CHAPTER III

UNDER MARTIAL LAW

The Awami League was aware that its endeavour to minimise regional and ideological cleavages through bargaining and compromises did not yield positive results because compulsions for a consensus to reduce intrasocietal cleavages was still lacking in Pakistan. But it did not apprehend complete shelving of all democratic institutions and processes. Even on the eve of this catastrophe Suhrawardy in all earnestness, was discussing the campaign strategy of the AL with his close associates. Their objective was to regain the "lost prestige" of the party so that it could effectively function after the elections. To them the promised elections were the guarantee against further concentration of power in few hands. Therefore, the imposition of Martial Law was at once viewed as a deliberate attempt to discard democratic processes altogether. Ataur Rahman blamed the ruling coterie and held the US also partially responsible for the impasse. In his words:

It was in order to jeopardise the decision taken at the all parties Conference about holding the general elections in early 1959 that the Constitution was abrogated. Iskandar Mirza and his

mosahibs realised that after the elections their existence would be at stake. The American Government also had an inkling that their supremacy too would come to an end if either the Muslim League or the Awami League came to power for both were anti-American. Speeches by Maulana Bhashani, Khan Abdul Hayyum Khan and myself proved this. They realised that though the Awami League leader Suhrawardy was not anti-American, his colleagues and followers were staunch anti-imperialists. Therefore, the people with vested interest were against the holding of elections. 2

Stalling of the elections and banning of the political parties might have served the immediate interest of some. But Pakistan's national interest gained little because these deprived a large number of Pakistanis participation in the national reconstruction. The AL very ably exposed this systemic weakness after it was revived in the mid 1960s. The political movements during the Martial Law period prepared the Awami League for this crucial role. In East Pakistan the Martial Law regime by making parties inactive overtly in fact gave them a respite to make objective assessment of the expressions of dissent of the educated urban through whom the political parties had to mobilise. Undoubtedly, those who read the writings on the walls correctly captured popular support with comparative ease. The EF Awami League's later success owed much to this farsightedness of some of its leaders.

2 Ibid., p. 103.
Within the defunct AL a definite polarisation of ideas took place as a reaction to the clearly expressed desire of the vocal East Pakistanis for political and fiscal autonomy of the province. The decision to revive the party in 1964 and also its conduct thereafter were largely based on the near unanimity among a large section of East Pakistanis regarding the state of affairs in Pakistan since its inception. An idea about the dissent in EP during the Martial Law and after therefore is essential for the understanding of the priorities and style of functioning of the EPAL after its revival in 1964.

The initial change-over acclaimed as a "revolution" by the protagonists of the change was rather smooth and eventless mainly because of the already entrenched position of the military within the political system. As Rounaq Jahan puts it in a revealing sentence, "Long before the coup, the military had been working as a silent partner in the civil-military-bureaucratic coalition that held the key decision-making power in the country." The Martial Law period (1958-1962) was used to concentrate power by the means of various Martial Law regulations and through the system of Basic Democracies. This was done behind the facade of an elaborate machinery of the Constitution Commission which ostensibly attempted to seek a consensus on the future

In the absence of a participatory system any ruling coterie needs to build up coalitions with various social forces. Failing this, the regime stands in danger of revolutionary overthrow by social forces which it cannot accommodate for want of institutional mechanisms. In such situations military regimes are all the more in danger because "in code and structure they are different from the rest of society". In Pakistan the military coalesced with the bureaucracy, the emergent big business and the rural notables. Following Huntington, and assuming that coalition with rural notables enlisted de facto support of a major proportion of the rural population, it was roughly an equation of "guns plus numbers" against "brains". And this was supposed to result in a stable government. The other equations, viz., "brains plus guns" versus "numbers", and "brains plus numbers" versus "guns", according to Huntington result in "fragile stability" and "revolution" respectively.

The kind of institution-building needed for the survival of military rule depends upon the masses identifying with the military ruler, accepting the rituals and symbols of

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the regime, and thereby validating the new pattern of leadership and its legitimacy. As Janowitz observes: "The military recognises the need for mass political base in order to achieve objective national development." In Pakistan, however, Ayub Khan's political devices proved to be more a cover for the practice of what has been termed in the Latin American context as "continuismo". This was very evident from the deep military entrenchment during his time in the Pakistani power structure. The 1962 Pakistani constitution even laid down (Article 238) that for the first twenty years from its commencement Pakistan would not have a Defence Minister who did not have a rank lesser than that of Lt. General in the Pakistan Army or an equivalent rank in one of the other services.

