Cambridge Review of International Affairs,
Volume 15, Number 2, 2002

Carfax Publishing
Taylor & Francis Group

India and Pakistan: Interpreting the Divergence of Two Political Trajectories

Christophe Jaffrelot
Centre d'Études et de Recherches Internationales

Abstract *While suggestions were made in the 1990s that Pakistani and Indian political trajectories were converging as Pakistan took steps towards democratisation and India showed increasing signs of authoritarian centralisation, the following analysis offers a more historically sensitive view that suggests the opposite is true. In over fifty years of independence, institutional and societal structures have worked to create the political systems that we see on the Indian subcontinent today, and have helped define the potentially explosive Indo-Pakistan relationship so threatening in today's world. By analysing the ways in which different historical legacies act upon the current political cultures in both India and Pakistan, we engage in a fuller understanding of the contributing factors to the* status quo *in each. Further, historical analysis may shed some light on the expected trajectories of these two countries as they attempt to reinvent themselves at the beginning of the twenty-first century.*

While relations between India and Pakistan have been the subject of numerous studies, few inquiries have compared their political trajectories. One of them, from Ayesha Jalal, concludes that the two countries are converging.[1] For Jalal, India suffers from such centralisation of power that its democracy is largely 'formal', while Pakistan is gradually emerging from its authoritarian tradition. Jalal formulated this interpretation at a moment when Pakistan was indeed engaged in a phase of democratisation, while India, caught up in ethnic tension, was showing an increasing tendency towards authoritarianism. However, when placed in the context of the last fifty years, this reading no longer stands up to scrutiny.

Instead, what is striking is the divergence of the political trajectories of India and Pakistan over the medium term of the last half-century. India, with the exception of its state of emergency from 1975 to 1977, has managed to uphold the same constitution since 1950 and a parliamentary democracy largely inherited from the British. This stability owes a great deal to the Nehru–Gandhi line that gave three prime ministers to India: Jawaharlal Nehru, from 1947 to 1964, Indira Gandhi, in the post from 1966 to 1977 and then from 1980 to 1984, and Rajiv Gandhi, from 1984 to 1989. Nonetheless, this was in no way a dynasty, as is sometimes claimed, since the Nehru–Gandhis were always subject to universal suffrage and in fact lost power twice through the ballot box (in 1977 and 1989),

[1] A. Jalal, *Democracy and Authoritarianism in South Asia*, Cambridge, Cambridge University Press, 1995.

ISSN 0955-7571 print/ISSN 1474-449X online/02/020251–17 © 2002 Centre of International Studies
DOI: 10.1080/0955757022015130 8

making India part of the small circle of democratic countries familiar with shifts in power.

For its part, Pakistan has had three constitutions and three military *coups d'état*. In 1958, the putsch of General Ayub Khan put an end to 11 years of constitutional debate, in the course of which the political class had failed to bring about the democratic system of government it had called for. General Yahya Khan, who succeeded him in 1969, set about organising the elections that finally brought Zulfikar Ali Bhutto to power in 1971. But Bhutto was overthrown in 1977 by a new military *coup d'état* orchestrated by General Zia ul-Haq. Zia ul-Haq remained in power for 11 years before his death in an air accident. The process of democratisation that this triggered was marked by the ascension of Benazir Bhutto to the post of Prime Minister. For 11 years, she alternated power with Nawaz Sharif, who was finally overthrown by General Musharraf in 1999.

Yielding to the simplifying charms of culturalism, many commentators have tried to explain these contrasting political developments by stressing a basic incompatibility of Islam and democracy,[2] while others, on the Indian side, have striven to discern affinities between Hinduism and democracy.[3] This paper will take a different approach in focusing on the genesis of this divergence in the period 1940–50.[4] First it will be necessary to explain why democratic convergence was not possible, although in 1947 both countries were meant to be democratic. On 9 June 1947, a few weeks before independence, Mohammed Ali Jinnah declared during a meeting of his party, the Muslim League, that the constitution of Pakistan would be of a 'democratic type'.[5] As for India, Jawaharlal Nehru, who had become Prime Minister in 1946, in the Objectives Resolution that he introduced in the first session of the Constituent Assembly, started from the principle that India would be a republic; that it would be democratic was for him self-evident.[6] India realised this goal, while Pakistan's efforts have been in vain. To explain the political divergence of the two countries following their independence, this paper proposes to test five hypotheses in subjecting the two countries to a point-by-point comparison: (1) India and Pakistan, though both issued from the same colonial womb, were not, in 1947, heirs to the same political experience. (2) The priority given to national security pushed the question of the nature of the regime to the background in Pakistan, while India was, for a long time, little concerned with external threats. (3) While the arithmetic of ethnic groups acted as a brake on the growth of democracy in Pakistan, it aided the process in India. (4) India and Pakistan have never been equally endowed with respect to political parties. Finally, (5) Indian and Pakistani societies are not structured in the same way, the lack of organisation being much more pronounced on the Pakistani side than in India, where caste, for instance, has paradoxically helped aggregate interests.

---

[2] L. Ziring, *Pakistan: The Enigma of Political Development*, Boulder, Westview Press, 1980, p. 7.

[3] R. Kothari, *The State against Democracy*, Delhi, Ajanta, 1988, pp. 155–56.

[4] Ian Talbot has adopted a similar framework, covering pre- and post-independence issues, in a recently published stimulating book: Ian Talbot, *Indian and Pakistan. Inventing the Nation*, London, Arnold, 2000.

[5] Quoted in A. McGrath, *The Destruction of Pakistan's Democracy*, Karachi, Oxford University Press, 1998, p. 42.

[6] *Constituent Assembly Debates*, vol. 5, New Delhi, Lok Sabha Secretariat, 1989, p. 62.

