

**A NEW BEGINNING
REFORMS INTRODUCED BY
THE PEOPLE'S GOVERNMENT IN PAKISTAN.
DECEMBER 20, 1971- APRIL, 20 1972**



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INTRODUCTION

Under a clear blue sky, flanked by the Provincial Governors, Central Ministers and Chiefs of the Armed Forces, before a wildly cheering sea of humanity, President Zulfikar Ali Bhutto on 21st April, 1972, took the oath of his office to "do right to all manner of people according to law without fear or favour, affection or ill-will".

The great moment was as much his as of his people who stood behind him as one man through all the agonizing trials of the previous months which pulled the nation up from the abyss and put it back on its feet.

Fired by the determination breathed by their leader to build anew, the people also took a pledge that day, to ride all storms and swim back ashore.

During the first four months in his office Shaheed Zulfikar Ali Bhutto introduced a number of reforms which are described in detail in this book. The new PPP government in 2008 will face many challenges, including wheat crisis, unemployment, high oil prices, and intrigues by the agencies to put crack in the party.

I am reproducing this book for the new generation of our leaders who will represent us in the assemblies and from whom the masses are expecting a lot. Most of them never saw Bhutto Sahib, but I hope they will see what their leader was able to do in just four months. Pakistan needs drastic change, it needs introduction of new laws and its implementation, laws which will keep army away from politics for ever, basic health and education facility to every common person, job and tenure security to every government employee to make them productive employees. Good relations with the neighboring countries.

Please read and enjoy.

Sani H. Panhwar
Lawndale, California
February 29, 2008

I. THE BACKGROUND

Legacy

Rarely in modern times has a public leader been summoned to the highest office at a more critical hour of his country's history than Zulfikar Ali Bhutto. His inheritance was an anguished nation, deprived of a third of its territory through perfidious aggression and, over 90 thousand prisoners of war. His legacy was labour unrest born of years of exploitation and inequalities, a depleted treasury and a shattered economy matched only by the magnitude of an incomparable military disaster. His fighting weapons were the national pride, a people's honour, a destiny's promise, lying shaken and breathless by the way side of a long, long trek upwards.

People's Strength

At such a moment of crisis was Zulfikar Ali Bhutto –himself a child of crisis –called upon to sift strength from weakness, truth from deception, patriotism from treachery. "I am of the people. My strength is from the people. My policies are for the people –The iniquitous economic system that has prevailed for so long cannot be changed in a day but we are making a determined beginning in the highest interests of the workers".

The First Hundred Days

The first hundred days in the life span of a new government are usually crucial because in this period those taking over power have not only realized its awesome responsibilities but have adjusted themselves to it or failed. The series of bold and far-reaching reforms introduced or intended by the new regime in this short period in agriculture, health, industry, education, law etc. equate, in terms of time-labour, with many months of prodding work and dedicated study of the common man's requirements. They are essentially the first phase of long-term development planning and execution conceived by the President.

President's Thinking

The President's thinking now taking shape in the form of the first phase of extensive emancipating Reforms contemplated over a period of time can be summed up in three words : End of Exploitation –exploitation of the worker by the factory management, of the tiller by the landlord, of the small man by the big man of the country, by financial manipulators' agricultural barons, economic blood suckers and political anarchists. On the positive development side, free and compulsory education up to the minimum standards with emphasis on technological and scientific education ; a comprehensive, inexpensive and universal health scheme ; the founding of Agrovilles or small urban settlements linked with rural areas and providing marketing, schooling, health and entertainment facilities ; greater land productivity by providing incentives like loans that reach down to the

smallest farmer, more inputs, better irrigation, advice on cropping patterns, marketing and land for the landless ; healthier management –labour relationship by eliminating causes of friction and promoting trade-unionism ; fixing wages with due regard to prevailing prices, reducing income disparities, making essential foodstuffs, cloth and housing available at reasonable prices and combining the total national effort, industrial and agricultural, individual and collective, in gigantic strides towards reconstruction and a fuller and richer tomorrow.

II. ECONOMIC POLICY

What is Planned

- * INCREASED PRODUCTION
- * REDUCED UNEMPLOYMENT
- * CHECKING INFLATION
- * LESSENING INCOME DISPARITIES
- * REVOLUTIONISING EDUCATION
- * PROLONGING LIFE EXPECTANCY
- * MORE HOUSING FOR THE NEEDY

The pace set by the President for round-the-clock work found an echo in the economic policy enunciation by the Finance Minister within 10 days of taking over. New objectives, new targets, new horizons, were spelled out embodying the thinking of the people's government to move the country speedily towards economic emancipation.

Targets

- An increase in the daily *per capita* intake of calories ;
- an increase in the production of cloth so as to achieve the target of providing 25 yards of cloth per head per year ;
- to prolong life expectancy to 60 years within a generation's span ; to bring down the child mortality rate to 7.5 per thousand ; to eradicate diseases like T.B. and Malaria and to provide a health unit, dispensary or hospital to each group of five to ten thousand inhabitants ;
- to revolutionise the educational system ; to meet contemporary demands and to give in-job and in-the-field training to as many persons as possible ;
- to bring about a substantial increase in the number of houses and housing facilities, keeping in view that the present housing requirement of the country is 2.6 crore, while the houses actually liveable only number 30 lakhs.

Self-respecting Nation

The Finance Minister was positive on the subject of foreign economic assistance in stating that "we are a self-respecting nation.....We will not go out with a beggar's bowl for foreign aid but we will welcome and accept valuable assistance from friends. We will not accept foreign assistance which is not valuable".

What Has Already Been Done

"I like more to talk about what I have already done than about what I shall do".—

Richelieu

- **INDUSTRIAL SANCTIONS REVOKED**
- **STATE TAKES OVER STRATEGIC INDUSTRIES**
- **MANAGING AGENTS ABOLISHED**
- **STEPS TAKEN TO REPATRIATE**
- **FOREIGN EXCHANGE HOLDINGS**
- **PAY HIKE FOR NON-GAZETTED EMPLOYEES**

Cancellation of Industrial sanctions.

As a first step to correct mal-adjustments, industrial sanctions worth Rs. 10 crore and 44 lakhs of 19 persons given permits by the previous regime were revoked. Among sanction holders were men and women with no industrial experience who manipulated the permits by overt and covert pressures on government officers as acts of patent favouritism. Industrial sanctions were issued for un-essential and un-economic projects and in some cases to provide a second lucrative string to their bows when the first one had snapped due to failure of their existing enterprises.

State Control of Certain Industries.

Some "strategic" industries were immediately taken over by the government and these included iron and steel, basic metal industries, heavy engineering, heavy electrical industries, assembly and manufacture of motor car vehicles, assembly and manufacture of tractor plants, heavy and basic chemicals, petro-chemical industries, cement industries, public utility and electricity generation, transmission and distribution, gas and oil refineries. The Boards of Directors and Managing Agents of 20 big industries were removed by the Presidential Economic Reforms Order, 1971 promulgated on January 2, 1971. To this list was added another on January 16, 1972, involving the take-over of eleven industrial units with a capital investment of rupees 25 crores.

In Step with the Manifesto

The step was in pursuance of the party Manifesto committing the government to the nationalization of basic industries and in order to pass on the benefits of the country's industrial wealth to the common man. The take-over will not affect foreign investment or foreign credit.

No more Limousines!

All imports of motor-cars and tractors were prohibited, the emphasis lying on import of trucks and buses for public use and on indigenous tractor manufacture. By this means exorbitant and wasteful expenditure on car imports for the rich has been substituted for greater transport facilities for the public. On the other hand tractor manufacture will be boosted, sufficient raw material and technical experience being available within the country.

Concerns engaged in the manufacture of tractors and motorcar assembly whose licences have been cancelled were manning them far below capacity with the usual eye on personal portfolio and excess profits without commensurate returns to the consumers. The take-over was in keeping with the government's thinking to remove exploitation wherever it exists so that benefits to the common man become real and simmer down to him in visible terms.

Board of Industrial Managements

The Finance Minister constituted on February 18, 1972, a Board of Industrial Management with himself as Chairman to look after the affairs of the 32 major industries taken over by the government under the Economic Reforms Order and to evolve a new model and pattern of industrial economy in the light of specific national **conditions**.

Declaration of Foreign Exchange

Over the past decade vast undeclared foreign exchange holdings have been accumulated abroad by anti-social and unpatriotic elements who earned them out of the sweat and labour of the Pakistani worker. The reasons lay in : —

- (a) lack of confidence of the concerned people in the governments of the day or lack of faith in the future of the country,
- (b) Pure greed and love of luxury. London's Saville Row for fashionable clothes, the United States for motor-cars and Paris' Monmartre for Night Life featured prominently on the pleasure itineraries of a band of merrymaking globe-trotters, unmoved by their country's rampant poverty.

"Life-blood"

In his inaugural speech the President expressed the need for bringing back the foreign exchange taken out of the country as this was, in his words, "the life-blood of the country".

30 Crores Declared

The response to the President's appeal and to the threat of penal measures against offenders has been quite encouraging. Rs. 30 crores worth of foreign exchange holdings have been declared and more may follow.

Abolition of Managing Agencies

Said the Finance Minister, "the cream of profits is milked by a handful of people who are able to control capital worth 50 to 60 crores with an investment of fifty thousand or so". He further described the Managing Agencies as "institutions of loot and plunder", to spotlight a fraudulent practise whereby the barons of industry transferred their production to

Managing Agencies of which they themselves or their near and dear ones became Directors and Controllers.

Cartels

In this way a vicious system of cartels had sought to impose upon the country the economic hegemony of a handful of monopolistic financial Napoleons, cheating the government of its taxes and the worker of his just share of profits, sacrificing national interest to personal gain and pushing the country down to ruin.

Election Procedure

Under the Managing Agencies and Election Order, 1972, the managing agencies of all industries were abolished without payment of any compensation. The Order also prescribes a procedure whereby minority share holders get elected as Directors thus removing the existing restrictions which entitled only major share holders to be elected as **Directors**.

New Pay Scales for Non-Gazetted Staff

New pay-hike announced by the Finance Minister for the non-gazetted Class III and IV staff reduces the 500 existing scales of pay to 15 rationalised National Scales, eliminating invidious distinctions, meeting increased cost of living and fixing a more dignified wage for the low paid Central Government staff. Similar steps are being taken in their own provinces by the governments concerned.

Important benefits given are:

- (1) Minimum advantage in basic pays ranging from 40 percent in case of lowest and 10 per cent in case of highest categories of staff.
- (2) House rent, conveyance allowance and washing allowance at higher revised rates.
- (3) Remission of fee applicable to government employees drawing less than Rs. 500 p.m. for their children studying in Government schools and reimbursement of fees paid in private schools on the scale of fees in Government Schools.

PAY SCALES

Scale No. National Scales of Pay

1. Rs.100—2—116—3—140.
2. Rs.110—3—152—4—160.
3. Rs.120—3—150—5—180.
4. Rs.130—4—170—5—200.
5. Rs.150—6—180—8—220—280.
6. Rs.165—8—205—10—225—10—315.
7. Rs.180—10—230—10—280—15—370.

8. Rs.200—12—260—15—335—15—425.
9. Rs.225—15—300—16—380—20—480.
10. Rs.250—18—340—20—440—20—540.
11. Rs.275—20—375—20—475—25—600.
12. Rs.300—20—400—25—525—25—650.
13. Rs.325—25—450—25—575—25—700.
14. Rs.350—25—475—25—600—30—750.
15. Rs.375—25—500—30—650—35—825.