During the Martial Law period the military regime of Pakistan tried to institutionalise and legitimise its rule by establishing Basic Democracies, procuring a vote of confidence for the President, trying to evolve a "people's" Constitution, and by talking incessantly about national unity. Later, it first legalised political parties and then formed a political party (the Convention Muslim League) to work through it. But the major issues that had baffled the Pakistanis elites since

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8 For details see Khalid Bin Sayeed, "The Role of Military in Pakistan", Van Doorn, n. 5, pp. 274-97.
as such. So, it is not surprising when Abul Mansur Ahmad, one of the stalwarts of the then defunct Awami League, records that he was not aware of any anti-Martial Law uprising in East Pakistan during the nearly four years of Martial Law. He has however clarified later that the apparent passivity of defunct politicians was deliberate. In fact, the image of East Pakistan as a hotbed of agitational politics was so strong that Feldman was (mis)led to remark: "Whatever people in East Pakistan thought of Martial Law, there is nothing to show any greater resistance to it than in the western province, and acceptance docile or obsequious - was no less evident."

While the constitution was in the making, the Martial Law regime directed its energies to crystallise public opinion around two issues: one, that politicians were the root cause of all the evils which the country had been suffering from and should therefore be kept out of the picture and second, that a western type of democracy was not suitable for the people of Pakistan and hence the need for an indigenous system (to be provided by the regime). Both these affected East Pakistan very deeply because of its level of politicisation and its pronounced preference for democratic institutions. In fact,


11 But one does wonder about his glossing over of the students agitation of February-March 1962.

East Pakistan's growing insistence on a fully participatory system was directly linked to its diminishing role in the country's affairs in spite of its numerical majority. The nature of Muslim politics in pre-partition India, and the attitude of the ruling elite in Pakistan during the early days were indicative enough to make the East-wing politicians apprehensive about the place of the East Wing in the affairs of the country in future. As time passed, proof of specific discrimination piled up and East Pakistan grew more and more apprehensive about the increasing disparity (particularly economic) between the two wings. Many promises were made during the Martial Law period. But the educated and articulate East Pakistanis were far from being convinced that any permanent remedy could be evolved through the emergent system. As a result, at the slightest opportunity they tried to express their dissent to the ruling coterie's line of approach. As normal channels for articulation of views were completely blocked these expressions of dissent were occasional and apparently unorganised. But coming from various sections of the elite these were substantially representative of views held by the politically conscious and effective emergent middle class of East Pakistan - which was emotionally very much tied to the masses, namely, the peasantry from which it had recently sprung.

However occasional and sporadic the voices of dissent might have appeared, a thematic unity emerged. These East Pakistanis did not conform to the view that a modern polity
could survive sans democratic politics and they did not visualise the possibility of achieving national integration while one part of the country prospered at the cost of the other. These views came from varied sources like professionals, academics, economists, bureaucrats, and defunct politicians until finally the East Pakistani students rebelled openly and thus created an atmosphere in which the politicians had to come out into the open. Some of the views expressed during this period are reviewed in the following pages. How they came to play a key role in the politics of East Pakistan - or rather of Pakistan - will be clear as we proceed.

Most of the East Pakistani politicians, including Awami Leaguers were kept out of the picture by the Elective Bodies (Disqualification) Order (EBDO) Regulation and frequent imprisonment. Abul Mansur Ahmad, Manoranjan Dhar, Khairat Hosein, Korban Ali, Sheikh Mujibur Rahman, etc. were charged with corruption. Abul Mansur was also accused of being associated with a secret association indulging in subversive activities. His counsel H. B. Suhrawardy very rightly pointed out that the time during which Abul Mansur was alleged to have been associated with subversive activities - he was a provincial minister, later a Central Minister and on a few occasions the officiating Prime Minister of Pakistan. Suhrawardy asked what was the I.B. doing at that time? Why were the relevant authorities not informed? What was this
secret organisation? Tajuddin Ahmad, another prominent Awami Leaguer, was alleged to have toured different districts of East Pakistan carrying out subversion at a time when he was constantly residing in Dacca preparing for the Law Examination. Most of the corruption and other charges to malign EP politicians could not be proved in the courts of law.

Some of the defunct politicians, however, availed the opportunity to express themselves freely while replying to the questionnaire prepared by the Constitution Commission. They took full advantage of this opportunity and somehow in spite of repressive Press regulations their answers were published in the press. This in itself was a defiance of the authority of Martial Law. The most explicit opinion came from Ataur Rahman Khan, an Awami League stalwart and the last Chief Minister of East Pakistan.

Ataur Rahman emphatically said that contrary to allegations parliamentary democracy had not failed, it had just not been tried. Defending his stand about the ill fate that democracy had met in Pakistan, he said that certain individuals "whose views on the nature of the system are utterly superficial did not point out any defect of the system until the system was demolished and a system of their own ruthless pattern was established." He pointed out that at