These five hypotheses call for an analysis that is simultaneously synchronic and diachronic: on the one hand, it is important to identify the key moments of divergence between India and Pakistan (which will lead to a concentration on the 1950s); on the other hand, this point-by-point comparison must be resituated against the medium-term backdrop of the first three decades of the existence of the two countries, to give the trajectories their historic substance.

The Geographic Limits of Colonial Parliamentary Democracy

Comparing India and Pakistan might seem a relatively simple undertaking, given their common colonial experience. After all, the two states derive from the same political entity, British India, which had subjected the region to the same political rules for close to two centuries. However, one cannot start from the assumption that the historical variable is controlled by this fact alone: the regions of the British Raj—the name given to the Empire by the Indians—which were to form Pakistan in 1947 had not, in fact, been administered in the same way as those which would constitute India.

From a macro point of view, it is clear that the guiding line of British policy from the 19th century onward was dominated by the gradual devolution of power to Indians at the local, and then regional, level. The starting point of this process, the 1882 Self-Government Act, allowed a local political arena to take shape by enlarging the scope of competence of municipalities and introducing, at this still limited level, the electoral principle. The provinces were the second administrative level to enjoy a degree of power, starting in 1909. However, the real turning point was just after the First World War, when the reform of 1919 accorded legislative autonomy to the provincial legislative councils and, in particular, the power to remove ministers from office. Finally, the Government of India Act of 1935 established a degree of parliamentary democracy at the provincial level. The British governors, appointed by the Viceroy, kept important ruling prerogatives (which they could moreover extend through recourse to emergency procedures), but much of the essence of ministerial portfolios was now in the hands of Indians working under the authority of a Chief Minister. These governments were responsible to legislative councils elected by a broader, poll-tax-paying electorate, the electoral body having grown from 2.8% to 14.1% of the population of British India.

The Indian constitution, promulgated on 26 January 1950, was a direct extension of the institutions of the British Raj: 250 of its 380 articles were drawn from the Government Act of 1935. They reproduced the general structure of that document, in reaffirming more broadly the federal principle, and, above all, in the choice of a British-style parliamentary democracy. The constituents thus accorded the same preponderant weight to the government, and especially to the Prime Minister, as in the British cabinet system. Though India did not explicitly inscribe the separation of legislative and executive powers in its constitution, it did create 'a climate of separation of powers'.[7]

The British transplant did not similarly take root in Pakistan, for reasons that stem in part from the geography of early colonial parliamentarism. The whole

[7] W. H. Morris-Jones, *The Government and Politics of India*, London, Hutchinson, 1964, p. 198.

territory of the Raj did not benefit in the same way from the colonial apprenticeship of democracy. The provinces that would later become the principal components of Pakistan were among the least solidly anchored in this tradition. Certainly Bengal and Sindh, two zones conquered early on, were administered by the British much as were those that would make up India after 1947, but this was not the case with the other constituent entities of Pakistan. Punjab, the pivotal province of the country, was the last to be conquered by the British, in 1849 when British troops finally overcame the resistance of Ranjit Singh, a Sikh prince. Conquered only after a struggle, Punjab 'benefited' from special treatment, all the more so as it lay on the edges of Central Asia along a traditional invasion route and in contact with an expansionist Russia. The province was thus more militarised than others, and became a real laboratory for the bureaucracy and in particular for the Indian Civil Service, the elite corps of the colonial public service seen by all observers as the 'steel frame' of the British presence in India. District Magistrates literally reigned over their territories, where they were responsible not only for tax collection but for the administration of justice. The Lawrence brothers, who administered Punjab after its annexation, embodied better than anyone this mixture of paternalism and authoritarianism.

The deficit of political participation in Punjab, which contrasted sharply with the colonial parliamentary democracy prevalent further east within the frontiers of the Raj, was also the case in the other provinces of the northwest involved in the Great Game.[8] These included the North West Frontier Province (NWFP), an administrative entity created out of whole cloth by the British in 1901 to organise the defence of the Raj against possible attacks from Central Asia. This zone formed the security perimeter of the Empire in its efforts to contain the Russian southward thrust. Strategic considerations thus led the British to exclude the region from the fledgling democratic practices applied elsewhere in order to concentrate better their authority and even to militarise the zone—which was not without impact on the local society.

Farther south, the British had created the province of Baluchistan during the Second Afghan War (1878–80), and in this region electoral practices were confined to the municipality of Quetta. (Baluchistan did not elect its provincial assembly by universal suffrage until 1972.) In addition, Baluchistan contained numerous princely states, which became, as in the rest of colonial India, curators of the aristocratic ethos.

The weight of militarism in Punjab and the NWFP is not explained solely by the deployment of troops for security reasons, but also by the fact that these two regions soon became sources of recruitment for the army. The British had classed the Punjabis—in particular the Muslim Jats—and the Pashtun tribes among the 'martial races' of the Empire. As a result, entire villages embraced military careers. In 1947, Punjabis constituted 77% of the Pakistani army, while Pashtuns made up 19.5% of the troops,[9] whereas they represented, respectively, 25% and 8% of the total population. Naturally, their political culture leant more towards

[8] The 'Great Game' is an expression designating the competition between Russia and Great Britain in Central Asia.

[9] Today, the vast majority of military personnel still come from three districts within Punjab (Rawalpindi, Jhelum and Campbellpur) and two districts of the NWFP (Kohat and Mardan). S. Cohen, *The Pakistan Army*, Karachi, Oxford University Press, 1998, p. 44.

keeping order than towards democracy. The Punjabis were the most powerful ethnic group in the state, and after the creation of Bangladesh in 1971 the most numerous.

