the lower house gives representation on the basis of population. However, the constitution of 1962 provided for a legislature that had only one house i.e. National Assembly with the total number of 156 seats that were evenly divided between the two wings (Khan, 2009: 267). The distribution of seats on equality basis in the house of people was against the principle of democracy and federalism as there was variation in term of population between the two wings.

In term of division of powers, the constitution of 1962 offered a single list known as federal list. The number of items contained in the federal list was 49 and the central government had the sole right to legislate on it. Under articles 132 & 134 of 1962 constitution all residuary powers belonged to the provincial units, but in case of any dispute between the central and provincial governments over the exercise of these powers, the former was to prevail (the constitution of 1962: articles 23 & 33). Article 13 clause (2) further empowered the central legislature to legislate on items enumerated in the third schedule. Article 27 authorized the president to veto a bill passed by the National assembly. At provincial level the governors enjoyed the similar legislative right. His presidential constitution was more akin to unitary form of government than to the federal one.

**10. The widening gap between the East and West Wings**

It was the avowed object of 1956 and 1962 constitution to bring parity between the two wings in term of sharing powers and economy. These major principles of federalism were mainly overlooked by the government of Ayub Khan. Initially some efforts were made during Ayub Khan government to bridge the gap, particularly in economic sphere. But the gulf between the two wings in the field of economy was not being abridged to the satisfaction of the people of East Pakistan in the central services, the gulf was widening and East Pakistan was seriously underrepresented (Khan, 2009: 230). The extent of this gap can be revealed from the overriding share of the West Pakistani personnel among the class 1 civil servants in the various ministries and departments of the central government. In 1966 the position was as follow:

**Table No 2. Share of East and West Pakistan in the Federal Ministries and Departments**

Federal Ministries and Department	Share of East Pakistan in Percentage	Share of West Pakistan in Percentage
President secretariat	19	81
President's personal section	Nil	100
Ministry of Commerce	36.4	63.6
Ministry of Defense	8.4	91.6
Industrial Division	25.6	74.4
National Resource Division	24.7	75.3
Rehabilitation and Works Division	17.4	82.6
Home and Kashmir Affairs Division	22.5	77.5
Education	33.3	66.7
Health, Labor and Social Welfare	19.0	81.0
Foreign Ministry	22.2	77.8
Law and Parliamentary	35.0	65.0
Communication	17.8	82.2
Finance	24.4	75.6

**Source:** Hamid Khan, 2009, p.178.

The above table clearly reveals the overriding control of the West Pakistan over the key services in the central government. In true federal system neither central government nor provincial government dominates others. In case of Pakistan there was complete economic and political domination of the West over the East Pakistan. Federation with such sharp gap between its federating units in term of services cannot function smoothly.



The gap between the East and West Pakistan in term of Gazetted and non Gazetted all federal government employees was even more striking. Of the total 5046 gazetted employees the share of East and West Pakistan was 1338 and 3708 respectively. Similarly, East Pakistan got 1338 gazetted and 26310 non-gazetted officers while West Pakistan got 3708 gazetted and 82944 non-gazetted officers (Khan, 2009: 178). Other inequities such as the under recruitment of East Pakistani into the public services and, particularly, into the armed force, were also far from close by the time Ayub Khan relinquished the office in 1969. According to Misra, the share of Bengali in armed forces was only 4% by 1963 which increased to 10% in 1970 (Misra, 1972: 163-184). It was all despite the fact that the country's principle earner since 1947 had been East Pakistan, and the value of exported jute goods from East Pakistan was greater than that of all other manufactured goods out together (Khan, 2009: 180).

It was during Ayub Khan government that separatist tendency and East Pakistan movement towards provincial autonomy assumed a more definite form. It was during his administration that the word secession became not only utterable but printable. Aube himself openly expressed that the only link between the provinces lay in the fact that the Governor of each wing was appointed by the center. "Remove him (the Governor) and you have two countries a straight away" (Ibid, 2009: 182). During his 11 years' rule, Ayub Khan took different arbitrary steps to keep the different and dissimilar sections of country unite under a powerful center but he miserably failed. By the mid 1966 public feelings of dissent and deprivation in Bengal were so heightened that Sheikh Mujeeb Ur Rehman, the leader of Awami League, presented his most contentious six points as the demands of the people of East Pakistan. With this, the Awami League emerged as the sole representative political force in Bengal. The mass based popularity of this party in East Pakistan can be revealed from its highest score in the general election of 1970 wherein he secured 160 seats out of 162 in East Pakistan (Rafiq, 2001: 396).

As denoted by the results of general election 1970 that Awami League stood first by securing 160 seats in the Eastern wing, followed by PPP with 81 seats in the Western wing. The territorially confined and sweeping victory of Awami League in East also denotes the heightened ethno-based nationalism in Bengal. According to Talbot, Yahya Khan was shocked by the elections results as he was quite sure that no political party would gain decisive victory and in the absence of any strong political government he would continue his rule as a powerful president of Pakistan (Talbot, 1998: 195). However, contrary to his belief, the Awami League appeared as a major political party with highest score of votes in Pakistan.

In accordance with the democratic principles and prevailing norms of the modern political system, it was the constitutional right of Sheikh Mujeeb Ur Rehman to form national government but the military government of Yahya Khan and the PPP leadership (whose vote bank was predominantly in Punjab) did not allow him to form government. As observed by Khan, the electoral mandate of Awami League was not honored because "that would have meant the transfer of power from Punjabi-Mohajir oligarchy to the Bengali majority" (Khan, 2005: 73). The unconstitutional tactics employed by the military leadership and PPP viz-a-viz the Awami League revealed that there was serious lack of any true democratic federation in Pakistan. The centripetal forces of the country always tried to tilt the federal system in favor of the center thus denying the ethno-national groups their due rights. In a true federation neither side of the government (central or the provincial) rule the other. Contrary to this, in Pakistan, there was a complete political domination of the East by the West wing which eventually led to the disintegration of the country in 1971.

## CONCLUSION

Federalism as a form of government was introduced in Pakistan to keep the diverse sections of the society under the umbrella of a single political system but from the very beginning the specific ethno-national groups mostly based in Punjab started dominating the Pakistani federation with the help of autocratic leaders who did not allow the principles of federalism to flourish. During 1950-1955, the ruling elites undermined the numerical majority of Bengalis by denying their due share in the central legislature. To counter the numerical majority of Bengalis the central government introduced One Unit System which further polarized the two wings and also caused dissention in the smaller units of the West wing against Punjab. The diverse character of society was completely ignored by the first two constitutions of Pakistan. The overriding powers, given to the central government, undermined the provincial legislatures. Sharing

powers and accepting diversity are the fundamental principles of federalism but the central government strictly adhered to the tools of coercion and suppression for keeping the diverse sections of the country together. The unconstitutional and undemocratic policies of the central government accelerated ethno-national and centrifugal tendency in the East wing that latter on surfaced in the form of six points of Sheikh Mujeeb Ur Rehman and the sweeping of general election of 1970 by Awami League in the East Pakistan. The denial of constitutional right to Sheikh Mujeeb to form national government after his victory in the general election proved a last stroke to the tumbling federation of united Pakistan. Thus, it is argued that the failure of federal vision on the part of federalist forces and the establishment led to the liberation of Bangladesh in 1971 and continues to pose a threat to what remains of Pakistan.

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