13 For details see Ataur, n. 1, pp. 54-81.

14 Text of the questionnaire is given in Report of the Constitution Commission, n. 4, pp. 43-46.
the time of independence power, instead of being vested in the people, was given to an improvised legislature. In the subsequent scramble for power there were "palace intrigues" and "other foul games"; the Muslim League within two months of its complete rout in East Pakistan in the elections of 1954 was "able to suspend the government and legislature and imprison a large number of political workers". He condemned the bureaucracy as "a legacy of the British Raj" and one which had never respected democratic principles. Altaur Rahman blamed bureaucrats for indulging in anti-people intrigues - which resulted in "constant rivalries and suspicion ... leading to a series of upheavals." He was certain that many Pakistanis felt that there was a powerful clique in the bureaucracy which did not want democracy to function. He pointed out that Liaquat Ali Khan was murdered just as he was ready with a Constitution; Khwaja Nazimuddin had a bill for a constitution drawn up when he was unceremoniously deposed; Mohammad Ali of Bogra, meant to be a puppet, was thrown out when he had a draft constitution prepared; Chaudhury Mohammed Ali, supposedly the leader of the bureaucracy, brought out a constitution and was promptly deposed; H.S. Suhrawardy, who had earlier contested some of

15 even if they had any respect for it, democracy in their perception certainly did not suit this subcontinent. For example, Akhter Hussein as the Chief Secretary of the undivided Punjab contemptuously wrote in one of his fortnightly reports: "Democracy has little real understanding in this country." See File No. 18/12/46, Home Political (Internal), National Archives of India, New Delhi. The same Akhter Hussein held various important positions in Pakistan. With him and a few more like him in the administration, no wonder the Pakistani state turned out to be what it was in the sixties.
the provisions of the Constitution [1956], was removed from the office of the Prime Minister when he kept his promise and set a date for the elections and ordered electoral rolls to be prepared; I.I. Chundrigar tried delaying tactics, lost the confidence of the Assembly and had to leave office despite the bureaucracy; Feroze Khan Noon, the seventh and the last Prime Minister, did not play the game, he also set a date for the elections, that is, February 1959 and Iskandar Mirza "the first and the last President under the Constitution [1956], seeing no chance of remaining President, became desparate and established Martial Law and abrogated the constitution" [1956].

Ataur's suggestions for the future were: the cabinet system of the parliamentary form of government and a federal state-structure with East Pakistan and the four provinces of West Pakistan as the federating units. He favoured a unicameral legislature elected through universal adult franchise and joint electorates. He wanted the President to be a titular head elected indirectly by the legislatures of the units and the Centre.

In answer to question No. 40 of the questionnaire:
"have you any other suggestions to make, relevant to the terms of reference, 16 to ensure security, peace and goodwill?"

- Ataur Rahman made the following points:

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1. Martial Law should be lifted immediately and a popularly elected constituent Assembly should be set up to frame a constitution within three months and hold general elections within six months.

2. If that were not possible, to restore the 1956 Constitution for the purpose of holding general elections.

3. The present Commission should recommend a constitution on the basis of popular views and in consideration of the geographical, linguistic and economic background of the country.

4. Political parties should be allowed to organise freely and function with definite plans and programmes.

5. Economic disparity between the wings of Pakistan should be immediately removed.

6. Parity in Government services should be immediately established in all grades, if necessary by ad hoc appointments.

7. Industrialisation should be encouraged in East Pakistan.

8. Bengali and Urdu should be made compulsory in higher Secondary grades in West and East Pakistan respectively.

9. A full-fledged Military Academy should be set up in East Pakistan.

10. Attempts should be made to allay the sense of insecurity, suspicion, distrust and injustice between different parts of the country.  

Ataur Rahman's answers are summarized from his own typescript lent to me in summer 1976 in Dacca. His replies were also published in Pakistan Observer (Dacca), 30 June 1960.
As can be seen, Ataur Rahman's considered view was that in order to ensure security, peace and goodwill in Pakistan, the East Pakistani demands needed to be fulfilled. And Ataur Rahman's views here represented the defunct Awami League's views because while preparing the answers he conferred with party colleagues and obtained their approval, and hence more important than any other politician's view for it was the Awami League that emerged as the most popular political party in East Pakistan after the revival of political parties in Pakistan.

Among the other notable politician-respondents Nurul Amin significantly, almost echoed Ataur Rahman.

According to **Pakistan Observer** of Dacca, thirteen organisations, twelve of them lawyers' associations, replied to the questionnaire. The thirteenth was a Medical Association. Four of these were provincial-level organisations, area-wise the rest represented Dacca, Mymensingh, Chittagong, Faridpur, Manikganj, Tangail, Rangpur and Kushtia. All of them favoured the parliamentary form of government. Ten expressed a choice between unitary and federal structure and they favoured federal form. Seven opined on voting and all of them wanted

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18 He stated this to me in Dacca in Summer 1976.

19 For Nurul Amin's answers see **Pakistan Observer**, 27 June 1960. For some other politicians' answers see *ibid.*, 12-20 June 1960.
universal adult franchise. Four of them preferred combined central and provincial legislators' college for presidential election. Seven confirmed that the 1956 constitution had not failed, it was not tried because general elections were never held. Five of these seven condemned those who instead of protecting the constitution as part of their duties, violated its provisions. They also criticised the excess power vested in the head of the state and were quoted as having named Golam Mohammad a despot who shattered parliamentary democracy, and branded Iskander Mirza as more dictatorial than even Golam Mohammad. Both of them were alleged to have indulged in party politics with the ulterior motive of perpetuating their authority. Two of these respondent organisations opined that defection and struggle for power among the political parties were responsible for the breakdown of the parliamentary system.20

Khan Bahadur Nazimuddin Ahmad in his Presidential speech at the Fifth Annual Session of the East Pakistan Lawyers' Association questioned the validity of the Constitution Commission's assumption that the parliamentary system had failed. He said it was practised for four years only followed by "seven long years of naked despotism".21

Another lawyer, J.M.A. Najid, a member of the East Pakistan Provincial Development Advisory Council, while

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20 Compiled from ibid., 5 June to 2 July 1960.