Foreign Press Comments

“Bhutto is a socialist. He has already started implementing reforms which will help creation of a new Pakistan. Constitution is not yet being drafted. It seems that Bhutto is trying to form a presidential government which will recognize many rights of the Prime Minister. In two weeks, Bhutto has taken basic industrial installations which cost over 200 million dollars. He has called upon Pakistan’s 22 fabulously rich families to repatriate their money deposited in foreign banks to Pakistan. Pakistan’s Finance Minister stated that some banks and insurance companies in Pakistan will be expropriated.”

The Baris, Ankara, January 9, 1972 (Article by Prof. Ahmed Sukru Esmer).

“Mr. Bhutto’s economic measures, announced on Sunday, demonstrated the same virtues of promptness and political realism. They fall far short of the wholesale nationalization of private industry promised in the Manifesto of the Pakistan People’s Party and are calculated to reassure overseas investors and aid donors whose cooperation will be essential for West Pakistan’s post-war recovery. At the same time, by turning out the managers of 20 leading companies and putting state appointees in their place. Mr. Bhutto has gone far to convince his supporters that he cares about Pakistan’s inequalities of wealth.”

The Financial Times, London, January 4, 1972 (Editorial).

“New Socialist Government of President Zulfikar Ali Bhutto seized control last night of 20 of Pakistan’s largest industrial firms. The Government also announced new investment regulations aimed at eventually ending private ownership by a few families of all large firms short of nationalization.”

The Sun, Baltimore, January 3, 1972

“With the exception of the business oligarchy, most agree that nationalization was popular in Pakistan.”

The Japan Times, January 12, 1972 (Editorial entitled "Energetic President Bhutto").

"In concrete terms, Mr. Bhutto has ordered an impressive list of reforms after using his broad unchallengeable powers as Chief Martial Law Administrator and indulging his authoritarian bent to achieve the new millennium he has promised."

Listing the various moves, Parks reports:

"The catalogue grows daily as Mr. Bhutto works until dawn sleeping only three or four hours each night".

"If you Americans think President Franklin Roosevelt had an amazing first 100 days just watch us" he says.

The Sun, Baltimore, January 16, 1972 (Despatch by Parks).

National Press Comments

"The abolition of the managing agency system is a big step towards democratising the private sector in this country. Devised by the British in the last century to serve their own interests here, the system had become in our time one of the chief instruments for the concentration of wealth and economic power in the hands of a few people. So great was the latter's stake in it that despite its iniquitous use and despite the knowledge that it had no redeeming feature at all, no past government was able to scarp it, not even after the Company Law Commission asked for it in 1967. Once, in 1963, the Government of the time tried to curb the predatory freedom of the managing agents by increasing the tax liability of the private limited companies on the one hand and redefining a public limited company on the other, providing that the share capital of the latter should be equally held by the public and the group of promoters, directors and managing agents. The big business retaliated by creating a nervous stir on the stock market that swept away millions of rupees from equity values ; they deliberately brought down their working efficiency and even manipulated accounts to avoid declaration of dividends. The Government was thus forced to retrace some of its steps and the managing agents were back in full play. All the warnings given to them had no effect—not even the Ordinance of 1968 empowering the Government to inquire into the affairs of a public limited company and to remove its managing agent if necessary and appoint an administrator. Nor has one heard of any action under that Ordinance. So the position continued whereby up to 80 per cent of the shares of a company founded mostly on public money were monopolized by a coterie of promoters and their managing agents, and the rest grabbed by speculators, jobbers and share-brokers ; whereby all the directors were chosen by a small powerful group, although formally elected by the share holders ; whereby two interlocking companies could own a majority of each other's shares, and a third could own the entire capital of a fourth ; and finally,

whereby one person could be a director of 15 or more companies at the same time.”

The Pakistan Times, January 18, 1972 (Editorial).

“The Government has introduced some far-reaching reforms in the corporate sector. By canceling managing agencies altogether, and by terminating the contracts of all sole purchase, sale, and distribution agents it has opened up a closed operation which provided a ready cover to a multitude of ills. The system of managing agencies was abolished in India long time ago because of the variety of corrupt practices it engendered but in Pakistan it has continued in spite of the recommendations of the Company Law Commission to eliminate it and the fact that many of the managing agents were not at all qualified for the task. Hence they have rightly been dissolved.

“Similarly, too many purchasing agents were supplying raw materials and other essential items to these industries at inflated prices and many of the sole agents receiving their products from the industries at low prices. Often both these agents were the industrialists themselves by proxy, or their relations, or they received large rebates from them secretly. As a result the company lost a large part of its *bona fide* revenue, and it paid less taxes and small dividends to the share holders. Now with the elimination of such shady practices the income of these companies should rise and everyone except the managing agents should be the happier for it.”

The Morning News, January 18, 1972 (Editorial).

“The Managing Agency and Election of Directors Order (1972) just enforced introduces a drastic change in corporate management and brings about a reform that was long over due. The Managing agency system, now abolished, has been widely regarded as an anachronism. Industrial organizations in the advanced countries have managed to do without this system and are none the worse for its absence. Whatever utility or merit the institution had in fostering nascent enterprises in the first few years that followed independence has long since disappeared. The managing agency system has over the years helped the vested interests in converting public companies for all practical purposes into close oligarchies run in the interest of a few and to the detriment of the legitimate rights of the share holders. The system has made it possible for influential individuals to contrive to gain managerial control over large industrial empires. It has thus accelerated the process of the concentration of economic power in the hands of a small body of persons.”

Dawn, January 19, 1972 (Editorial).

III. NEW DEAL FOR LABOUR

Within 7 weeks of assuming office, the Bhutto Government had announced a New Deal for Labour guaranteeing as a “first step towards the fulfillment of our pledge to the workers”, fundamental rights consistent with the requirements of industrial development and the dignity and rights of the labouring classes.

The problems of labour welfare, labour’s share in profits and industry management and of the minimum wage are a continuing process, solutions to which have been attempted in various forms and through various measures.

Previous Mistakes and Present Corrections.

The labour policy announced by the previous regime while emphasizing the need for higher productivity attempted to blame low productivity levels more on labour’s inefficiency and carelessness than on the management’s irresponsiveness to labour’s just demands. It failed to devise means through a quick dispensation of justice to the workers for a better management –labour relationship. While productivity continued to be low despite official sermonizing, the capitalists’ hallowed interest in more gains without commensurate spending by way of labour amenities remained unchecked. The minimum wage fixed by the previous government for industrial and other areas bearing no relationship to prevailing prices generated inflationary tendencies whose effects are visible to this day. The present government is committed to carrying into practice the Manifesto’s final objective, “Socialism is our economy”. Until this aim is consummated it is intended by disciplined and methodical steps to lead reforms to the final goal by basing each programme on positive and constructive thinking with the paramount welfare of the people and an end to their exploitation as the *sine qua non*. What is immediately planned to bring the manifesto’s aim nearer to fruition is:

Highlights.

- a more meaningful labour participation in industrial management and a more equitable share of industry’s profits to the workers.
- enforcement of welfare schemes, housing, education for children and social security.
- a quick and fair settlement of collective disputes.
- protection of workers against victimization.
- Promotion of trade unionism for effective representation of labour sentiments.

With regard to the minimum wage the philosophy is to peg wages to prices and stabilize the prices of essential commodities so that the rupee

bys more than at present, before attempting to lay down a minimum wage compatible with the price structure.

Labour Participation in Management

Meaningful labour participation in industry management through 20 per cent workers' representation at factory level ; workers' authority to appoint own auditor to inspect accounts, records, premises or stores.

Share in Profits and Bonus

Workers share in annual profits raised from 2 to 4 per cent with 10 per cent bonus from increased profits if productivity rises. Bonus payable in cash or NIT shares.

Education

Free education up to Matric for one child of workers' family by employees and for the rest by the State. Where better facilities in any industrial unit exist they will continue undisturbed.

Social Security

Levy of 2 per cent of a worker's wages for his medical facilities abolished and employers contributions raised from 4 to 6 per cent. **THIS IS A UNIQUE STEP WITHOUT A PARALLEL IN THE WORLD.** Provision for old age pensions for all workers and compulsory group insurance against death and injury. This social security scheme to be extended to domestic servants.

Shop Stewards

System of shop stewards at the lowest production level of prescribed industrial units to be introduced to make trade union effective. Shop stewards to represent interests of labour and act as link between workers and management.

Redress of Grievances

Shop stewards to bring grievances of individual labour to the management's notice and in the event of failure to redress, the matter to be considered by the Labour Union or the Labour Court. The latter to give its decision within 20 and not 60 days as at present.

Works Councils

The scope of Works Councils to be widened to include all matters which can go before Labour Courts.

Employment Security

Arbitrary retrenchment replaced by termination of services being made conditional on explicit statement in writing of the reasons for the same, the matter falling within the ambit of the Labour Court's scrutiny.

Other Benefits

Group benefit schemes to be introduced as incentives to workers to compete in increasing efficiency and production.

Infringement of provisions relating to compensation in case of death or injury, payment of overtime wages, provision of canteen and premises to be made cognizable offences though bailable.

Industry-wise federations of unions and formation of federations at a national level to be promoted.

Minimum Wage

Unless a corresponding benefit accrues to the wage earner by increase in his purchasing power, an increase in the minimum wage, as before, would only aggravate inflationary tendencies. Before increasing minimum wages, the government will stabilize the prices of essential commodities like foodstuffs, kerosene oil and cloth so that the benefits of increased wage becomes substantial in a real sense.

With the practical benefits intended straightway through measures relating to participation in management, increased share in profits, housing, education and the abolition of the two per cent levy for medical care, the worker will feel that his rupee buys more than it would by a haphazard wage increase unrelated to the price spiral.

Foreign Press Comments

"For the first time most ordinary Pakistanis feel that they have a government acting in their interests and not in those of their employers. They have been "gheraoing", or besieging, senior executives in their offices until their demands are met. The demands many of which fall within the scope of Mr. Bhutto's election promises, range from higher wages and special bonuses to a request that there should be no further layings off. Some workers have included better canteens and health schemes in their list of requirements."

The Economist, London, January 15, 1972 (Report by the Weekly's Special Correspondent from Rawalpindi).

"For the first time workers, students, peasants and even prisoners in jail feel they have a government that is on their side rather than on the side of big business".

The Times, London, February 4, 1972 (Report by David Housego from Tehran).

IV. SWEEPING LAND REFORMS

Press Headlines

**FREE TRANSFER TO TILLERS.
NO COMPENSATION.**

CEILING OF 150 ACRES IRRIGATED AND 300 UNIRRIGATED.

The Pakistan Times, 2nd March, 1972

"A JAGIRDAR ABOLISHES JAGIRDARI IN THE COUNTRY.

The Jang.

"BHUTTO FOLLOWS LENING IN REDUCING LAND CEILING".

The New Times.

**" LAND TO BE ACQUIRED WITHOUT
COMPENSATION AND DISTRIBUTED FREE".**

Mussawat.

**"ALL SHIKARGAH LANDS TO BE GIVEN TO
PEASANTS".**

Nwa-i-Waqt.

"ULEMA CONSULTED ON LAND REFORMS".

Tamir.

Comparison of Ceiling

				(In acres)
PAKISTAN	IRAQ	IRAN	SYRIA	
150 irrigated	625 irrigated	1,000 irrigated	200 irrigated	
300 unirrigated	1,250 unirrigated	2,000 unirrigated	750 irrigated	

President's Declaration

In a much awaited declaration, President Bhutto announced sweeping land reforms over the national hook-up and television on 1st March, 1972. He said "The day marks the beginning of a new saga in the annals of Pakistan. It is no prank with history. It adds a golden chapter to its volume on liberty.....".

Highlights

- Ceiling of individual land holding reduced from 500 irrigated acres to 150 irrigated acres and of unirrigated acres from 1,000 to 300, or an area equivalent to 15,000 produce indices whichever is greater.
- Holdings to be fixed on the basis of the individual and not family.