The State and Security: Preconditions of Democracy

India's Self-Confident, Uninterrupted State

In India, the state survived partition almost intact. The administrative machinery functioned: New Delhi, the capital, remained the centre of power; the army and the bureaucracy were hardly affected by the departure of the Muslim military personnel and civil servants who chose Pakistan. As for the Treasury, it was divided in proportion to the respective populations, and India was far larger than Pakistan in demographic terms. This advantage also extended to the continental area of the country.

India drew an assurance from its weight and size that Nehru exploited well on the international stage. He succeeded first in establishing the country as an Asian power, as was evident from the 1947 Asian conference held in Delhi, and also from the Bandoeng meeting in 1955. Then he opted for non-alignment, a strong indication that India was self-confident enough to stand on its own. Indeed, Nehru rejected the alliance system of the early Cold War and, instead, strove to maintain the best possible relations with numerous partners, including the United States, the USSR and China. This policy, linked to a visceral anti-militarism, explains in large part the little interest Nehru accorded to security questions, until the warning shot of the Chinese invasion in 1962.

Yet, even this war did not fundamentally question the previous assumptions: India did not feel that insecure. No political movement or army chief came to think that democracy was putting the nation in jeopardy due to lack of discipline or unresponsiveness to challenge. In fact, the government did react: Nehru decided to make a deliberate effort in military terms, including on the nuclear front, and India gradually played the game of the blocs by 'non-aligning itself' with the Soviet-Union, a process that culminated in the 1971 friendship treaty.

Pakistan, the Insecure State to Be Built

Pakistan, in comparison, saw itself as fragile, despite its two wings, one on each side of India, which gave the country the illusion of encircling its hereditary enemy. The state had virtually to be built from scratch. To be more precise, it had to be constructed on the foundation of provincial administrations that had been suddenly deprived of their decision-making centre, the ex-capital, Delhi, from which they had always taken their lead. Pakistan was a migrant state that the Mohajirs installed in a ghost capital, Karachi, where the newcomers set themselves up within walls deserted by Hindus.

There, Jinnah orchestrated the birth of a new nation to which he wished to give a clear-cut identity. Certainly, his two-nation theory implied that, for him, the people of Pakistan already formed a nation. But he was perceptive enough to realise that this religious unity was superimposed on many ethnolinguistic cleavages. Therefore he wanted to build a Pakistani nation through language too. In his view, Urdu, which only a small minority of Pakistanis, his fellow

Mohajirs—Urdu speakers who had migrated from India to Pakistan in 1947—spoke at the time, had to become the idiom of the nation—an over-ambitious objective given, in particular, the linguistic patriotism of the Bengalis.[10] The project was further complicated by the fact that the 'country of the pure' was, from the outset, in a relationship of conflict with its large Indian neighbour. The very circumstances of partition locked both countries in a more or less low-intensity war-like situation. Indeed, Kashmir was from the outset a bone of contention, the Pakistanis considering that this province had to be theirs because it harboured a population with a Muslim majority. The notion that partition remained 'unachieved' with Kashmir on the Indian side led to the first India–Pakistan war in 1947–48. Pakistan lost because it was weaker. It looked upon itself as more vulnerable and became security obsessed.

Jinnah's authoritarianism, from the very early days of Pakistan, can be explained in large part by this sentiment. While New Delhi, following the practice of other Commonwealth dominions, named C. Rajagopalachari, a respected personality but with little political authority, to the post of Governor General, in Pakistan, Jinnah himself decided to take on this function and combine it with that of President of the Constituent Assembly, a unique situation in the annals of the British dominions. This concentration of power in the hands of a single man was constantly justified by the weakness of the new state compared with India, particularly in military matters. The troops that Pakistan inherited on partition represented only 36% of the British Indian army, or 140,000 men out of 410,000, which left New Delhi at a considerable advantage.[11] The government approved an exceptional financial expenditure to build up the army and modernise its equipment. On average, military expenditures represented more than half the annual state budget from 1947 to 1959. The army quickly acquired considerable influence. Simultaneously, the inability of politicians to give the country a constitution put the viability of Pakistan's parliamentary democracy into question. Ayub Khan, the Commander in Chief of the army from 1951, of Pashtun origin and born in Punjab, was convinced by 1947 that the survival of Pakistan depended on the army. He rose to the position of President following a *coup d'état* in 1958.

The Arithmetic of Ethnolinguistic Groups

Relations among ethnolinguistic groups exercised very different influences on the political trajectories of India and Pakistan. While India utilised its ethnolinguistic diversity as one basis for political pluralism and reinforced, thereby, its democratic framework, Pakistan suffered from the competition for power between a limited number of such groups among which the less numerous ones were *de facto* exert power in 1947—an unfavourable configuration for democracy.

The Anti-majority Syndrome in Pakistan

In Pakistan, the arithmetic of linguistic groups inhibited democratic develop-

[10] In 1951 the Mohajirs were about seven million out of a total population of 76.5 million Pakistanis. See K. Callard, *Pakistan, a Political Study*, London, Allen & Unwin, 1975, p. 156.

[11] A. Jalal, *The State of Martial Rule: The Origins of Pakistan's Political Economy of Defence*, Cambridge, Cambridge University Press, 1990, p. 42.

ment. In contrast to India, the country had in 1947 only a small number of ethnolinguistic communities. Bengalis were clearly in the majority, representing 55% of the population in the 1951 census. Punjabis were only in second place with about a quarter of the total population, followed by Sindhis, Pathans, Mohajirs and Baluchis. This ethnic equation led Bengalis to demand the establishment of a democratic system, with which they were already familiar given the early development of colonial parliamentary democracy in Calcutta province. Yet power was in the hands of the Mohajirs who had followed Jinnah to Pakistan, mainly to Karachi, the capital until 1961, and of the Punjabis, who held the army. The mass of the population may have been in the East, but the ruling elites were in the West and they were consequently loath to opt for a system in which one person equalled one vote.