21 Ibid., 26 June 1960.
answering in the same vein added that "in the absence of an ideal electorate" for the success of democracy, the country must proceed with the "material available". 22.

The Constitution Commission also interviewed some East Pakistani journalists. They were: editors of Pakistan Observer, Ittefaq, Azad, Jianabad and Pasban (Urdu). All five of them said that parliamentary democracy had not failed, it had not been given a chance. They pointed out that political instability resulted from the failure of successive governments to frame a constitution and hold elections. One of the editors blamed Central influence, another blamed the Constituent Assembly members' conspiracy to hold on to power, interwining economic disparity and defection of politicians. Others said that monopolisation of all powers by a powerful section of bureaucracy led to dissolution of ministries through undemocratic means and delayed framing of a constitution and caused instability. The editors suggested frequent free elections, political parties with clearcut programmes, prohibition against defection, clearly written constitutional provisions leaving no room for misinterpretation and misuse. All of them suggested the parliamentary form of government within a federal structure and all powers except defence, foreign affairs and currency vested in the provinces 23 thus delineating

23 Ibid., 10, 12 June 1960.
distribution of powers between the centre and the provinces. This aspect was dealt with in further details by others at different forums also.

Shortly after the President's tour of East Pakistan in summer 1961 Rehman Sobhan of the Department of Economics at the Dacca University in his paper "How to build Pakistan into a well-knit nation" read at a seminar organised by the Islamic Academy of Dacca pointed out that in view of the fact that the per capita income in the East wing was going down while that in the West wing was increasing, each wing should have full control over its resources.\textsuperscript{24} In fact, the idea of financial autonomy was very much in the air for quite some time.\textsuperscript{25} And President Ayub had already mentioned it and denounced the idea as "loose and irresponsible talk". Discussions about two economies, however, continued. \textit{New Values}, a Dacca journal, published "The meaning of the Two Economies Thesis" written by Rehman Sobhan in one of its early issues in 1961. The same theme was published in Bengali in an edited volume published in Dacca in 1962.\textsuperscript{26} The trend of the discussions around the two economies thesis was finally expressed in Sobhan's article published in \textit{Asian Survey} in July 1962. Here he analysed the roots of the dual character of Pakistan's economy and concluded:

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\textsuperscript{24} Ibid., 29 May 1961.

\textsuperscript{25} See Chapter I and II. This will be further discussed in Chapter VI.

Rehman Sobhan, "Amader Artaniiti."

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From an academic standpoint, the Pakistan economy presents an interesting case study of the problems inherent in an economic union between two regions experiencing different rates of development. One must emphasize the fact that the free play of market forces tends to accentuate these inequalities and that government action is necessary to induce any degree of equality in regional incomes. This, of course, makes the problem as much a political as economic one and raises complex problems which deserves special study. 27

If Ataur Rahman had given the most extensive account of the political maladies of Pakistan, it was Rehman Jobhan who most clearly defined its economic maladies. And these two combined together signalled the course East Pakistani politics was about to take after the ban on political parties was lifted.

The problem of disparity had received attention from some East Pakistani bureaucrats also. The five East Pakistani members of the 1961 Finance Commission - three of them CSP Officers, one the Managing Director of the Industrial Development Bank, and the fifth a Professor of Economics - differed from the five West Pakistani members over the question of ways and means to eliminate regional disparity. They prepared a separate report and recommended that the constitution under preparation should "not only contain the objective that disparity between the two provinces would be eliminated within

a minimum period of twenty-five years, but also the formula which they had suggested in their report for allocation of developmental resources."

There could be difference of opinion regarding the motivation of the bureaucrats-economists initiative to define in economic terms the causes of and remedies for the glaring interwing disparities in Pakistan. It could be a kind of "pragmatic dissent", or it could have been intended to keep the system of bureaucratic dominance in a state of equilibrium. But the fact remains that they had foreseen the inherent danger of the prevalent situation and had given expression to their concern, and although the regime paid almost no attention some of the leading politicians of East Pakistan made the most ingenuous use of the "two economies" thesis as a strong foundation of their future political programme.

The East Pakistan Chambers of Commerce and Industry and certain other trade associations also in a prepared statement pointed out the increasing disparity in the standards of living of the two wings - a result of "deliberate" government policy. It suggested an accelerated programme for fulfilling East Pakistan's needs in the Second Five Year Plan as against the underemphasis in regard to the communication system, power

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29 See Leonard Shapiro, Political Opposition in One Party State (Great Britain, 1972).