- All “shikargahs” to be resumed and land distributed to peasants except historical shikargahs run by the state.
- Orchards, stud and livestock farms and defined trusts in excess of the prescribed ceiling will not be exempt.
- Government to resume all lands in the Pat Feeder area in Baluchistan, free from any encumbrance or charge and without any compensation, and resumed lands to be granted to poor farmers of the region.
- Land in excess of 100 acres acquired by any government servant shall stand confiscated to the state.
- Titles of all lands acquired by military officers by exchange from the border area of the defence belt to the safe interior to be cancelled.
- State lands to be reserved exclusively for landless tenants or owners of below-subsistence holding. Substantial areas also to be reserved for Defence Forces.
- Auction of state agricultural land banned. Price of state land to be realized in easy installments and policy of giving these lands on yearly leases stands abandoned.
- Arbitrary and capricious ejectments to stop forthwith and in future ejectments possible only if tenants fail to meet requirements of cultivation.
- Water rate and all agriculture taxes to be paid by landowners.
- Landowners to be responsible for providing and paying for seed and cost of remaining inputs to be shared equally between landowners and tenants.
- Levy of cess and service without remuneration extracted by landlords from tenants to be unlawful throughout the country.
- In event of sale of land tenant to have right of pre-emption.
- Tillers not to pay even a paisa for lands given under present reforms. Any balance of installments due from farmers under 1959 reforms shall not be recovered.
- Any transfer of land or creation of a right or interest in land from December 20, 1971, made by a person owning or possessing more than an area equivalent to 15,000* units on December 20, 1971 shall be void.
- Any transfer which have brought land back to a family, even through a third person, shall be void, and revert to owner.
- All transfers made during last five years by a person owning more than an equivalent area of 15,000* units on March 1, 1967, to be declared by him.
- Any false declaration shall entail confiscation of all property, landed or otherwise, of the declarant and his dependents.
- Government to allow liberal consolidation of holdings to a family so long as their holdings are inside provincial limits and do not conflict with prescribed ceiling of 15,000* units.
- Commission being set up immediately to look into system of land revenue and water rate for simplification of procedure.
- Incentives of price support, input subsidies credit and marketing facilities to be provided to small farmers.

- Rural cooperatives to be encouraged by giving every facility for cooperative farming.
- Gigantic rural works, programme including agro-based industries, agrovilles and cottage industries to be pushed through to combat unemployment.
- An allocation of Rs.1,000 crores made for the remaining period of Fourth Five-Year Plan for agricultural development.
- Reforms come into force at once and apply to both surveyed and unsurveyed areas except tribal areas of NWFP.
- Martial Law Regulation being issued for speedy and full implementation of the plan.
- Land Commission to be set up in each province to put into effect the reforms.
- Declarations of land holdings to be submitted by April 30, decisions on these to be made by June 15, and these decisions to be implemented by July 1.

Table of land utilization in West Pakistan 1965 onwards

Statistics						In 000 acres
Total area	"	"	"	"	"	1,98,600
Total area cultivated	"	"	"	"	"	47,388
Area sown more than once	"	"	"	"	"	4,473
Total cropped area	"	"	"	"	"	39,227

Table under principal crops in West Pakistan

(In 000 acres)

	1965-66	1967-68	1968-69	1969-70	1970-71
Food crops	" "	24,087	26,695	26,329	26,357
Cash crops	" "	6,639	7,249	6,901	7,256
Total		30,726	33,944	33,230	33,613

*The ceiling has now been reduced to 12, 000 produce indices.

Yield per acre of principal crops in West Pakistan

(In maunds)

Crops	1965-66	1967-68	1968-69	1969-70	1970-71
Rice	" "	10.2	11.4	14.2	16.5
Wheat	" "	8.2	11.6	11.6	12.7
Sugarcane	" "	404.9	401.5	440.0	461.1

Cotton	"	"	2.9	3.1	3.3	3.3
3.3						
Tobacco	"	"	20.4	20.0	20.5	20.2
Maize	"	"	10.8	14.1	11.0	11.1

Civilian labour force 1961 Census West Pakistan

(In thousands)

Agriculture labour Population	Total	Population	% of labour force	Agricultural force as % of total
39,443	12,763	32.4	7,570	59.3

Details of Holding of 150 acres and above

Type	Number of Farms				Total area in acres
Owner	"	"	"	"	48,96,411
Owner-cum-tenant	"	"	"	"	
Tenant	"	"	"	"	

Genesis

Agriculture is the basic and most important sector of our economy. It provides employment and livelihood to about 855 of the population, contributes over 50% to the National Gross Product and is the major source of foreign exchange earnings. Unless productivity in the agriculture sector is substantially increased the cherished goal of making Pakistan a rich and prosperous country will remain unfulfilled.

Small Farms

Pakistan is primarily a land of small and medium sized farmers who form 75% of the farming community. Over 50% of the farmers have either no land or own holdings at or below the subsistence level while another 25% account for ownership at or below the economic level. In West Pakistan 92% of the farms are below 25 acres.

Drawbacks and correctives

Besides and uneconomic pattern of land holdings, agriculture suffers from many other drawbacks. Much production potential lies buried in the soil. Problems need to be remedied are: rationalization of man—land ratio, feudal system of land tenure, land use patterns, fragmentation of holdings, revenue, agricultural taxes and cess, soil and soil erosion, development of 'barani' areas, riverine areas and rangelands, farm mechanization and

cooperative farming, cropping system, strengthening of link between research and extension, better land and water use, balanced use of fertilizers and pesticides, improvement of irrigation, storage, guidance of farmers, supply of inputs, supervised credit, transportation, communication and marketing facilities, use of labour and rural employment etc.

Census of 1960

According to the 1960 Agricultural Census there were 33,71,685 actual owners of land, 8,83,458 owners-*cum*-tenants and 6,40,268 actual tenants in West Pakistan.

Previous reforms

President Ayub Khan's regime had set the ceiling of land holdings at 500 acres of irrigated and 1,000 of unirrigated land per persons. A number of concessions or exemptions were, however, granted under the 1959 Reforms which let landlords retain up to 150 acres under orchards. Holdings declared in excess of this ceiling came to about 7.34 million acres of which 2.25 million acres were resumed. Of the resumed land 68,000 acres were under self-cultivation of owners and 26,650 acres under forest. The regime had allowed the landlords compensation in the form of non-negotiable inheritable interest bearing 25 years indemnity bonds.

Vicious exploitation

As in the industrial sector vested interests made their appearance in agriculture and similar exploitation began. Lands in barrages, stud-land all over West Pakistan, lands in better areas, were illegally acquired in large tracts by officials of all services. Smugglers, hoarders, corrupt officials and industrialists with their black money acquired lands measuring from 45 to 50 squares by purchasing units from refugee claimants and other means. President Bhutto in his speech announcing Land Reforms termed this acquisition by the official class of land in the Punjab and Sindh as "disgraceful abuse of power and shameful chapter in the story of land grabbing in Pakistan".

"Meshed Net"

"The result", in the words of Mr. Meiraj Khalid, the Labour Minister, "is that all these evil forces joined hands and formed a close 'meshed net' over the heads of the vast majority of small and medium sized farmers and would not allow the advantages of modern technology, supply services and supporting facilities of the departments concerned like ADC, ADBP, Agriculture Department, Cooperative etc. to trickle down for the benefit of the small farmers. They became both the benefactors and the beneficiaries and not only agriculture suffered but all kinds of social, political and economic injustices were inflicted on the people. In my opinion so long as this 'net' continues to exist even the proposed integrated rural development programme will not produce the desired results". The Minister further said : "It is incumbent upon all of us to rebuild Pakistan on the moral basis on which efforts should have been made from the very beginning. We are obliged not only to liquidate the remnants of exploitation and lay

foundations for reconstruction of Pakistan but also to destroy all other forms of exploitation to which the people were subjected. This was the logical dictate of the ideology of Pakistan.

“People’s Government is bound by the inevitable dictates of history that all the traces of deceit and illegal and immoral acquisitions must be liquidated. Unless we proceed on these lines we cannot inspire the people and gain their respect and confidence in the moral values on which the entire nation is committed to rebuild Pakistan”.

Effect of reforms on productivity

Re-distribution of land wherever it has been tried has usually contributed to increased production and reduction of income disparities. In Latin America the output for small farms is higher than those of large farms. The same is the case with Russia where Lenin’s land re-distribution led to a dramatic break-through in agricultural production.

Cline, the noted agronomist has demonstrated that utilization declines significantly as farm size increased and farm output should increase after re-distribution of land if present land and other input use patterns relating to farm size and present production were to prevail.

Burki from Pakistan points out various variables that determine the impact on production of a programme of land distribution, namely—

the degree to which credit and modern inputs are made available and the speed with which the programme is implemented.

President Bhutto has met both these needs by an allocation of Rs. 1,000 crores for agricultural development for the remaining period of the Fourth Five-Year Plan and by issuing orders for the immediate implementation of the reforms.

Inducements

Among inducements needed by the farmer for increasing production is security of tenure and/or ownership. This inducement is amply provided in the reforms whereby the farmer will become the owner as more land is yielded by absentee landlords for resumption by the state and its distribution to the tillers.

Capital Formation

Overwhelming evidence is available in Pakistan, as Ghulam Mohammad points out, of a certain kind of capital formation which is undertaken more effectively by small and medium size land holders. The adoption of the tubewell technology by the relatively smaller farmer is an example of this kind. According to Japanese statistics there was a significant increase in capital formation in the agricultural sectors as a result of re-distribution of land. Agricultural investment by farmers’

cooperatives and government in Japan more than doubled capital stock per person between 1946 and 1962.

What Economists Say

Economists have realized that land distribution in the technological environment of the present day has led to a higher absorption of labour. This has particularly been so in West Pakistan where fertilizer inputs have been increasingly used by the middle farmer in a way that while the use of labour per unit of land had increased the labour inputs per unit of output had decreased.

End of Feudalism

Areas comprising West Pakistan were for ages under the baronial sway of tribal Sardars, Waderas, Maliks, Jagirdars, and Zamindars. This domination had an abiding impact on the social, Political and economic life of the people. The British had a vested interest in promoting a class of landed gentry equating with their own at home, loyal in peace, helpful in war, constant in its devotion to the imperial power, wedded to a policy of ruthless suppression as much in its own as in the interest of the British throne, hanging on to a brutal past long since dead and aborting a liberated future yearning to be born. The first ever attempt in the direction of land reforms was made in 1959. But in the words of President Bhutto "The Land Reforms of 1959 were a subterfuge. They were reforms in name only, to fool the people in the name of reform".

New Relationship

The new Land Reforms envisage a forward looking relationship between the land owners and tenants in a way that :

- (a) Arbitrary and capricious ejections shall stop forthwith. Ejection will only be possible if the tenants fail to pay the 'betai' share or rent or meet the requirements of cultivation.
- (b) Liability for payment of water rate, agricultural taxes and cost of seed will remain the exclusive responsibility of land owners. The cost of remaining inputs shall be shared equally between the land-owners and tenants.
- (c) Levy of cess and service without remuneration from tenants has been made unlawful.
- (d) In the event of sale of land, the tenant of the land shall have the right of pre-emption.

Commission on rural problems

A Commission composed of experts and public representatives is being set up to finalise such questions as land revenue and water rate and suggest reform in the whole system of revenue administration which is one of the worst legacies of British colonialism and needs a radical change to conform to changed conditions. An effort is being made to streamline the entire structure of revenue administration so that it no longer remains an instrument of bureaucratic high-handedness.