The Constituent Assembly saw many clashes between Bengalis and the Mohajir/Punjabi coalition. The first constitutional project that Liaquat Ali Khan, the Mohajir Prime Minister of Pakistan, submitted to the Assembly in September 1950 sparked immediate protest on the part of Bengali representatives who were worried not only by the elevation of Urdu to the status of national language, but also by their under-representation in the institutions that were being formed: Bengalis would only have held the same number of seats as the other administrative entities of West Pakistan (Punjab, NWFP, Baluchistan, Sindh and Karachi) in the upper house. This logic of parity was even more prejudicial to their interests in that the two assemblies were to enjoy the same legislative capacities. Faced with Bengali opposition, Liaquat Ali Khan withdrew his proposal in November 1950. But his assassination in 1951, the circumstances of which are still unclear, allowed Ghulam Mohammed to take over the post of Governor General, thus confirming the accession to power of bureaucrats at the expense of politicians, and of Punjabis at the expense of Bengalis and even Mohajirs. Minister of Finance under Liaquat Ali Khan, Ghulam Mohammed had begun his career in the Indian Civil Service and was a Punjab-born Pathan.

From his years as a high-ranking civil servant of the Raj he had retained nostalgia for the British 'steel frame', a widespread sentiment in his region of origin, Punjab. Moreover, Punjabis, whom he represented at the very summit of the state, had everything to lose from the development of institutions based on the law of numbers, given their demographic weakness *vis-à-vis* the Bengalis. Ghulam Mohammed fired two Bengali Prime Ministers in succession, Nazimuddin and Bogra, and then in 1954 prevented the adoption of a constitution that would have established a real parliamentary system in Pakistan by declaring a state of emergency. This then brought about the election of a second Constituent Assembly in 1955. Though the text the Assembly drafted included many attributes of parliamentary democracy, it gave the President prerogatives that were incompatible with that type of system. In the middle of the 1950s, Pakistani parliamentary democracy ran aground on the demographic power politics between Bengalis and Punjabis who refused the law of numbers.

Converting Ethnolinguistic Diversity into Political Pluralism in India

Conversely, in India, where ethnolinguistic divisions were especially numerous, they contributed instead to political pluralism and to a decentralisation of

power. Though Hindus represented 85% of the population (which was less than 10% Muslim), they were criss-crossed by multiple lines of linguistic division. The constitution of 1950 recognised 15 official languages. With the exception of English, these were regional languages to which the local populations were very attached. Language-linked patriotism fed authentic ethnic regionalisms in certain provinces of the Dravidian south, as, for example, in the Tamil land. These movements penetrated the Congress Party and influenced it from within. They managed in this way to contest the all-powerful nature of the central state inherited from the British, and served as a source of support for political pluralism without putting the nation's integrity into question, as illustrated by the decisive episode of the reordering of the States of the Indian Union along linguistic lines.

Within the Constituent Assembly, partisans of such a reorganisation had argued sporadically in the years 1946–50 that the administrative borders inherited from the Empire were artificial, since they did not correspond to any linguistic reality.[12] Nehru, Prime Minister since 1946 and the strong man of the country, was hostile to these claims because he feared that recognition of regionalisms would hinder the process of nation building.[13] He was also particularly concerned with keeping a strong state, not just because the British had bequeathed him one and no one lightly reduces one's own power, but also because his brand of socialism required that he have a powerful administration at his disposition. However, the idea of 'linguistic states' gained ground within the local branches of his party, Congress, because regional identities, to which language was often the key, were taking hold throughout India on the rubble of the 'all English' system imposed by the British. On 15 December 1952, Potti Srisamullu, a former disciple of Gandhi, who called for the formation of a province, 'Andhra', to be constituted from the division of Madras Province, died as a result of a hunger strike. His death aroused such emotion that Nehru resigned himself to announcing the formation of Andhra Pradesh, whose frontiers coincided with the extent of the Telugu language. This new entity was to be followed by several other linguistic states. The Prime Minister decreed on 22 December 1953 the creation of a commission charged with setting out 'the broad lines according to which states should be reorganised'.[14] He received the report of the States Reorganisation Commission on 30 September 1955. This text recommended the replacement of the 27 existing states by three Union Territories administered by New Delhi and 16 states, of which only three would be created along linguistic lines. This provoked violent demonstrations, notably in Maharashtra, where Marathi speakers sought to free themselves from the domination of the Gujaratis to whom they found themselves bound, artificially to their eyes, within the Bombay Presidency. The reorganisation of the majority

[12] Such was, for example, the case of N. G. Ranga. *Constituent Assembly Debates*, vol. 7, op. cit., p. 351–debate of 9 November 1948.

[13] S. Gopal, *Jawaharlal Nehru–A Biography, Vol. 2 (1947–1956)*, London, Jonathan Cape, 1979, p. 262.

[14] S. Gopal, *Jawaharlal Nehru–A Biography*, p. 373. However, he let his worries be known to the Chief Ministers. On this see the letter of 24 December 1954 in G. Parthasarathi, ed., *Jawaharlal Nehru. Letters to Chief Ministers vol. 4 (1951–1957)*, Delhi, Oxford University Press, 1988, p. 116. See also the letters of 20 May 1955, p. 181; and 2 August 1959, p. 224.

of states on a linguistic basis was agreed to in 1956. Maharashtra and Gujarat were created in 1960.

The debate on linguistic states and its outcome reveal the weight locally based politicians had achieved within Congress. For the most part, they had managed to draw support from a regional linguistic identity. Whole regions wound up identifying with political personalities. Linguistic pluralism served as a springboard for political pluralism and democracy in that it forced the central power to negotiate with the provinces and seek compromise—such as that which resulted in the creation of linguistic states. Nehru, who sought to transmit his policies via these regional leaders and in particular the Chief Ministers, to whom he wrote on average once a fortnight, had to accord them, reluctantly, a margin of manoeuvre. They used it to the point of becoming regional political bosses, spokesmen for authentic ethnocultural communities.