30 Sayeed, n. 28.
supply and educational and technical facilities in the First Five Year Plan. 31

As has been pointed out earlier, the Martial Law regime persistently reminded the people about the priority of national unity above everything else. Seminars and symposiums were organised (allegedly sponsored and/or encouraged by the regime) to discuss the problem. In November 1961 in a Dacca seminar on Greater National Integration (following the one held at Lahore in September 1961) Dr. M.N. Huda, Professor of Economics at Dacca University, felt that the discussions were proceeding along "two parallel lines with no meeting point". One was the dependence on Islam as the binding force, the other was economic disparity as the divisive force. He concluded that national integration could be brought about only by removing disintegrative tendencies. The same seminar heard Dr. Sajjad Husain, Head of the English Department of the University of Dacca, stating that economic disparity and the complex cultural traditions of the linguistic groups were stumbling blocks to cultural homogeneity. He felt that it would be "utterly unrealistic" to achieve such integration and suggested that Pakistan must learn to live with its cultural complexity and pointed out that the uniting factor would be found in a "common national purpose, namely, the creation of a nation in which men will be able to live in dignity." Dr. Mohammad Shahidulla,

the eminent linguist, said that disproportionate development hurt the united image of a nation. 32

The preceding account presupposes either a basic uniformity of perception, or close interaction in spite of the rigours of the Martial Law, or both. Anyway, what is more important to note is: there appeared a convergence of opinion held by the defunct Awami League (as expressed by Ataur Rahaman Khan) and most of the rest, including prominent Muslim Leaguers like Nurul Amin. A consensus very visibly emerged on two very important issues: one, the system and structure of the state and the government, and two, the distribution of powers between the Centre and the federating units. About these a growing sense of deprivation among the East Pakistan academics was also detectable. This partly explains the way the new leadership of the Awami League tackled the old issues after the party was revived in the mid sixties - as also the compulsions for its revival and its immediate impact and comparatively easy success in mobilising public opinion in spite of many hazards.

But with political parties still outlawed, large-scale political mobilisation was impossible. Therefore, Suhrawardy's plan for a partyless mass movement (Gano Andolan)

32 Schuler and Schuler, n. 4, p. 132.
was the only practicable solution for at least keeping political consciousness alive, if not strengthening it further.

Ever consistent with his preferred choice for operating in politics at the national level — commensurate with his idea of national politics as against politics of regionalism, Suhrawardy had planned to enlist the support of both East and West wing politicians irrespective of their previous party affiliations and start a movement with a common programme. After a preliminary discussion with West Pakistani politicians, at an all-Party indoor meeting of defunct East Pakistani politicians on 24 January 1962, Suhrawardy said that the only way to get out of the "claustrophobic" situation created by the absence of overt politics and political parties, was to work unitedly, forgetting the past quarrels and jealousies, and work for a single goal, that is restoration of democracy. He suggested participation in the elections (Basic Democracies) with carefully chosen nominees who would be committed to their ideals and objectives. He proposed that this message should be propagated secretly to every household. And since it was a time-consuming process, the operation should commence at once. He emphasised the non-party character of the movement for restoration of democracy. He is reported to have also said:

"Shariat path jadi bandho hove gие thake, tahole amra

33 Others present included Ataur Rahman Khan, Abu Hosein Sarkar, Hamidul Haq Chaudhury, Tofazzal Hosain (Manik Mian), Sheikh Mujibur Rahman and Yusuf Ali Chaudhury (Mohan Mian) representing Nurul Amin.
Shariat remains closed, we will take the route of the Marfat, but proceed we must). There was general agreement to his proposals. He even asked Abul Mansur to draw up a scheme for the mass movement with his knowledge as a trained worker of the Congress and added that that was the only way Abul Mansur could pay for Suhrawardy's counsel for him against the Government.  

However, the peaceful mass movement that Suhrawardy had visualised did not come off. Instead, in the beginning of 1962 East Pakistan witnessed the first ever anti-Martial Law agitations led by East Pakistani students which, whether they were directly responsible for it or not, in most cases resulted in violence.

The immediate cause was Suhrawardy's arrest on 30 January 1962 at Karachi under section 3 of the Security of Pakistan Act, 1952. This was done obviously to nip in the bud his efforts to launch a unified movement. The Government accused Suhrawardy and his associates for the "predicament in which Pakistan found itself in the later half of 1958." It was claimed that the "revolution" stopped the "rot" and achieved further "positive gains". It was disclosed that "criminal misdeeds" of Suhrawardy and some others were known but was overlooked out of generosity. But his open association "with anti-Pakistan elements both within and outside the 

35 Abul Mansur, n. 10, p. 577.
country" was "so prejudicial to the integrity and safety of Pakistan" that "one could describe them as being treasonable". Therefore, the Government pleaded, it was "reluctantly compelled to order the detention". 36

The actual "treasonable" offences, however, were not spelt out. Neither did the East Pakistani students wait to ascertain the validity of such vague allegations (in 1968-69 a different set of student leaders also did not care whether the "gartala conspiracy" case was true or false).