Rural Works Programme

An allocation of Rs. 1,000 crores will be made in the remaining period of the Fourth five-Year Plan for agricultural development. The fund will be utilized for setting up rural cooperatives by giving every facility for cooperative farming. In addition, a gigantic programme will be undertaken involving location of agrobased industries in rural areas and the setting up of agrovilles and cottage industries to fight the menace of unemployment and under-employment in rural areas.

Estimated Resumption

By the new land reforms measures about 30 lakh acres will be resumed without compensation and this will enable at least 3 lakh landless tenants to till about 10 acres each independently. The resumed land is likely to be transferred to the tenants by July 1, 1972

Changed Outlooks

Institutional changes in agriculture which are now under way as a result of the reforms will make for a more widespread use of agricultural inputs among the smaller land holders. As the landed aristocracy disappears its political hold and power in the rural areas will be eliminated putting an end to feudal exploitation over the centuries which had made every stronghold of a big landlord, like the English Barony of the Manor, a unit of political power, that all but kept the tenants in shackles of perpetual serfdom.

Public and Foreign Reactions

Khan Abdul Qaium Khan, President of the Pakistan Muslim League described President Bhutto's speech on the agrarian reforms as " a charter of emancipation for the toiling millions of our country".

In a Press Statement in Peshawar, Khan Qaium said: "I am deeply impressed by the statement of the President on agrarian reforms. It is a big step in the right direction."

"It is the duty of all those who are working for the betterment of the lives of the common people in this country to whole-heartedly support the President in the implementation of this historic statement".

Maulana Najmul Hasan Krarvi, leader of the Pakistan Majlis-i-Ulema, said, "Every citizen having country's progress and development dear to his heart, welcomed the just and bold steps taken by the President in the agricultural field".

Khan Mohammad Hanif Khan, MNA-elect and Acting President of Sarhad Muslim League in a Press statement said : "These reforms had struck at the root of the problem and shaken the fabric of the old feudal system". He also said "if vigilantly implemented it would transform the rural economy".

Syed Mohammad Sabir Jaffery, General Secretary of the West Pakistan Democratic Party, welcomed the land holding ceiling fixed. He said " the ceiling was in complete conformity with the Manifesto of the Pakistan Democratic Party". "The tiller would now have the surety that his labour would not be lost".

The Karachi Chamber of Agriculture has welcomed the revolutionary land reforms which, it said, promises prosperity and progress for the tillers of soil.

Mr. Ashraf W. Tabani, Honorary Administrator of the Federation of Pakistan Chambers of Commerce and Industry, said that the reforms were of "historic importance" and "far-reaching results" for the country's economy.

"These reforms should have come right after Independence but some of us succeeded in retaining the outmoded relations in agriculture for our own benefit and to the detriment of the national economy", he said.

Makhdoomzada Syed Hasan Mahmood, MPA-elect, in a statement has described the land reforms as "drastic" but hoped that in the larger interest of the country the land-owning class would respond with a spirit of patriotism and self-sacrifice in the implementation of these vital reforms.

Foreign Comments

"Zulfikar Ali Bhutto, it is the common opinion, has put on a great show since becoming President of Pakistan 25 days ago. Almost daily he has let off dazzling firework displays or orders there, appeals here, showing himself to his people everywhere. It is such a relief from the seclusion of the previous regime which operated through a turgidly grey propaganda machine feeding a lapdog Press.

"The outstanding constraints on the new government concern the urgent and impatient expectations of so many people. So many interests and classes in Pakistan have been downtrodden for so long that the President may find he cannot please everyone quickly enough. The outlying regions of the Frontier and Baluchistan have suffered neglect as Punjab and Karachi have prospered. The industrial workers have tested unemployment and low pay as their bosses made fat profits. The landless peasants have often gone without their daily bread while the rich landowners lived in state. Even those struggled to become educated and join the profession discovered that in public service they received low wages and their superiors made their living from bribes".

The Financial Times, London, January 14, 1972 (Report by Kevin Raffery)

President Zulfikar Ali Bhutto of Pakistan has announced a new land reforms programme reducing drastically the permitted size of land holdings

and confiscating some properties. Robert Manon of the London School of Oriental and African Studies comments.

“President Bhutto has gone to the heart of one of the most critical problems facing the future of Pakistan, the great and increasing inequalities of wealth within the country. The great majority of Pakistan’s population is, of course entirely depended on agriculture for its livelihood.

“The land reform measures proposed by President Bhutto seem on paper to be drastic and far-reaching. The fact that this legislation is aimed at the class from which many political leaders including Mr. Bhutto himself come, is suggestive, however of the significance of the obstacles which may be placed in the way of its effective implementation,. In any event, the result cannot be expected to produce immediate short term economic benefit for the country as a whole. Transfer of land even if carried out with all reasonable speed, must take a long period to complete and the ability and willingness of the new small scale land-owners to invest and experiment, must remain in doubt.”

BBC (Commentary) : March 2, 1972.

Faced with a wave of strikes and violence president Bhutto announced on Wednesday a land reform programme that sharply curtails the amount of property a single individual may own. It will pare down Mr. Bhutto’s own land enormously but it is likely to have a favourable effect on many farmers in Pakistan.

The New York Times : March 5, 1972 (Weekly Review by Malcolm Browne)

V. HEALTH

The Minister for Health, Sh. Mohammad Rashid appointed a Committee on February 5, 1972, to review medical education in Pakistan in response to the public demand to make education more realistic in conformity with the changing patterns of Pakistani life. The Committee has since submitted its recommendations which are to be implemented from the next academic session after their approval by the Health Ministry.

Recommendations

- A four-year MBBS course instead of the present five-year course ;
- The minimum qualification for induction into the medical colleges will now be matriculation in place of F.Sc;
- The quota system in medical colleges will be abolished and all selections will be on merit ;
- The candidates qualifying in the entrance test will attend a one-year pre-medical course at a Science College under the supervision of the respective medical colleges. Thereafter they will be promoted automatically to the first year of MBBS ;
- The Semester system will be introduced ;
- There will be no winter or summer vacations during the duration of the course. A two-week recess at the end of a Semester will be allowed ;
- One year paid internship for medical graduates will be essential ;
- Diploma courses of one-year's duration leading to specialization in various medical and surgical subjects will be conducted by universities ;
- The number of seats in medical colleges will be increased to 250.

The Health Minister, in a far reaching step, announced in mid-April, the sale of all medicines by their generic names and import of medicines by the government only.

VI. EDUCATION REVOLUTIONISED

Presidential Announcement

On March 15, President Z. A. Bhutto announced on the national hook-up the new Education Reforms which include provision for universal and free education up to Matric in two phases, nationalization of privately-owned colleges from September 1, 1972, nationalization of public schools and replacement of the infamous University Ordinance by "an enlightened and progressive legislation".

Highlights

Education will be made universal and free up to Class X throughout the country in two phases. In the first phase, beginning from October 1, 1972, education will be made free up to Class VIII while in the second phase, commencing from October 1, 1974, education will become free in Classes IX and X.

Depending on the response and reciprocity it is anticipated that education up to Class V will become universal for boys by 1979 and for girls by 1984. Another three years will make education universal up to Class VIII.

Privately-managed schools will be nationalized in a phased manner within two years beginning from October 1, 1972.

Salaries and service conditions of teachers in all privately-managed schools will be brought at par with those of Government schools.

Privately-managed colleges will be nationalized from September 1, 1972.

Compensation will not be paid for privately-managed schools and colleges which are to be nationalized.

Government may exempt from nationalization any privately-managed schools or college, which is run on a genuinely benevolent, philanthropic and non-commercial basis.

All educational institutions, which are meant for a privileged class and are inaccessible to poorer section of students will be nationalized. These schools will be open to gifted children from all over the country without reference to their financial status and social background.

Five new boards of intermediate and secondary education will be set up at Saidu, Rawalpindi, Gujranwala, Bahawalpur and Khairpur.

Three new universities will be opened at Saidu, Multan and Sukkur.

The number of universities will be doubled by 1980.

NED Engineering College, Karachi, and the Sind University Engineering College, Jamshoro, will be raised to university status.

A Faculty of architecture will be added to the NED Engineering College on its conversion into an Engineering University.

A constituent medical college will be added to the University of Baluchistan.

Faculties of Science and Rural Home Economics will be added to the Agricultural University, Lyallpur.

Jamia Bahawalpur will be broadened by the addition of new faculties of science and arts and converted into a university.

The Provincial Government of NWFP may raise the status of the Peshawar University engineering College to that of an Engineering University.

Undergraduate facilities will be added to the University of Islamabad.

The ill-famed University Ordinance will be replaced by an enlightened and progressive legislation.

A University Grants Commission will be established.

A People's University will be set up.

Ten thousand centers will be established up to 1980 throughout the country for increasing literacy. There are four crore illiterate adults at present in the country.

A national foundation for book production will be set up to promote writing, translating, printing and publishing of text-books and other reading materials.

Fifty thousand people's public libraries will be established in villages and city wards.

A National Sports Trust will be created for the promotion of sports.

A National Service Corps will be established in which all youths between the age of 17 to 23 will be encouraged to serve for a period of one year after passing the intermediate examination.

There will be four-fold increase in the allocation for scholarships.

Banking facilities for grant of interest free loans to deserving students will be established.

Book banks will be set up.

Substantial enhancement of transport facilities at low cost.

Background

There are 4 crore illiterate adults at present in the country. In the words of the President, "Ever since we gained Independence, education has remained about the most neglected sector in the body politic of our country. For a long time, the obsolete idea of producing an educated class from amongst the privileged few to constitute the elite in the country remained the corner-stone of our educational system. This was a heritage of colonialism. It was further nursed and nurtured by the dark forces of exploitation....".

Buildings 'without' Students

Throughout the so-called "Decade of Development" visible impressions were sought to be created by the construction of prestigious educational buildings. But the expense on education itself, equipment, books and teachers was disproportionately less and in the words of the President again, "We found ourselves landed with buildings without students, laboratories without equipment and class rooms without teachers".

No serious effort till now

In result, while sizeable literacy targets could have been achieved and a minimum 1 per cent per annum advance in literacy since the birth of Pakistan could have taken the country to a respectable literacy figure of 42 per cent of the population, a whole generation had been allowed to grow up without the basic birth-right of education. A proper evaluation of essentials would have ensured the growing up of our children with minimal educational requirements and the resultant contribution of this achievement to the growth of democratic processes in the country could have been weighty. Thus, while huge educational institutions remained the preserves of patronage and of the privileged class, millions of boys and girls of school-going age continued to play with marbles and toys. How is this now going to be changed?

What is now offered

- (a) Depending on response the generation that grows up from now will, in the next 15 years, have been educated free up to the 8th Class. It will not only know how to read and write but will be taken to the threshold of the vast vistas of higher education, technology and science. At the present population growth rate of 2.5 per cent per annum, 37^{1/2} per cent of the country's population will have been taught to read and write—an increase of over 100 per cent over the figure reached in 25 years of Pakistan's existence.

Literacy Centres

- (b) Education will be brought to the door-step of every village, agrovillage and town of the country by the opening of 10,000 centres for increasing literacy and 50,000 people's libraries in villages and city wards.

Banking Facilities

- (c) Banking facilities will be available for grant of interest free loans to deserving students and book banks will be universally opened.

More B.I.S.Es

- (d) New Boards of Intermediate and Secondary Education will be set up in areas around which large groups of population live without this facility, namely, Saidu, Rawalpindi, Gujranwala, Bahawalpur and Khairpur.

End of 'privileges'

- (e) All educational institutions meant for the privileged classes will be made accessible to the poorer sections of students by admitting gifted children from all over the country without reference to their financial or social background.