This dynamic took on even greater momentum when parties designed to articulate the interests of linguistic groups developed first on the edge of Congress, and then in opposition to it. The Dravida Munnetra Kazhagam (DMK)—a Dravidian party in Tamil Nadu—was thus joined by a multitude of ethnic parties that, after having been sometimes tempted by separatism (like the DMK itself), decided to play the political game, recognising that the federal framework allowed them to manage their province themselves. Far from wrapping themselves up in nationalism and rejecting the system, these groups went into politics and fought in elections from the 1950s on. In so doing, they facilitated the representation of groups outside the English-speaking elite in the public sphere. Ethnicity thus showed it could function in the interests of democracy, at least in its linguistic form; conflicts among religious communities could spill over into violence, as shown by the example of Punjabi Sikhs.

This evolution can be explained first by the splintered nature of the ethnolinguistic groups: none had a majority. Hindi speakers constituted less than 40% of the population in 1951 and did not form a bloc, since the language consisted of several dialects. Because of this, no group could, as in Pakistan, make others fear that it would one day hold absolute power following a democratic vote. Each group could only hope to gain limited access to power through engaging in coalitions, which had endlessly to be negotiated and renegotiated because they were not stable, but rather shifted in their makeup. Thus Congress gradually resigned itself to allying with Dravidian parties that had split from the DMK. Another difference with Pakistan was that the ethnolinguistic group that enjoyed a demographic advantage was also that which historical circumstances had placed in power: Nehru and Rajendra Prasad (the first President of the Republic) were from the 'Hindi Belt'—a zone that was not in a majority, but the most populated anyway.

Political Parties: Missing or Key Elements of Democracy

Even if not quite as important as relations between ethnic groups, the very different role played by political parties in India and Pakistan can also explain some of the divergence between the political trajectories of the two countries. A party system came into being very early on in British India owing to the constitutional reforms mentioned above. The Indian National Congress, founded in 1885, began gradually to contest elections while at the same time seeing itself

as the spearhead of the independence movement. The Muslim League, which would call for the creation of Pakistan under Jinnah's leadership in 1940, was officially founded in 1906 and consistently presented candidates for election. From the 1930s, an internal faction of Congress, the Hindu Mahasabha (Great Hindu Assembly), of Hindu nationalist obedience, formed a party. On the left wing of Congress, the Communist Party, created in the early 1920s, chose not to run in elections for ideological reasons, but two other parties with similar programmes did so: the Indian Labour Party, founded in 1937 by Bhim Rao Ambedkar, the first Untouchable leader of national importance, and the Congress Socialist Party, created within the Indian National Congress in 1934. None of these parties could rival Congress, but they did contribute to the organisation of the political sphere.

India's Congress System and Multiparty System

By 1947, Congress had acquired certain attributes of a party of mass appeal.[15] Its transition in status from a party of notables to a mass party had hitherto been incomplete, given the role that local notables still played, but accelerated under Gandhi. Once he had asserted himself at the head of Congress in 1920, the Mahatma decided to reform its structures. Until then, the movement had been essentially an elite circle with little existence beyond its annual plenary session. Gandhi wanted to anchor Congress in the rural substratum of British India. Each village with five or more Congress members was considered an antenna of the movement. Above that, the party was organised at the canton (*taluk* or *tehsil*) level, and at the district level. Districts were important, since the District Congress Committees designated the Provincial Congress Committees, from which proceeded delegates to the All India Congress Committee, the body that elected the Party President.

Gandhi put these structures at the service of popular mobilisations, which became increasingly powerful in 1920–22 through the Non-cooperation Movement, in 1930–31 during the Civil Disobedience Movement and in 1942 during the Quit India movement. Contrary to those that preceded them, these campaigns transcended provincial boundaries. Congress thus took on the airs of a mass party, which was useful in a democratic sense in that it helped it to integrate new citizens into the political process after 1947. The participation rate in the elections of 1951–52, for example, was as high as 46%—ten points higher than in Pakistan in 1997 in the most recent general elections organised in the country.

In 1947, India could thus make its institutions work thanks to a system of parties built around the Congress, something Rajni Kothari was to appropriately call 'the Congress system'.[16] All the more so because many Congress members had acquired a real popularity owing to their involvement in the anti-colonial struggle for which they had made many sacrifices, starting with Nehru, who had spent nine years of his life in prison.

---

[15] See J. Manor, 'How and Why Liberal Representative Politics Emerged in India', *Political Studies*, vol. 28, 1990, p. 29.

[16] R. Kothari, 'The Congress "System" in India', *Asian Survey*, December 1964, pp. 1161–73.

Pakistan's Failed Party System

In the Pakistani case, the political party that embodied the national movement, the Muslim League, was from its origin a defence movement for a minority fearful of the majority rule (a principle on which democracy is built). This movement first began in regions with a Hindu majority, in particular in the United Provinces (today Uttar Pradesh), which had a Muslim elite, heirs to the aristocracy of the Mughal Empire who were gradually being replaced by the rise to power of the Hindu intelligentsia.[17] Initially it represented an anti-democratic reaction. The beginnings of democratisation had worried this elite since the implementation of the Local Self-Government Act in 1882. Syed Ahmed Khan (1817–98) was the first to be alarmed by this development in his city of Aligarh, where he created a university to train the intellectual elite who later founded the Muslim League.[18] The announcement by the British of the introduction of Legislative Councils at the provincial level in 1906 led the Aligarh intelligentsia, in conjunction with the aristocratic elite of East Bengal, to demand the Viceroy, Lord Minto, to create a separate electorate for Muslims: another attempt to get around the law of numbers.