Whether or not the Martial Law administration was in a position to substantiate its allegations that Suhravardy was a threat to Pakistan's security, it had evidently foreseen a threat to the regime in Suhravardy's plan for a peaceful mass movement for restoration of democracy. What it failed to notice was: by launching such a joint movement Suhravardy was also endeavouring to contain further crystallisation of certain fissiparous tendencies, particularly among the East Pakistanis. But the very fact that he was able to mobilise both East and West Pakistani politicians once belonging to warring political parties around a common issue held a threat to the usurpers of power. Quite obviously, it was perception of this threat rather than any real threat to the security of Pakistan that motivated Suhravardy's arrest. The East Pakistani students lost no time in calling the bluff. And they did so while the

President himself was touring East Pakistan trying to justify the arrest.

On his arrival at Dacca airport on 31 January 1962 President Ayub told the newsmen that there was to be no lifting of ban on political parties and added that if the country could run without any political party, he would be happy and the people would be lucky. Even if political parties were inevitable, they would come into being only by laws to be passed by the future parliament. And even then they would have to assure the parliament of some "basic ingredients". He sought to justify Suhrawardy's arrest by branding him as an unpatriotic who had exploited "the weak leadership" to further his disruptive activities with financial assistance from Pakistan's enemies and using East Pakistan as his tool. The President mentioned (but did not explain) that Suhrawardy's misdeeds were part of a bigger issue.37 In the context, it was clear that he was referring to an 'Indian conspiracy' against Pakistan.

While reviewing East Pakistan's economic progress in a radio broadcast, President Ayub Khan admitted that "the strength of Pakistan lies in the greater strength of each of the two wings...neither of the two wings can survive economically or politically unless there is healthy growth in both and in the Pakistan nation as a whole." He also agreed that for

37 Ibid., 1 February 1962.
problems like mobility of labour, movements of goods and so on the distance understandably constituted a hindrance, but added that "since we have the will to be one nation the separation by itself should spur us to greater effort and thereby lead to greater growth and advancement". 38

In his departing address at the Dacca airport on 7 February 1962, however, President Ayub did not sound so amiable. He asked East Pakistanis to stop irresponsible actions or utterances if they did not want to suffer the loss of the good and sound administration built up with great difficulty as a sound base for development. 39 This obviously was a warning to politicians who, he thought, must have been instigating the students. Perhaps, he was not convinced by Ataur Rahman's submission that after the "mudslinging" by the Government the politicians had lost their bonafides altogether. Ataur's assertion that the students, the future leaders, had their own power of judgment and therefore if they felt that the future was dark, they would naturally agitate for certain changes also did not seem to have impressed the President.

During the same conversation Ataur Rahman had told the President that in the context of Pakistan's geography East Pakistan was bound to become a colony if an unrepresentative system with centralised structure was thrust on it against its wishes. While elaborating East Pakistani politicians' specific demands

38 Ibid., 7 February 1962.
39 Morning News (Dacca), 8 February 1962.
Ataur Rahman had also given the President some details of the complete fiscal and political autonomy as envisaged by them. In essence, Ataur's formulation was no different from what the Six Point Formula of the EPAL turned out to be.

Reports of the students' agitations could not be published in the Press. But interestingly, the Government Press Notes perhaps in an attempt at slandering the students gave details about their agitations and thereby revealed the magnitude of the students' movement. These press notes reported that from 1 February onwards numerous students from universities, colleges and schools all over the province absented themselves from classes, took out processions, shouted slogans, threw brickbats at police and manhandled them, set fire to vehicles carrying police personnel, forced shops to close down, threw brickbats at the daily Azad office in Dacca, stoned railway trains, raided the office of the Subdivisional Adjutant of Ansars at Peronjepur and damaged some official records. These press notes also reported that in order to bring the situation under control, tear gas and lathi charges were resorted to, and the arrested students were being tried in the Special Military Court. Mention was made that at various places students were joined by others. It was also revealed that there were disturbances when a Central Minister attempted a speech in the Dacca University. Among the arrested ones, besides students were Abul Mansur Ahmad, Tofazzal Hosain (Manik Mian), Sheikh

40 For details of conversation between Ataur Rahman and President Ayub Khan see Ataur, n. 1, pp. 165-94.
Mujibur Rahman, Kafiluddin Chaudhury, etc. 41

In spite of suppression, news of East Pakistani student unrest was circulated widely. For even students from Lahore and Multan sympathised with them. Agitation by Pakistani students in England also were reported. 42

Popular discontent was again expressed during the Martyr's Day observations in the latter half of February 1962. A Dacca Literary Symposium passed a resolution urging the Government to introduce a democratic and parliamentary system of government and to provide for complete provincial autonomy for East Pakistan. 43

The official reaction to the students' agitations was typical of the regime. President Ayub told newsmen that the disturbances in East Pakistan were a "sad occasion" and added that the students were being exploited by professional anti-State agitators in both wings. 44 The persistent Government propaganda evoked protest from student leaders. The Dacca Central University Students Union (DACSU) General Secretary Enaetur Rahman in a statement on 23 April 1962 protested against the Government vilification of students as stooges of politicians.