Private Schools Nationalised

- (f) All private schools and colleges, many of them with scandalously high fees, will be nationalized and brought at par with Government schools. Government will exempt from nationalisation any private school or college run on genuinely benevolent lines.

More Scholarships

- (g) There will be four-fold increase in the allocation for scholarships.

New Universities

- (h) New Universities will come up in Saidu (Swat), Multan and Sukkur.

Infamous university Ordinance Out

- (i) The infamous University Ordinance will be replaced by a progressive and enlightened legislation.

More Technology

- (j) Greater emphasis will be placed on technological and scientific studies by incorporating these in institutions where such facilities do not exist and by raising certain Engineering Colleges to the status of Universities.

Religious Inspiration

In the words of the President, " We are taking important steps to ensure that religious education, which is compulsory up to Class X does not merely remain an isolated subject in our schools. We want to go much further and weave the values and the spirit of our faith into the entire warp and woof of our educational fabric....".

Education Minister's Enunciation

Mr. Hafiz Pirzada, the Education Minister listed eight "main objectives" of the reforms in education. These were"

- (1) Building up national cohesion and promoting social and cultural harmony.
- (2) Nurturing of the total personality of the individual.
- (3) Eradication of illiteracy.
- (4) Access to education through special facilities for backward areas, under-privileged groups, women and mentally retarded and physically handicapped children and adults.
- (5) Preparing education curricula relevant to the nation's changing social, economic and political needs.
- (6) Ensuring flexibility of both structure and content of education through the integration of general and technical education.
- (7) Providing academic freedom and due autonomy to higher educational institutions.
- (8) Mobilising the youth for leadership roles.

Conclusion

It is not difficult to imagine the wonderful change that will come about in the national thinking when universal literacy helps the people impart to their thoughts the pre-requisite of dispassionate reasoning, to their emotions, the balance of discrimination and their labours in industry, agriculture and other nation-building activities, the sure and sound polish of education as aid to their existing experience. The People's Government had, on its inauguration, made certain pledges. In under three months these pledges have been redeemed.

Public Reactions.

Miss Nasira Khokhar, a Punjab Legislator, has welcomed the new education policy and has said the decision to make education free up to Matric has brought much needed relief to the poor.

Mr. Pervaiz Rashid, President of the National Students Federation, Punjab, said in Rawalpindi that the reforms accept the long-standing demand of the youth for the abolition of class-ridden education system. They also accept the reality that foundations of national solidarity could rest only on a classless system.

Prof. A.R. Zafar, President of Professor's Association, Rawalpindi region, said the University Grant Commission, replacement of the University Ordinance, adult literacy corps, interest free loans and book

banks for student were laudable aspects of the reforms needing hard work for implementation.

Dr. Mohammad Baqir, Professor Emeritus, University of the Punjab, called the reforms a step forward to meet the socio-economic needs of the country. He noted that the reforms were so planned as to closely relate the education to employment opportunities. He welcomed the proposed increase in the education budget to twice the amount.

Press Comments

"The new education policy announced by President Bhutto will be enthusiastically hailed throughout the country as a positive, progressive commitment by the Government to meet the people's foremost need for civilized existence. Its most significant feature is obviously the bold assumption by the State of maximum responsibility to provide uniform educational facilities to all children and democratize education by offering equality of opportunity. Education will now be free up to the 8th Class from October this year, and up to the 10th Class from October, 1974. Universal education up to Class V has been promised by 1979 in case of boys, and by 1948 in case of girls and up to Class VIII three years later. While these decisions aim at putting the entire child population to school, the imperative need for a uniform level of educational facilities will be fulfilled by a virtual nationalization of all educational institutions ; private colleges are to be nationalized from the forthcoming academic session and a similar process in respect of schools is to be completed by October, 1974. The acceptance of the long-standing public demand that institutions maintained as exclusive preserve of the privileged few should be democratized also forms part of the effort to remove inequality of opportunity in the pursuit of knowledge. And, there is much to be said for the decision to run institutions like the Atchison College as national centers of learning open to talent3ed student from all over the country. The recognition of the universal right to education naturally calls for rapid expansion of the existing facilities".

Pakistan Times Editorial.

"The road to progress in all developing countries lies through mass education. And yet no sector has been as much neglected in Pakistan as education. The people's Government has now made a complete break with the past and come up with a magnificent scheme of educational reforms. They are as ambitious as they are far-reaching. And they are aimed at not perpetuating the classes but helping the masses. They promise equality of opportunity for all, which is the basis of an egalitarian society.

"The reforms stand out as the most important blueprint for revolutionizing the mind, which is the inescapable first step towards radical changes in the social order. Hitherto, development in our country has been confined to development of material resources without any serious effort to develop the mind of the people. The neglect of the need for development of the mental faculties was reflected in its worst form in the education system. The 'Babu'-producing machine contrived by the colonial rulers

suffers a further degeneration at the hands of the ruling cliques after independence.

“The education reforms announced by the Ayub and Yahya regimes only addressed themselves to the peripheral problems rather than devote themselves to the basic purpose education. The new education reforms do not seek to tinker with mere structural aspects of the system, but go deep into the heart of the system itself.

“Of the eight points which Education Minister Abdul Hafeez Pirzada cited as objectives of the new reforms, the most important one refers to the “building up and nurturing of the total personality of the individual—free, dynamic and creative”.

VII. NATIONALIZATION OF LIFE INSURANCE

A Big Leap forward

By a Presidential Order on March 19, 1972, life insurance in Pakistan was nationalized. The step was in line with the bold and forward-looking reforms undertaken by the Government within 90 days of coming into power. By this measure : —

Highlights

- (a) Rs.130 crores of the total assets of life insurance business would be at the disposal of the Government.
- (b) Policy holders will receive more in return and share-holders will get better compensation for their investment.
- (c) An average return of 7^{1/2} per cent to the share-holders will now be payable as compared to varying rates between 5 to 10 per cent allowed by the Pakistani companies.
- (d) Nationalization will put an end to several malpractices such as the inter-locking of life insurance companies with the interest of major industrial groups and grant of rebates and concessions to agents under fictitious names.
- (e) Greater attention will now be paid to restoring the people's confidence in the industry and to improving professional ethics.
- (f) Facilities will be provided for improving the field organizations and to the qualitative and quantitative functions of the life insurance business.
- (g) Government will set up one or more corporations to carry on life insurance business in Pakistan.
- (h) Pending final decision, a Life Insurance Board has been set up to advise and assist the Government in the management of life insurance companies taken over by the Government.

The Pakistan Times Karachi Bureau reports:

"Life insurance in private hands meant gross misuse of millions of rupees by those who managed it and by a handful of big monopoly houses who besides owning banks and industries were also in possession of insurance companies. Most of the insurers indulged in blatant malpractices as a result of which both the policy holders and field workers suffered heavily. With nationalization of life insurance policy holders and field workers

will have much larger share in benefits and facilities than what they were getting hitherto.”

Public and Press Reaction

The Government decision to nationalize the life insurance business and appoint trustees from amongst professional insurance-men has been welcomed by the Rawalpindi Insurance Institute.

A special meeting held under the chairmanship of Mr. M.H. Alvi, expressed satisfaction over the guarantees given to the staff and field workers of the companies and urged them to extend full cooperation to the Trustees in the discharge of their duties.

Dr. M. M. Junaid, former, Economic Consultant to the Government of Pakistan and a member of Zaheeruddin Insurance Committee set up by the Government in 1965 has hailed the nationalization of life insurance.

He said that nationalization will help the Government in successfully implementing its social security schemes, including insurance for disabled workers, old age pensions etc.

Mr. Ishrat Hussain Syed, General Secretary, United Front of Insurance Workers, has also hailed President Bhutto's order nationalizing life insurance business.

In a Press statement he said all the 20,000 field workers in West Pakistan consider this step as a bold and realistic one toward preservation and utilization of huge funds held by privately controlled companies for the national development and progress.

“The nationalization of life insurance is still another revolutionary measure taken by the present Government to promote popular welfare. Men with vested interests in the business had been running a frantic campaign for some time arguing that the measure could do not good at all. The force of their argument was convincing of only one fact : their personal stake in the *'status quo'*. The profit margin in this business has been up to 200 per cent ; and the share value of some of the bigger companies has been double, even four times the face value. The profits were made at the cost of the heavily on administration and lavish expense accounts were maintained for the offering of blandishments; the expense ration was 38,1 per cent for the indigenous companies against 22.1 per cent for the foreign insurers operating here. A great deal was spent on raising prestigious structures. Claimants waited for months, and even years, for settlement of their cases.

“The unfair premium rates that the companies charged from the policy holders had long become outdated because of big changes in mortality rate and interest yield. The Zaheeruddin committee had pointed this out a decade ago but the anomalies continued to persist. There was also considerable scope for the insurance companies to make investments

without strict regard to the best interests of the policy-holders. The Amendment Ordinance of December, 1970 redressed this position to some extent by stipulating that the insurance companies would invest up to 60 per cent in Government securities, and by prohibiting other investments in enterprises in which the directors of the insurance organization or their relatives had an interest. But all this still left room for considerable manoeuvre. Most business remained confined to urban areas because extension to remoter areas would have upset the profit ration. Despite this the extent to which policies lapsed was enormous: as much as Rs. 58.16 crore in 1969. The ration between the life fund and the sum assured remained one of the lowest in the world. Thus, if the profit incentive created dynamism in this sector, it also limited the benefits of insurance, prevented it from developing a welfare orientation.

“Now that insurance has been rationalized, it should in no case fall a prey to inefficiency, redtapism and reluctance to exert—tendencies which are generally associated with official organizations and functionaries. An intensive and wide-ranging sales programme, an effective, properly trained organization, an efficient premium collection agency, simple and speedy procedures for grant of loans, settlement of surrender value, an alert and active after-sale service, etc., are absolutely vital. The Insurance Corporation to be formed will have an enormous task ensuring that the affairs of the companies taken over do not in any way fall into the humdrum pattern of Postal Life Insurance. Apart from maintaining and improving on the dynamism and efficiency of the past, insurance, both life and general must by deliberate and measured steps be turned into a primary instrument of public welfare. And instead of its remaining only a posthumous blessing it should, as in some other countries, be linked with living requirements—such as of housing in urban, and marketing of crops etc, in rural areas. Immediately, the actuaries must be worked out again so as to make the premium rates more equitable to the policy holders”.

“Pakistan Times”

VIII. NEW LOOK FOR POLICEMENT

President's Exhortation

Reminiscent of Nelson's exhortation to his men before the battle of Trafalgar were President Bhutto's words to the custodians of law and order.

"Pakistan expects you to do your duties diligently and faithfully. And when you do your duty to the people they will give you your support and respect. I sincerely hope that you will now improve your image and will serve the nation with a spirit of dedication and smartness and with patriotic fervour".

The President announcing sweeping police reforms on 12th April, was aiming to break "the vicious circle of conflict and tension between people and police".

Background

The story of police-public relations dates back to British rule when a regular police force was constituted in the sub-continent in the latter half of the 19th century.

Concept

In concept, the police force was designed to serve the imperial power in a way that :

- (1) problems of law and order were dealt with on a specialized level freeing the British Army in India for military operational duties.
- (2) It was to assist the civil and military authorities in times of emergency.
- (3) It leaned towards harshness to create its respect in the public mind and foist on it a wholesome fear of the ruling power.

Indoctrinated Training

Its training programmes were organized with the need to create an institutionally built in prejudice against public sentiment,

suspect and doubt every individual and public action, good or bad,

be ruthless, cynical and authoritarian,

make the physically strong, educationally poor and mentally unscrupulous lower ranks, the instruments of unbridled puissant demonstration.