This legacy of the colonial era was responsible for the reticence with which the Muslim League, of which Mohammed Ali Jinnah had taken leadership in the 1920s, approached democratic structures after the creation of Pakistan. League leaders were resistant to democracy to the point of deliberately thwarting the activities of political parties, including their own. Liaquat Ali Khan became the head of the Muslim League in 1950, but he did not acknowledge the existence of other parties and did very little for his own. His mistrust of politicians was evident in his support for the Public and Representative Officers Disqualification Act (PRODA) on 26 January 1950. This law permitted the Governor General, provincial governors and even ordinary citizens to bring charges against a minister or other elected official suspected of corruption, nepotism, favouritism or bad management. Politicians prepared to risk 5,000 rupees—the deposit required to launch the process—freely used PRODA against their rivals.

Beyond its mistrust for other parties, the Muslim League had too weak a structure to breathe life into parliamentary democracy. The party had never been as well organised as Congress. It had long been little more than a tiny elite group representing the landed aristocracy and the intelligentsia, who had none of the prestige of the Congress leaders who had done time in British jails: Muslim League leaders had, on the contrary, chosen to collaborate with the colonisers. This microcosm only managed to mobilise the masses in the months preceding partition. Its first breakthrough came only during the elections of 1946, when it campaigned on the theme of 'Islam in danger'. After independence, Jinnah and Liaquat Ali Khan primarily used the party as a conduit of power. National representatives never opposed the leaders, including when they came under the influence of Ghulam Mohammed.[19] As for local cadres, the

[17] See F. Robinson, *Separatism among Indian Muslims*, Cambridge, Cambridge University Press, 1974.

[18] D. Lelyveld, *Aligarh's First Generation. Muslim Solidarity in British India*, Princeton, Princeton University Press, 1978.

[19] Khalid B. Sayeed, *The Political System of Pakistan*, Boston, Houghton Mifflin, 1967, p. 83.

centralised decision-making process inspired them less to work in their regions than to throw themselves into factional in-fighting.

The weakness of the Muslim League and the party system in general deprived the governing powers of an essential channel of communication with society which would have been in keeping with the democratic approach they claimed. In spite of their ostensible democratic interests, their priorities actually lay elsewhere in the construction of the state.

Two Contrasting Political Societies

The notion of 'political society', which we owe to Juan Linz and Alfred Stepan, seems to be more relevant here than that of 'civil society' to describe those institutions that bring together the interests of social groups in the political sphere.[20] In this category Linz and Stepan put, primarily, political parties, which were examined earlier; for my part I would include unions, associations, the press and even the judicial apparatus insofar as it acts as an obstacle to the omnipotence of the executive power. One might object that it is an integral part of the state, but Indian judges, unlike their Pakistani counterparts, managed to occupy a place apart shortly after independence in 1947.

The Pakistani Weak Political Society

The social structures of India and Pakistan seem at first glance to be equally ill suited to the development of democracy. Castes and tribes—two social formations present in both countries—were ordered, each in their own way, according to an extremely inegalitarian hierarchy; the individual was not recognised as the basic element of society. Though this social configuration is not, in principle, crippling in and of itself, in Pakistan it weighed in favour of maintaining authoritarian structures, given the coincidence of its internal divisions with other class-based divisions. This superimposing of divisions shored up a 'feudal' socioeconomic structure, to use the standard Pakistani phrase. This 'feudalism'—which has little in common with the European model—rests on the absolute power of absentee landowners who enjoy a superior status similar to the chief of a clan or tribe. While the system of the Sardars and the Khans in Baluchistan and the Pathan region are varieties of this new feudalism, its archetype is in Sindh, where the *wadera* play a role comparable to Latin American *latifundia* owners. Punjab underwent a Green Revolution in the 1960s, which allowed in some places the rise of a middle-ranking peasantry outside of the traditional structures. But the domination that landowners, business circles and the military caste continued to exercise in the Punjabi countryside after independence prevented the development of a real peasant movement, just as it hampered the growth of unions. More generally, the anti-communist policy of the 1950s disorganised the workers' movement in a lasting and even irreparable way. Class solidarity was further prevented by the vertical nature of the caste and tribe system that prevailed in Punjabi villages and elsewhere.

In the cities, the middle classes produced an intelligentsia open to the outside

[20] J. Linz and A. Stepan, *Problems of Democratic Transition and Consolidation*, Baltimore, Johns Hopkins University Press, 1996, p. 8.

world, owing to studies abroad or contacts with the diaspora. This elite became involved in associations, to the point where it became synonymous with 'civil society'. It also displayed a strong critical spirit, which rapidly found an echo in the press. Though the Urdu press tended to be conservative and conformist in nature, English-language newspapers considered it a point of honour to denounce the corruption and authoritarianism of the governing class. This intellectual pole did not, however, find any corresponding partners within political parties and the judicial apparatus.

The submission of judges to the executive power became evident in the 1950s. They did not react to the provocation of the dissolution of the Constituent Assembly in 1954. One of the few to object was the President of the Assembly, Tamizuddin Khan, who brought his case before the High Court of Sindh. The tribunal unanimously decided in his favour, considering that the Assembly was a sovereign institution, but the government appealed the decision before the Supreme Court, which confirmed the actions of the Governor General on 21 March 1955. The Chief Justice of the Supreme Court, Munir, a Punjabi named by the Governor General a few months previously, shared his views concerning the Bengali threat. He justified the state of emergency in the name of a new doctrine, the 'civil law of necessity'.[21] The same law would be invoked during each new military *coup d'état*. In 1977, when the wife of Zulfikar Ali Bhutto contested the imprisonment of her husband by General Zia, the Supreme Court dismissed her case using the same doctrine, rebaptised 'state necessity' for the occasion. The judges also confirmed Zia in his capacity as Administrator in charge of martial law, with the power to make legislation and amend the constitution.