41 Pakistan Observer, 7-23 February 1962.

42 For details see Dawn (Karachi), 18 and 21 February 1962; Hindu (Madras), 20 February 1962, and Pakistan Times (Lahore), 25 April 1962.


44 Pakistan Observer, 26 February 1962.
and as vanguards of a secessionist movement.

The absolute spontaneity of the students agitation may be debated. What is more important, however, is that the East Pakistani students had always been the vanguard of all movements in East Pakistan and once aroused to action they were a force to reckon with. At the above juncture both the regime and the defunct politicians took care not to antagonise them too much. The arrested students were ultimately given general amnesty. And the politicians, particularly the Awami Leaguers, refrained, as desired by the students, from participating in the BD elections. The defunct Awami Leaguers along with others had originally decided to participate in the elections for they thought a two-pronged movement for restoration of democracy - inside and outside the legislatures - would serve their purpose better. But the students argued that participation in elections instituted by the provisions of a Constitution which had not been accepted by them was out of the question. And since the students were the only ones playing any active role their decision was accepted by the defunct Awami Leaguers. A few of those who opposed the revised decision, however, contested and a very few got elected. The ruling junta seemed perturbed by this decision because to them it amounted to a clear expression of the non-acceptance of the Constitution and emissaries were sent to persuade them to change their decision. 46 Khondkar Mushtaq Ahmed also observed

45 Mentioned in J.K. Ray, Democracy and Nationalism on Trial; A Study of East Pakistan (Simla, 1963).

46 For details see Ataur, n. 1, pp. 202-6.
that during Martial Law it was the students who kept politics alive in East Pakistan. 47

Before the elections, unable to contain their despair any longer, seven defunct politicians prepared a joint statement and managed to get it published in some East Pakistan newspapers on 14 April 1962. The signatories were Nurul Amin, Ataur Rahman, Abu Hosein Sarkar, Hamidul Haq Chaudhury, Sd. Azizul Haq, and Pir Mohsenuddin. They pointed out that in the forthcoming elections, in which a little over 500 voters from each constituency would represent a population of 650,000 in East Pakistan and 500,000 in West Pakistan, mass opinion would hardly count and that it was harsh, illogical and unjust to keep some leading public men and students behind the bar at such a time. They requested the Government to immediately release all political prisoners for they were convinced that this would help the cause of democracy. 48

The elections, however, were held according to the March announcement of President Ayub. Representatives for the National and Provincial Assemblies were elected by Members of the Electoral College, that is, the Basic Democrats who were elected in 1959-60.

According to a Pakistani analyst, the elections of 1959-60 were "held under large number of stringently enforced

47 My interview with Khondkar Mushtaque Ahmad in summer 1976 in Dacca.

48 Pakistan Observer, 14 April 1962.
regulations which made them insignificant in terms of political participation and level of political debate. Indeed it was necessary to amend Martial Law Regulations (e.g. Martial Law Regulation No. 53) in order to permit the modest processions and subdued meetings of the candidates a month before the elections. They were, however, not permitted to enter a controversy involving the BD scheme itself, nor, of course, could political discussion touch upon regional issues, religious beliefs, foreign policy or old party loyalties....

In an attempt to discourage politicians related to the parliamentary regime from participating in these 1959-60 Basic Democracy Elections, the candidates were carefully screened, and the sweeping terms of the Elective Bodies Disqualification Orders (EBDO) could be used "to bar individuals from contesting the elections....Despite these efforts, however, about 2,800 BDs in East Pakistan and about 5,000 in West Pakistan had political affiliations."49

The final list of constituencies for the 1962 elections was published on 24 March 1962 and all members of the Primary Basic Democracies elected up to that date were enlisted as Members of Electoral College (MEC). In East Pakistan the maximum and minimum number of MLCs for the National Assembly were 576 and 234 and those for the Provincial Assembly were 298 and 266 respectively.50 The elections were held on 28


April 1962 and 6 May 1962 for National and Provincial Assemblies respectively\textsuperscript{51} "in what may be called a sullen atmosphere".\textsuperscript{52} And "considering that the arrangement for the poll had to be made at short notice" it was "executed without a breakdown anywhere".\textsuperscript{53}