British Objectives

The British objectives were largely attained. They created a force which regarded itself as permanently opposed to the people. Between it and the people a wall of prejudice and hostility was deliberately raised which the latter tried always to demolish and the police to maintain. The wall gradually built up around all government and supervisory departments and prejudice wove itself into the warp and woof of bureaucracy. The relationship between the government and the people thus became the relationship between the rulers and the ruled.

This was the kind of police organization that Pakistan inherited at its birth.

Efforts

Since then many brilliant police officers and men have done their best within existing regulations and practices to change institutional outlooks and pattern police-public dealings on a more human and co-operative relationship.

Law & Order Problems

On the other hand, a variety of law and order problems in the country ranged from private vendetta to organized hooliganism and these had to be dealt with on merit. Examples of old Chicago type delinquency were not lacking and in the elimination of this, the harshness of law in the United States was often correctly quoted.

It was plausibly reasoned that crime needed strong correctives. But police-public hostility was largely an inherited one whose causes lay in historical than in inherent prejudices.

Economic Backdrop

Economic reasons were there too. A terribly hard-worked police force was equally terribly under paid. A meager house rent allowance, no special facilities for purchase of rations at control rates etc, were among the policemen's glaring difficulties. How all this is now going to be remedied?

Highlights of New Policy

(1) The public and police will meet each other periodically in District Consultative committees to review the police-public relations.

(2) The public will have new institutions, the Ombudsman, and the Administrative Courts for redress of its grievances against the administration.

(3) Special tribunals will be appointed for dealing with cases of corruption which cannot be dealt with under ordinary procedure.

(4) The minimum salary of a policemen will be Rs.110. In addition to this, the ration subsidy of Rs.11.75 will be continued.

A policeman will now be paid per mensem a crime allowance of Rs. 10, a traffic allowance of Rs. 5, a conveyance allowance of Rs.5, a washing allowance of Rs. 3, house rent allowance at 15% of the initial salary and horse allowance of Rs.60.

(5) Police personnel will get disability pension.

(6) The widow of a police officer killed in the discharge of his duty, will receive pension according to her husband's entitlement.

(7) Special ration depots will be opened in all police lines so that essential food articles are available to the policemen at controlled rates. Medical treatment will be free for policemen and their families.

(8) A Federal Police Organisation will be set up to deal with offences such as inter-provincial smuggling, illicit traffic in drugs, currency offences, enforcement of laws relating to foreigners, immigration and passports, Child lifting and other heinous inter-provincial crimes.

(9) In order to improve the quality of training for police officers and men, Training School at Sihala will be organized into a Police Training Academy. Attention will be devoted to impress upon the trainees the duties of the police towards the society.

(10) The mobility of the police force will be improved and more vehicles will be provided to them for this purpose.

(11) The VHF network in Provincial, Range and District Headquarters will be improved and all Police Stations will be connected by telephones or wireless.

New outlooks

With the reforms' implementation co-operation and understanding should develop between the police and the public. The policeman is bound to realize his new role in a free and democratic country and the people appreciate his task of ensuring that democratic institutions, including law and order are preserved from extraneous pressures.

President's Words

In the words of the President again, "we attach the highest importance to the welfare and contentment of the police. This is for self-evident reasons. A dissatisfied police force seeks to give vent to its fury on the people. This in turn leads to a vicious circle of conflict and tension between the people and the police. We have been the victims of this vicious circle for far too long. We are determined gradually to break it by taking measures to create a better equation and a better relationship between the people and the police. This police reform is as much a reform for the people

as it is for the police. I am determined to make our police force a modern exemplary force. We do not look on the responsibilities of the police only in the limited context of law and order. Nevertheless, a modern State does deal with the problems of crime, delinquency and law-breaking. The primary responsibility of the police is to deal with this vital problem. All conceptions of law and order, safety of the individual, protection of the weak and the helpless from the strong and powerful, are in the ultimate analysis dependent on the efficient and proper working of the police. If the police force in a country is given its due place in society, is well trained, disciplined and well equipped, if it acts in an honest manner without fear or favour, if it is accountable to the people then without doubt the state structure has been laid on correct foundations”.

IX. FAR-REACHING LAW REFORMS

Highlights

- * JUDICIARY SEPARATED
- * LAW COMMISSION TO BE SET UP
- * QUICK DISPENSATION OF JUSTICE
- * COMMITMENT PROCEEDINGS ABOLISHED
- * CONFERMENT OF REVISIONAL JURISDICTION ON DISTRICT JUDGES
- * LETTERS PATENT APPEAL IN HIGH COURT ABOLISHED

End of a Bad Tradition

In an historic declaration bringing to a close the notorious British system conferring on district officers the powers of both judge and prosecutor, President Bhutto on 13 April, announced the separation of the judiciary from the executive.

Judiciary Separated

Said he, "Justice henceforth will be completely independent of the executive and independence is a basic requirement for impartiality".

Permanent Law Commission

The President also announced the setting up of a permanent Law Commission chaired by a jurist "who is or has been the judge of the Supreme Court. The Commission's members will be experts in different branches of law—civil, criminal, commercial etc. Explaining the setting up of the Law Commission the President said,

"Modern concept of Welfare State has led to enormous legislation on a variety of subjects to deal with situations and contingencies that had never arisen before. It also requires scrutiny of the existing laws, which under modern conditions is as necessary as repairs are necessary to a railway, if it has to continue as a going concern".

Islamic Precedent

Judicial and executive practices in Islam date back to the Holy Prophet (peace be upon him) and to the precepts and Commandments laid down by the Holy Quran and practiced by the Holy Prophet and the Khulafa-e-Rashiddin.

'Qazis'

The justice of the Khalifas was monumental for its fairness and impartiality and the institution of the Qazi set up during the Khilafat was one of superlative judicial authority.

Judgments delivered by Hazrat Umar and Hazrat Ali were shining examples of executive powers curbed by the paramountcy of justice.

CONCEPT OF THE STATE AND LAW

Modern law emerged, among other things, from the concept of the State and its relationship with the individual and the community.

Socrates

Socrates' random discussion with a wayfarer recapitulated in Plato's 'Justice' expounded the thesis, (in answer to his interlocutor's assertion that all authority whether wielded by a Dictator or a Democracy was directed towards personal or party aggrandisement) that being the arbiter of a people's destiny, every government in its performance was bound to act in the interests of all and not in the interests of the few.

18th Century Philosophers

European philosophers of the 18th and 19th century including Voltaire, Hobbes, and Rousseau made outstanding contributions to the concept of the State and defined its objectives. The French Revolution of 1789 and the American Declaration of Independence derived inspiration from the teachings of these very philosophers who proclaimed and spread the message of liberty and equality.

'Equal Rights' Under French Revolution

With the French Revolution is associated the equality of 'citizen status' which is the basis of all social equality. By creating a state of 'equal rights' for all citizens, the Revolution signaled the advent of a new historical epoch in which natural law ideas of the equal rank of all men became the basis of social organization. For the first time inequalities among men were not thought of in terms of natural and social rights and privileges ; differences in social status were confined to trivial differentiations. From that time on, all men have been held not only to be 'created equal', but also to be sent equal into the unequal world of society. Social differences were not to affect the 'chance' of liberty promised to all.

'Best Will'

While individual liberty and freedom became the 'planche de salut' of all liberal thinking, the State in the estimation of the philosophers, represented what was termed as the embodiment of the people's 'Best Will'.

'State as Benefactor'

The 'Best Will' of the people was crudely defined as akin to a situation in which a man condemned to death was getting hanged by his

own 'best will'. The 'best will' of the individual was, in a sense, his conscience that punished guilt and rewarded merit. This conscience representing the best and the most noble in mankind could be clouded by worldly pressures persuading an individual or group to be evil, felonious and erring. But it never ceased to exist or to occupy an ineffaceable position in the human mind. Cumulatively, the State according to the philosophers, is the supreme conscience keeper of and law giver to an individual, group, society or community. Being the repository of the 'best will', the State protects the people against tyranny within and from invasion and conquest from without. Governments may come and go but the State exists so long as given factors prevail. In the exercise of its functions the State rewards merit, punishes guilt, protects the people from all internal ills and external dangers and frames laws bearing on these fundamental considerations.

Conformity and Deviance

The fundamental consideration in terms of framing social laws was to remove people's behaviour from the randomness of 'chance' and regulate it by established expectations or 'norms'. The compulsory character of these concretised social norms ("institutions") was based on legal sanctions, i.e. of rewards or punishments for conformist or deviant behaviour. Rousseau's 'contrat social' and the 18th century 'contract of government' stressed that every society is a moral community and therefore recognizes norms that regulate the conduct of its members; that these norms required sanctions to enforce them by rewarding conformity and penalizing deviance.

Such was the theory of the State conceived by the philosophers of the 18th and 19th centuries.

President's Definition

President Bhutto in his address to the nation brought out the two fundamental actions of government in every state that hopes to survive: The first of these functions is the preservation of the state and its citizens from external dangers. The second fundamental function of every state is to preserve itself and its citizens from internal dangers. The state must protect itself from internal breaches of peace ranging from simple assault and other private wrongs to treason. It must also prevent any undermining of the social order and at the same time it must keep open the avenues of social progress including the adjudication of disputes between citizens".

'No Social Undermining'

When the President talked about preventing any 'undermining of the social order' and of 'keeping open the avenues of social progress', he evidently had in mind on the basis of his studies in political science the lengthy and undetermined debate among modern political philosophers, on the 'stratification' of society bearing on the problem of inequality.

'Property and Inequality'

The philosophy handed down to the 19th and 20th century thinkers by the Declaration of the Rights of Man and Citizen, 'men are born and remain

free and equal in rights', permitted the assumption that equality of rights and freedom did not mean equality of status and the explanation of inequality in terms of private property remained politically attractive until most of the 19th century. While two great Revolutions, the French and the Russian, were abetted by the association of inequality with private property this thesis has not stood the test of historical explanation.

Russian Example

In Soviet Russia, for instance, 'private property was never completely abolished and Webbs' realization of this on a visit to Russia in the 30s was a refutation of Rousseau's dream of re-establishing the 'natural equality of man' and that of Marx, of a propertyless society. Although private property in Russia is virtually insignificant, the effective force of prestige continues to create a noticeable rank order. Experience in propertyless and quasi-propertyless societies does not confirm the proposition that abolition of private property results in the elimination of inequality.

Lofty Precepts

This brings us back to the lofty precepts of Islam preached by the Holy Prophet of Mecca that equality of opportunity and equality before the law were the pre-eminent concomitants of a society based on justice and the two vital tiers on which the edifice of state and society must stand. What was laid down 1400 years ago as the basis of democracy and freedom, has been proved correct today after historical experimentation and endless philosophical and polemical debate.

This was what President Bhutto probably was alluding to, when he said, in his speech—the administration of justice is an inescapable concomitant of a civilized society. This is part of the basic creed of a Muslim.

Role of Law Courts

"In the process of preserving the State internally, the courts play a vital part. They provide the instrumentality for the trial of disputes between individuals and between the State and individuals for the protection of human beings living in organized society. This makes the administration of justice an inescapable concomitant of a civilized society. This is part of the basic creed of a Muslim. It is repeatedly emphasised in the Holy Quran as one of the highest attributes of man. So it is said in Al-Nisa ; "Yes who believe! Stand out firmly for justice, as witnesses to God, even as against yourself". The Holy Prophet (Peace be on him) is reported to have once equated "an hour of justice with 40 years of prayers".—*President*.

Previous efforts

"A Family Law Commission was set up in 1955 and a Law Reforms Commission in 1959. For a variety of reasons no attention worth the name

had been paid to the subjects of law reforms. Said the President : "some half-hearted action was taken on the recommendations of this commission but it was found to be inadequate. Some of the changes in law made by the Law Commission were not in consonance with its report. Later on they had to be retracted. With a view to these factors we have now proclaimed law reforms which in the main follow the recommendations of the law commission set up in 1967".