India's Rule of Law and Paradoxical Caste-Based Civil Society

In India, judges have always acted more independently, despite the pressures exerted by the executive power, to such a degree that they can be seen as the guardians of democracy. This is largely because they could rely on the status granted them by the Constituent Assembly, which is sometimes overlooked in the analysis of Indian democracy. The many lawyers in Congress during the colonial era were naturally present at the Constituent Assembly, which explains in part the great interest of this body for the judicial system.[22] The structure finally enshrined in the constitution was headed by a Supreme Court, inspired by the American model, supported by the High Courts (tribunals treating disputes at the state level). Under the constitution, the President of the Republic names the members of the Supreme Court after consultation with the other existing Supreme Court judges and those on the High Courts. This principle is intended to shelter them from political pressure, as is the fact that judges cannot be removed from the court, except by Parliament in case of wrongdoing or

[21] P. R. Newberg, *Judging the State. Courts and Constitutional Politics in Pakistan*, Cambridge, Cambridge University Press, 1995, pp. 66–67.

[22] Their efforts to establish an independent justice system were supported by the Prime Minister. Nehru proclaimed, as early as 1948, to a euphoric Assembly, 'I can say without hesitation that, as far as the government is concerned, the separation of judicial and executive functions is entirely agreed (applause). I can add that the sooner the better', 'Debate of 6 November 1948', *Constituent Assembly Debates*, New Delhi, Lok Sabha Secretariat, 1989, vol. 7, book 2, p. 589.

incapacity, following a very complex impeachment procedure. The judiciary was required very early on to oppose the executive branch, whose authority was restricted as a result. This was, for example, the case in the 1950s, when Nehru, in the opinion of the Supreme Court, seemed to infringe property rights in his land redistribution policy. Certain aspects of agricultural reform were not, as a result, implemented. An even more serious conflict erupted at the beginning of the 1970s when the Supreme Court condemned Indira Gandhi for her use of sound equipment and vehicles belonging to the state during her 1971 election campaign—an offence that Pakistani judges would certainly never have dared pursue, but which obliged Indira Gandhi to choose between resigning her post as member of parliament, and thus as Prime Minister, or confronting the legal branch. She chose the latter path, declaring a state of emergency in 1975. The state of law was suspended for 18 months from 1975 to 1977. But the damage was repaired in 1977 when Indira Gandhi, condemned by voters, lost power. The Supreme Court launched further attacks on politicians in the 1980s and especially the 1990s, engaging in a kind of 'judicial activism', which destabilised several ministers. In 1996, to take an example, seven ministers were forced to resign following their conviction on corruption charges. The Supreme Court's actions—whose efficacy should not be exaggerated, for it has served purely as a safeguard—have always had the backing of the press which has long been remarkable for the freedom it exercises, in both English and the vernacular languages. The fourth estate in India acts as an effective opposition.

The judiciary and the press are only two of the more obvious pillars of Indian political society, which is organised in such a way that it prevents the concentration of all the power in the hands of the same establishment people. The peasant classes have formed a number of associations since the colonial era—the All India Kisan Sabha (Indian Peasant Association) was founded in 1936—and there are also unions—the first of which, the All India Trade Union Congress, was founded in 1920. However, these were inventions of Congress, which sought ties to the countryside and to workers. Moreover, the large trade unions settled for organising only the working class elite and employees, who were easier to incorporate. Other workers began to organise in unions in the 1980s but their movements, more violent than the institutional syndicates, were often broken up by employers' militias with the state's blessing. The peasant movements underwent significant transformation in the 1960s. They had initially represented middle-ranking peasants who owned a small plot of land and sold a part of their output. These were the first beneficiaries of the Green Revolution, which had been organised to obtain from the state lower agricultural costs and revalued agricultural commodity prices. These movements were based on caste structures. In the north, the principal movement of this type, the Bharatiya Kisan Union (BKU, Indian Peasants' Union—founded in 1978), which won several showdowns with the government over electricity costs, wheat and sugar cane prices, arose out of the Jat caste. The fact that caste could serve as the basis of a movement like the BKU demonstrates the role it could play in enlarging the social foundations of Indian democracy.

Changes in the caste system have strengthened democracy. When the British undertook a census and classification of the castes, associations were formed to improve or defend the ranking of various castes in the administration's double-entry table. They then acted as mutual aid societies, setting up schools and cooperatives and demanding new advantages from the state. Colonial parlia-

mentary democracy further favoured a politicisation of castes because it was not constructed on an individualist basis, but on concepts of representation inherited from the Old Whigs, who gave communities, including castes in the Indian context, pride of place.[23] The granting of seat quotas and separate electorates to these groups led the interested parties, and those who were denied these privileges, to organise in order to assert their rights better. The reform of 1935 accorded seats to the Untouchables who were grouped euphemistically under the name 'Scheduled Castes' (SC). Immediately, in each province, associations of Untouchable castes excluded from the quotas mobilised to claim their due, thereby becoming politically involved. After independence the Scheduled Castes continued to benefit from quotas, not only in the elected Assemblies and the Administration, but also in the educational system.

Just as the granting of quotas to the Untouchables was one of the driving factors behind the formation of a front grouping all the Scheduled Castes, this tendency to group together was accentuated after the invention of a new administrative category following independence, the Other Backward Classes (OBC). This category was inscribed in the constitution of 1950 to designate social groups who should benefit from particular state aid. In several southern Indian states, quotas in favour of the OBC were immediately introduced and/or extended in local administrations and certain schools and universities. This practice spread throughout India as soon as the middle-ranking peasant classes, who were often in the avant-garde of the OBC, benefited from a certain increased prosperity following the Green Revolution of the 1960s. They understood by then the advantage their numbers gave them and tended to group together behind political parties such as the Socialist Party and the Bharatiya Kranti Dal (Indian Revolutionary Party) of Charan Singh, founded in 1969, which would become the Bharatiya Lok Dal (Indian People's Party) in 1974. At the end of the 1970s, these formations took a share of power as part of the Janata Party (People's Party), with which they had merged in 1977. A first step had been taken to broaden the system's social foundation.