As is evident, numerically the constituencies were small and as political parties were still banned there was no campaigning on political issues. The candidates could express their views and meet the electorate only at Government sponsored meetings of the Basic Democrats. Obviously, "under the circumstances the campaign failed to generate any enthusiasm or interest".\textsuperscript{54} At the meetings in West Pakistan few advocated repeal of the Constitution and universal suffrage, some others talked favouring parliamentary system and existence of political parties. In East Pakistan, however, "claims of association with the defunct political parties were a frequent theme" and "political problems, especially the issue of universal suffrage, regularly entered the discussions between candidate and the elector. There was also formal negotiations for votes, either in terms of money or future favours. Finally, although to a somewhat lesser extent than in West Pakistan, ascriptive

\begin{itemize}
\item \textsuperscript{51} Ibid., p. 51.
\item \textsuperscript{52} Iftikhar, n. 49, p. 22.
\item \textsuperscript{53} Pakistan General Elections, n. 50, p. 60.
\item \textsuperscript{54} Iftikhar, n. 49, p. 21.
\end{itemize}
identifications were ever present and remained of critical importance.\textsuperscript{55}

The 1962 elections, though held at short notice and under severe restrictions resulting in low-key campaigning, were marked by high competitiveness (normally indicating fragmentation and a favourable situation for the ruling party) which might have been induced or genuine. In East Pakistan there were 293 and 1005 candidates for the Seventy-five and 150 seats for the National and Provincial Assemblies respectively, making the average number of candidates per cent 3.89 and 6.7 respectively. In both cases the majority of successful candidates won with a minority of votes. Forty-seven MNAs and 126 MPAs secured less than fifty per cent of votes. In West Pakistan, 316 and 890 contested for the National and the Provincial Assemblies respectively, making the average contestants per seat 4.2 and 5.9 respectively. Majority of MNAs (43) and MPAs (77) won with more than fifty per cent of votes.\textsuperscript{56}

Party-wise, a large number of Muslim Leaguers seems to have participated in the elections for 43 MNAs from East Pakistan "had connections with the Muslim League".\textsuperscript{57}


\textsuperscript{56} For some details of the multiplicity of contests in East Pakistan see Tables and Charts III.1, III.2, III.3 and III.4.

\textsuperscript{57} Iftikhar, n. 49, p. 22.
among the handful of the Awami Leaguers who got elected (out of the few who contested against the defunct party's mandate) were: A.H.N. Kamruzzaman, Mohammad Joibab Hosein, Begum Roqeyya Anwar and Mizanur Rahman Chaudhury who were elected as MNAs and Abdul Malek Ukil and Professor Yusuf Ali who were elected MPs. None of them was taken to task for violating the defunct party's mandate and most of them in later years held important positions in the party.

The Awami League resolve not to participate in the 1962 elections to register its protest against the Ayub Khan constitution was also in tune with its earlier expression of passive resistance against the 1956 Constitution when they refused to sign the Constitution. If the 1956 Constitution which had been at least discussed in the Assembly was unacceptable to them, there was no reason why the 1962 Constitution would have been more palatable. For, as far as East Pakistan's preferences were concerned essentially the 1962 Constitution was no improvement of the 1956 Constitution.58

The defunct Awami Leaguers' dismay is perhaps best expressed by Ataur Rahman who observed that a constitution given by one individual carried no mandate from the "people", that under it (i) all powers were centralised in the person of the President, (ii) that it betrayed complete no-confidence in the people because Basic Democrats alone would elect the President and the legislatures. He pointed out that the Central and

58 For a detailed comparison see Schuler and Schuler, n. 4, pp. 198-209.
Provincial legislatures while having the freedom to discuss every issue, domestic and foreign, would not have the power of voting; that there would be ministers, but their advice would not be binding on the President who would decide and execute Government policies through Governors and bureaucrats; that ministers did not have to be members of legislative bodies. Further, there being no recognized political party in the country, no one would be able to launch election campaigns in the name of a party or organisation; no public speeches would be allowed and there would be about 500 to 600 and 250 to 300 Basic Democratic voters for each constituency for the National and Provincial Assemblies respectively; and candidates would be permitted to give introductory speeches to Basic Democrats only. While mentioning that Pakistan would no longer be an "Islamic Republic" but simply "Republic of Pakistan", Ataur Rahman reminded that no leader or journalist dared criticise the deletion of "Islamic" whereas earlier they were very vocal when the Awami League deleted the word "Muslim" from its name. The capital of Pakistan, Ataur Rahman added, would be transferred from Karachi to a new site to be named (ironically enough) Islamabad on a site beyond Rawalpindi, without any regard for the enormous financial contribution of East Pakistan for the development of Karachi. The Constitution, states Ataur Rahman, widely curtailed the powers of the Supreme Court and the High Courts. In view of the fact that "all powers are vested in one person", Rahman concludes, "it can be claimed that the
Constitution is very plain and simple. Only if power is decentralised among different institutions at different levels does confrontation begin and complexities multiply....All these have been very carefully avoided in this Constitution. And for all these reasons the Constitution has fitted well the intellect of the common man. "59

The "common man" might not have realized the implications or, even if they had, did not react immediately. But the defunct politicians of East Pakistan did. By doing so they drew popular attention to the moribund state of democracy in Pakistan under Ayub Khan and also posed a hurdle on his way to further consolidation of his position in the state-structure. The quickly conceived remedial measures, though they served him for the time being, only heightened political tensions. Resolution of the basic conflicts still eluded Pakistan.

59 Ataur, n. 1, pp. 198-201.