PRESIDENTIAL DECLARATION—SALIENT FEATURES

Criminal Procedure

"In the field of criminal procedure, the commitment proceedings have been abolished, the summons-case trial procedure is made the rule in the magisterial courts, while the warrant-case trial procedure will continue in the High Courts and the Courts of Session ; categories of offences which may be compounded have been enlarged, the jurisdiction of the Courts of Session widened and courts in general empowered to punish a person who swears false testimony.

Civil Procedure 'Letters Patent'

"A sharp departure from the old practice is the conferment of revisional jurisdiction on District Judges and the limiting of right of second appeal in certain cases. The Letters Patent appeals in the High Courts have been abolished as also the appeals in suits in which the value of the property is less than Rs.2,000. Provisions have also been made for speedy service of the parties and their witnesses which more than anything else was the prime cause of delay. All these measures should lead to a speedier disposal of cases.

Separation of Judiciary

"A recurrent demand of the people since the days of the British in the Indo-Pak sub-continent has been the separation of the judiciary from the executive. This was introduced by administrative order at one time in the Province of West Pakistan. Soon enough it was found that a half-way house has no benefits, and the *status quo* was resumed. Things were not allowed to rest at that. There came a time when a previous regime not only took administrative steps to tighten the executive power over subordinate criminal judiciary but actually pushed the clock of progress back by the enforcement of the West Pakistan Criminal Law (Amendment) Act which introduced the jirga system which was the very travesty of justice. The dispensation of justice became the hand-maiden of the rulers. Before the law Reforms Commission, 1967 an argument was sought to be made for the retention of special tribunals. The commission, after full consideration, rejected this view, and accepted the popular demand that judiciary be separated from the executive. During the last two years, however, no action was taken on this report and the matter, as it often happens, lay in cold storage.

Law Reforms Ordinance

"The Law Reforms Ordinance, 1972 which is being promulgated today fulfils a long cherished desire of the people. Justice henceforth will be completely independent of the executive and independence is a basic requirement for impartiality.

Enforcement Justice Done

"However, as the separation would involve a huge dislocation of machinery, the Provincial Governments have been empowered to enforce this part at any time upto the 1st January next year. If a Provincial Government is able to do so earlier, it is permissible to enforce this provision forthwith. There would be no hurdle in its way towards the acceptance of the demand. Once accepted and written into law, it would be impossible for any subsequent government to go back upon it. It will become a part of our way of life. The Golden principle that justice is not only to be done but also must be seen to be done has now been implemented. There will be separation of powers in as much as the prosecutors and the judges will henceforth be completely separate. We trust that the stories of police high-handedness and of the perversion of justice will become tales of the past.

Law Commission

"We are setting up a permanent Law Commission with a jurist who is or has been a judge of the Supreme Court to be its Chairman. The members will be experts in different branches of law civil, criminal, commercial etc. Modern concept of Welfare State has led to enormous legislation on a variety of subjects to deal with situations and contingencies that had never arisen before. It also requires scrutiny of the existing laws, which under modern conditions is as necessary as repairs are necessary to a railway, if it has to continue as a going concern. All this requires expert advice and therefore the necessity of a permanent Law Commission.

Defamation

"In certain respects the Ordinance goes beyond the recommendations of the Law Reforms Commission. The Law of Evidence in relation to the trial of civil and criminal cases arising out of statements which are defamatory is being amended so that complainant or the plaintiff is not subjected to scandalous question in cross-examination at the initial stage of the proceedings when the question before the court will be whether the defamatory statement was made and if so whether it was true.

Free Certificate

"The Legal Practitioners and Bar Council Act, 1965 is also being amended to require counsel appearing in any case whether civil, criminal or otherwise to fill up a Power of Attorney signifying his acceptance of brief by him with a certificate separately signed by him, indicating fees settled and paid with balance if any remaining payable.

Grant of Bail

“Provisions with regard to grant of bail of under-trials and convicts whose appeals are pending have been liberalized in more than one respect. For example every accused person must be brought to trial within 6 months of his arrest failing which he shall be entitled to be released on bail however serious the charge against him may be.

“We have Played Our Part”

“We have played our part. It is now for the judges to fulfil their function. However, perfect the law, however high the ideals it will come to nothing if those who administer it do not perform their best. Integrity of character in Judges is a paramount requirement. But integrity ought not to degenerate into licence, impartiality cannot be allowed, to mean perverseness. I attach the highest importance to the selection of Judges. It goes without saying that Judges must be well-qualified. But that is never enough.

Selection of Judges

“It has been said that there is a difficulty in measuring judicial attributes objectively and that in our search for selection of the best judges we are driven inevitably to the best method of selection. More than that we cannot do.

“Good law administered by good Judges and Judicial powers available to the rich and the poor alike, these are the dreams of everyone. The vista is pleasant and I have no doubt that Judges will rise to the occasion. We Muslims have a glorious tradition”.

X. ENHANCED PAY SCALES FOR NCO'S

"ARMED FORCES HELD IN HIGHEST ESTEEM"

New pay scales in keeping with the President's promise were announced by Dr. Mubashir Hasan, Finance Minister on April 13, "to remove the financial hardship of non-commissioned and other ranks military personnel".

Nation's Homage

These were intended to acknowledge the nation's debt to the country's defenders, men who live and fight in bunkers, tanks and lorries, who keep military aircraft flight worthy, who operate guns and batteries, who sail and maintain the navy, who lay down their lives so that Pakistan may live, and who are bound by an iron discipline never to complain and only to obey.

"Finest fighting Force"

Such men have carried the banner of Pakistan aloft in the battlefield regardless of the fortunes of war.

They are the sons of a spiritual tradition that was ruthless in battle, forgiving in victory and unbowing in defeat.

They are of the stuff that President Bhutto has promised to turn into the "finest fighting machine in Asia".

They are, in short, the Armed Forces of Pakistan.

Said the Finance Minister : —

" Eversince assuming office, the President has been giving his undivided attention to reforms directed to benefit the people at large. He has been acutely conscious of the hardships borne by the low paid Government servants. He knows that the rising cost of living had made their lives and the lives of their families more miserable. Some measures to ameliorate their burdens and to remove disparities have already been announced. But it should be appreciated that a cruel deterioration spreading over a quarter of a century cannot be liquidated in a day. A bold beginning has nevertheless been made in the march towards egalitarian justice.

The President has given anxious thought to increasing pays and allowances of low paid employees of the Government. Six weeks back, pay scales of non-gazetted civilian staff were increased. Now the President has been pleased to approve the revision of pays and allowances and other concessions of the personnel below

commissioned rank in the Armed Forces of Pakistan. It is well known that the President holds in highest esteem the valour and gallantry of the fighting forces of our Islamic Republic. He is keen, indeed he is determined now more than ever before to transform the Pakistan Armed Forces into "the finest fighting machine in Asia". This is his pledge to the nation, and whatever the vicissitude, with his characteristic tenacity, the President is resolved to achieve this supreme and sacred objective. To quote napoleon. "An army marches on its stomach". Thus to remove the hardships caused to the non-commissioned officers and other ranks of the Armed Forces, the pays and allowances and other concessions are being increased retrospectively with effect from March 1, 1972.

XI. THE RETURN OF DEMOCRACY

INTERIM CONSTITUTION PASSED

With overwhelming majority the National Assembly elected for the first time on the principle of one man, one vote, gave assent on April 17, to the Interim Constitution of Pakistan.

Martial Law Withdrawn from April 21

This was preceded by the Presidential declaration to remove Martial Law from the country from April 21, four months ahead of schedule.

Past

Behind the declaration and the passing of the Interim Constitution, lay three martial laws, one paper and one imposed constitution and 25 years of chequered history.

Future

In front lay the hope of a people and the consummation of the founder father's dream.

True Democracy

"The government is determined", said President Bhutto, "to redeem all the pledges made to the people and establish in the country true democracy and socialism on the principles of Islam. Let not the people say they have been failed again".

Islamic Character

The Islamic character of the constitution has been assiduously preserved, much as the Quaid-i-Azam and the people, overwhelmingly Muslim, had wished it to be :

" Whereas sovereignty over the entire universe belongs to Allah Almighty alone and the authority to be exercised by the people of Pakistan within the limits prescribed by Him is a sacred trust ;

"Whereas the Founder of Pakistan, Quaid-i-Azam Mohammad Ali Jinnah declared that Pakistan would be a democratic State based on Islamic principles of social justice....."

—*Preamble to the Constitution.*

These words sum up the ideology and *raison d'être* of Pakistan.

They capture in their language the unique phenomena of a State born and preserved, for the first time in legal, constitutional and spiritual history, in the Name and by the Grace of God.

SALIENT FEATURES

President

President of Pakistan to be elected as provided in the constitution, will be a member of the National Assembly.

Explanation by Law Minister, Mr. Kasuri: "the interim constitution is not Presidential in character. It was true there was no mention of 'Prime Minister' being the Chief Executive of the state but the President envisaged in the constitution was a member of the legislature and answerable to it".

2. The President may be impeached on a charge of violating the constitution or gross misconduct as provided in the constitution.

Explanation by Law Minister : "the National Assembly had given the vote of confidence to the President. It could also remove him. It is our intention to have lengthy sessions. We want Parliament to remain in session like the British Parliament".

Cabinet

3. The President to be assisted by a cabinet whose members shall be members of the National Assembly, their salaries being votable.

Explanation by Law Minister, Mr. Kasuri ; "in the Presidential system members of the cabinet were debarred from being members of Parliament and were answerable to the President. Under the interim constitution they are answerable to the President who was answerable to the legislature".

Parliamentary System

4. The National Assembly to have full budgetary control.

Explanation by law Minister ; "the power of the purse was one of the methods to know the character of a democracy. Since it lies in the National Assembly the system obviously is parliamentary".

Vice-President

5. There shall be a Vice-President of Pakistan elected in accordance to the constitution who will be a member of the President's Council of Ministers. The Vice-President shall perform the functions of President when the President is absent from Pakistan or is unable to perform his functions due to illness or any other cause until the President resumes his duties.

Federal Legislature

6. There shall be a Federal Legislature which shall consist of the President and the National Assembly. The National Assembly unless sooner dissolved shall continue for five years from the date of its first meeting under the constitution.

Deadline

7. If the National assembly fails to frame a constitution by August 14th, 1973, the Interim Constitution would automatically become the constitution of Pakistan.

Referendum

8. Provision has been made for the Presidential right to hold a referendum on a particular matter of public importance.

Explanation by Law Minister : "this does not affect the sovereignty of the Assembly. Sovereignty of Parliament could not be independent of the sovereignty of the people. Similar provision would be found in some other constitutions of the world including those of Australia, France and Switzerland".

Supreme Court

9. There shall be a Supreme Court of Pakistan consisting of a Chief Justice and other Judges appointed by the President. The Judges shall be appointed by the President in consultation with the Chief Justice.

Attorney General

10. There shall be an Attorney General appointed by the President who shall be entitled to speak in and otherwise take part in the proceedings of National Assembly.

Governors

11. There shall be a Governor in each Province who shall be appointed by the President and shall hold office during the pleasure of the President. The Governor shall be assisted by a council of Ministers with a Chief Minister at its head to aid and advise him in the exercise of his functions.

Auditor General

12. There shall be an Auditor-General of Pakistan who shall be appointed by the President and shall only be removed from office in a like manner as a Judge of the Supreme Court.

Kasuri's Enunciation

Addressing a Press Conference the Law Minister Mr. Kasuri said "the interim constitution is a liberal document better than the previous constitutions of the country. Any fair judge will give a verdict in favour of the interim constitution. It contains all essentials including the Objectives

Resolution which was one of the finest contributions of the first Constituent Assembly of Pakistan”.