The impact caste transformations had on Indian political society—principally the emergence of caste fronts like the SC and the OBC—certainly reinforced democracy in that country. At any rate, they contributed to the democratisation process. Indian democracy was long conservative given the role played by the Congress Party, which up until the 1970s tried to choose its candidates from the upper caste elite (urban as well as rural). In the villages the dominant castes rarely voted as a bloc, owing to factional conflicts, but a faction head could draw on a comfortable reservoir of votes and wielded solid influence through his tenant farmers, his day labourers or his debtors. This clientelism was further strengthened by the splintered nature of the low castes, each of which linked itself to a different higher caste or 'boss'. It began to weaken once the lower castes became conscious of the benefits to be gained by greater horizontal solidarity, as clearly seen in the rise to prominence of the OBC, illustrated on a national scale by the victory of the Janata Party in 1977.

---

[23] Samuel H. Beer, 'The Representation of Interests in British Government: Historical Background', *American Political Science Review*, vol. 51, no. 3, 1957, pp. 613–50.

Conclusion

Far from depending on a hypothetical cultural determinism, the multi-factorial interpretation of the divergence of the political trajectories of India and Pakistan that was proposed follows two temporalities. The first, which is purely political, allows us to apprehend the failure of the democratic regime in Pakistan and the entrenchment of parliamentary democracy in India in the ten years that followed independence in 1947 on the basis of four factors: the inheritance of colonial parliamentary democracy, applied differently in different regions; the inhibiting or multiplying effect of ethnic pluralism; the political culture and breadth of Congress and the Muslim League; and, finally, the existence of a state machinery on which to build democracy: present in India and absent in Pakistan, which led to priority being given in Pakistan to its construction and to national defence, an orientation that made the army the country's key institution. Though in India the army remained apolitical, in Pakistan it took on a preponderant role, including during the phases of civilian rule. This hypothesis explains in large part the country's inability to democratise itself, as witnessed by the political destiny of Z. A. Bhutto in the 1970s.

The impact of social factors on the political system in the two countries has also been underlined in a less narrow chronological framework. The mediocre structure of political society in Pakistan—from the weaknesses of the judiciary to the predominance of statutory hierarchies—contrasts with its vitality in India, though only really confirmed by the emergence of the Other Backward Classes. The democratisation of the political game and of society took a significant step in 1977 with the victory of the Janata Party, which this paper will take as a concluding point—aware that it is also the year when the first attempt to redemocratise Pakistan failed with Zia's *coup d'état.*

Though this article concentrated on the early years (or decades) of existence of these two countries, the relevance of such a historical assessment for understanding today's situation and even for predicting the future is obvious. Such an extrapolation is implicit in the nature of the trajectory-focused approach that has been adopted in this article. The political trajectory of 'new countries' like the Indian Union and Pakistan derives from structural data, such as the political culture inherited from the colonial experiment or the arithmetic of ethnic groups. The course of their political life is not entirely conditioned by these data—to support such views would lead to cultural and historical determinism and would ultimately ignore the impact of exterior influences. However, no country can emancipate itself from its previous itinerary and this very past indicates some direction. After fifty years, Pakistan is still dominated by the Punjabi ethos that penetrates its praetorian state. It still feels vulnerable *vis-à-vis* India—even more since the conquest of Kabul by friends of New Delhi in 2001. Its party system is still underdeveloped and failed to make democracy work from 1988 to 1999. Last but not least, Pakistani society is still affected by the conservative influence of dominant groups such as the feudal lords, the business families and the Islamist groups.

In contrast, India has built a democratic tradition upon the colonial parliamentarian one. It does not suffer from any real vulnerability complex—including *vis-à-vis* China, especially since its 1998 nuclear test. Its ethnolinguistic diversity is largely integrated in the institutional process, including in Punjab after the

defusing of Sikh separatism (the only two remaining exceptions are Kashmir and Assam). The party system is deep rooted and rather stable despite the development of new regional parties. Finally, political society is becoming stronger and stronger, not so much because of the assertiveness of the judiciary and the press, but rather because of the ever-increasing politicisation of the lower castes. In both cases, India and Pakistan, the parameters that I have identified in the 1950s are still valid for analysing their diverging political trajectories today.

There is a very important *caveat*, however, so far as India is concerned: will its democracy survive the institutionalisation of Hindu nationalism? After four years in office at the Centre, the Bharatiya Janata Party has shown its true colours in 2002 when turning its back to its previously moderate attitude. It has engineered a state-sponsored anti-Muslim pogrom in Gujarat, one of the states it is ruling. Why? Most probably because its local leaders thought it was the best means to polarise the electorate along communal lines of cleavages and retain power by consolidating its Hindu majority vote-bank. Such a strategy has come as a confirmation that the BJP's ethnic brand of nationalism was incompatible with democracy.[24] Will India become aware of the threat it poses to its democratic system before it is too late?

[24] I have made this argument in C. Jaffrelot, 'Hindu Nationalism and Democracy', in F. Frankel, Z. Hasan, R. Bhargava and B. Arra (eds), *Transforming India: Social and Political Dynamics of Democracy*, Delhi, Oxford University Press, 2000, pp. 353–378.

Copyright of Cambridge Review of International Affairs is the property of Carfax Publishing Company and its content may not be copied or emailed to multiple sites or posted to a listserv without the copyright holder's express written permission. However, users may print, download, or email articles for individual use.