“With regard to the distribution of powers the formula of the Government of India Act in having three lists had been followed. This ensured Provincial autonomy and was a check on the over centralized set-up created by the Constitution of 1962”.

“A twenty-five members Constitution Committee consisting of members drawn from all sections of National Assembly has been officially announced to meet under the Chairmanship of the Law Minister to frame a permanent constitution of Pakistan by general consensus for presentation and discussion before the National Assembly to meet from 14th August.”

FUNDAMENTAL RIGHTS AND PRINCIPLE OF POLICY

Security of Person

No person shall be deprived of life or liberty save in accordance with law.

Freedom of Movement

Subject to any reasonable restrictions imposed by law in the public interest, every citizen shall have the right to move freely throughout Pakistan and to reside and settle in any part thereof.

Freedom of Association

Every citizen shall have the right to form associations or unions, subject to any reasonable restrictions imposed by law in the interest of morality or public order.

Freedom to Trade, Business or Profession

Every citizen, possessing such qualifications, or any, as may be prescribed by law in relation to his profession or occupation, shall have the right to enter upon any lawful profession or occupation, and to conduct any lawful trade or business :

Provided that nothing in this article shall prevent—

- (a) The regulation of any trade or profession by a licensing system ;
- (b) The regulation of trade, commerce, or industry in the interest of free competition therein ; or
- (c) The carrying on, by the Federal or a Provincial Government, or by a corporation controlled by any such Government, of any trade, business, industry or service, to the exclusion, complete or partial, of other persons.

Freedom of Speech

Every citizen shall have the right to freedom of speech and expression, subject to any reasonable restrictions imposed by law in the interest of the integrity, security and defence of Pakistan or any part thereof, friendly relations with foreign States, public order, decency or morality or in relation to contempt of court, defamation or incitement to an offence.

Freedom to Profess Religion and to Manage Religious Institutions

Subject to law, public order and morality:

(a) every citizen has the right to profess, practice and propagate any religion ; and

(b) every religious denomination and every sect thereof has the right to establish, maintain and manage its religious institutions.

Safeguard against Taxation for Purposes of any Particular Religion

No person shall be compelled to pay any special tax the proceeds of which are to be spent on the propagation or maintenance of any religion other than his own.

Equality of Citizens

All citizens are equal before law and are entitled to equal protection of law.

Preservation of Culture, Script and Language

Any section of citizens having a distinct language, script or culture shall have the right to preserve the same.

Abolition of Untouchability

Untouchability is abolished, and its practice in any form is forbidden and shall be declared by law to be an offence.

Islam

No law shall be enacted repugnant to the teachings and requirements of Islam as set out in the Holy Quran and Sunnah, and all existing laws shall be brought in conformity with the Holy Quran and Sunnah.

Explanation—In the application of this principle to the personal law of any Muslim, the expression 'Quran and Sunnah' shall mean the Quran and Sunnah as interpreted by the school of law to which he belongs.

Islamic Way of Life

The Muslims of Pakistan should be enabled, individually and collectively, to order their lives in accordance with the fundamental principles and basic concepts of Islam, and should be provided with facilities whereby they may be able to understand the meaning of life according to those principles and concepts.

The teaching of the Holy Quran and Islamiyat to the Muslims of Pakistan should be made compulsory.

Unity and the observance of Islamic moral standards should be promised among the Muslims of Pakistan.

The proper organization of 'ZAKAT' 'AUQAF' and mosques should be ensured.

Full Treatment to Minorities

The legitimate rights and interests of the minorities should be safeguarded and the members of minorities should be given due opportunity to enter the service of Pakistan.

Education

Illiteracy should be eliminated, and free education up to the secondary level should be provided for all, as soon as practicable.

Riba to be Eliminated

Prostitution, Gambling and Drug-taking to be discouraged etc.

Consumption of Alcohol to be Discouraged

Summing Up

Although interim in character the constitution passed by the National Assembly is unique in the sense that it is designed to meet the particular democratic urges of the country. It is Presidential in character only in so far as it provides for the head of the state also to be the head of the federal government ; but he is to be a member of the National Assembly like a Prime Minister and answerable to the Assembly and removable by it. This is unlike the French and American constitutions which provide for an elected President who is not a member of the legislature ; unlike the British convention which provides for a Prime Minister; but like it, in that the President of Pakistan is answerable to the legislature as much as the British Prime Minister is to his. Since all finance and expenditure is votable by the National Assembly its power is as great as the power of the British Parliament and of the American Congress. The President's right to make ordinances is limited to the time that these are endorsed by the national

Assembly which can refuse to do so. The fundamental rights of the citizen in relation to his liberty, equality of opportunity, equality before the law and protection of spiritual and cultural heritage, are as liberal and unequivocal as permissible under any democratic constitution, subject to the law of the land and morality.

The constitution therefore is both a restoration of the people's rights and a challenge to them to rise up to their responsibilities as citizens of a free country, conscious of their rights as much as of the limitations placed on them by the compulsions of democracy and law and the dictates of personal and collective morality.

Realising that no state can exist in an ideological vacuum, the interim constitution unequivocally brings out its ideological character,

"The Muslims of Pakistan should be enabled, individually and collectively, to order their lives in accordance with the fundamental principles and basic concepts of Islam".

XII. HAJ AND AUQAF

Alongside reforms introduced in various sectors President Bhutto has been conscious of his people's spiritual sentiments.

This is in keeping with his promise enshrined in the Pakistan People's Party Manifesto.

Never since Pakistan's birth has there been until now a Haj and Auqaf Ministry. Auqaf remained a Provincial subject, while Haj affairs were relegated to the level of an attached department.

Despite immense foreign exchange shortage thousands of people were enabled to perform Haj after Mr. Bhutto assumed power.

The previous regime in spite of its promise to send ten thousand Hajis whose names had come out in the ballot did not honour its commitment.

Only three thousand intending pilgrims were sent while seven thousand were stranded.

President Bhutto allowed not only these seven thousand to proceed but gave permission to another 24 thousand to perform Haj this year.

This figure includes three thousand pilgrims from East Pakistan who were given free rations and other facilities by the Pakistan Government during their stay in Saudi Arabia.

The President has now constituted a Central Haj Committee which includes Scholars, Divines and people's representatives. This Committee will plan arrangements for Haj next year.

President Bhutto's belief in equality is truly Islamic. This is in line with the tenets meticulously practiced by the Saints of the sub-continent.

To them, therefore, he gives all honour and his recent orders for effecting repairs to their shrines is in this context. Recently he has donated a sum of Rs. 1 lac to the shrine of Hazarat Data Ganjj Bakhsh. Another one lac has been donated for the upkeep of the Shrines of Bhitshah and Baba Buleh Shah. By his orders the works of these Saints will be translated into all regional languages of the country.

The Auqaf Department has been directed to compile the biographies of the Saints and throw light on their works and achievements for the people's benefit.

Very recently the President donated a sum of Rs.50,000 to a Jamia Masjid in Sind, Rs. 25,000 each for the upkeep of the shrines of Rahman

Baba and Khushal Khan Khattak in the N.W.F.P. Besides this a sum of Rs. 50,000 was also given to the Mahabat Khan Mosque in Peshawar and a donation of Rs. 50,000 for the shrine of Khawja Wali in Quetta.

XIII. PEOPLE'S WORKS PLAN

"SOCIO-ECONOMIC WELFARE FOREMOST GOAL"

Massive Programme

A massive nation-wide People's Works Programme (PWP) is being launched by the Government shortly to exploit the manpower potential of the country.

Finance Minister's Elucidation

Elucidating the PWP's purposes, the Finance Minister in a letter addressed to all MNAs on April 14, said " the PWP proposes to encompass all the rural, urban and metropolitan areas of the country in as many sectors of development as possible. It has been decided to consult MNA's on various facets of the programme so that due not could be taken of the varied social economic and cultural patterns obtaining in different areas of the country. This would enable the government to finalise a programme most suited to the people's need. An effective means of adequately overcoming capital scarcity is the mobilization of unemployed manpower existing in different sectors of the national economy".

Scope

For implementing the programme the country will be divided into three broad habitation categories.

Villages up to a population of 5 thousand; towns and large cities.

At every Halqa level a village shall form the basic territorial unit.

The entire adult population of the village will constitute the general body. The village will elect a people's village council. The leader of the council will act as the secretary of the PWP.

Says the finance Minister "It has been further suggested that the persons elected to the district council will have an organization at halqa level which will constitute a group of villages. In this way, in every district there will be as many halqas as the number of district councillors.

" It has been also suggested that a pool of engineering, medical, educational services etc. be available at district and municipal level. Detailed manuals for the operation of various levels of organization and implementation of specific projects will be prepared, containing technical, financial and other details for each type of work to be undertaken, such as development of land, houses, for specific fields of development.

Women may be Associated

“Another suggestion is that women should be associated actively with community work if they desire to do so. In all other cases women should be encouraged to actively participate in cottage industries for women as well as other small industries. The type of programmes in which participation of women should be encouraged must be determined by requirements of the areas as well as social traditions and norms.

Job Opportunities

“A works programme of this magnitude can be expected to have a truly healthy impact on the nation’s economy. In employment terms it will mean a big increase in new job opportunities, especially for technical personnel”.

Local Resources

“The Programme will mobilize local resources and motivate the people for a massive productive effort so that the process of development gets institutionalized and is associated with a large segment of the population. It will also provide opportunities for constructive leadership and draw upon local initiative to the maximum extent.”

Skill Formation

“It would generate confidence and self-reliance among the masses through proper training and skill formation so that they become worthwhile productive assets for the country. It will also avoid bureaucratic waste, leakage, delays and defects in old style working in which various vested interests were wither directly or indirectly involved.”

The programme has been prepared on the following premises :

Premises

There exists considerable unemployment and under-employment at present which can be tapped for the building up of the economy. There is need for an effective nucleus of planning and development at the local level.

There is scope for raising additional financial and power resources for development at the local community level.

No Forced Labour

There shall be no forced labour. All labour will be paid for in proportion to its contribution to work. Contribution in kind or in labour would be accepted in lieu of cash or dues.

Joint Enterprise

It would be a joint enterprise of the Government and the people. The Government will be the catalytic agent and initiate the programme and also provide administrative, technical, legislative and limited financial support as and when required within a well-defined and coherent framework. The people will however contribute the large share through their contribution in cash or kind and would also be primarily responsible for identifying the projects in the programme as well as in executing these in an efficient manner.

Dormant Talent

The programme will tap the vast resources of organizational and management talent in the country which at present are either dormant or are finding expression in non-productive and wasteful channels.

Generation of Money Incomes

To avoid inflation, cash payments will be kept to a minimum. Projects will be of short gestation and the increase in real production resulting from these would provide the countervailing cushion to the general of money incomes stemming from the implementation of the programme.

` Massive `

The overall size of the programme will be truly massive, much larger than what has ever been planned or implemented in any less developed country so far. An idea of the size may be gained from the planned targets which envisage that within a few years a majority of households in Pakistan will have a house for themselves. No hawker or vendor will be without a shop, illiteracy will be wiped out, communicable diseases will have been controlled, etc.

Principal items

The principal items under the proposed programme are housing, shops, community workshops, poultry, fish culture, distribution of essential commodities, brick-making, cottage industries for export, clothes making, work suited for women such as embroidery, bee-keeping, water courses, afforestation in larger tracts, tree planting everywhere, road-making, street-paving community buildings, literacy drive, education drive, drainage and sanitation, mass surveys, mass immunization, construction of irrigation and drainage channels, play grounds and games cultural activities, and small dams.