

VOLUME XIX

JANUARY-JULY 1984

NUMBER 1—2

**JOURNAL
OF
RESEARCH**
[HUMANITIES]

Edited by
SIRAJ-UD-DIN



**UNIVERSITY OF THE PUNJAB
LAHORE**

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Printed by Javed Iqbal Bhatti at the Punjab University Press, Lahore, and
published by Mr. Muhammad Ismail Bhatti for the University of the Punjab,
Lahore - Pakistan.

Z-215



UNIVERSITY OF THE PUNJAB
LAHORE

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THE IMPACT OF EUROPEAN MEDIAEVAL MINIATURE PAINTING ON THE MUGHAL SCHOOL

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The Mughal School of Painting was an off-shoot of the Persian School, but with the passage of time it came to absorb more and more of Indian influence, and to assume a distinct character. Another influence on the Mughal Paintings was of European Paintings, and at a particular period Mughal miniatures had a very close similarity with European miniatures in matters of composition, colour, line, aerial and linear perspective, animals and birds, and treatment of the subject-matter. The impact of European influence has always been recognized, but the fact that it was the result of miniature paintings rather than oil painting has not been fully stressed.

Mughal Emperors showed great interest in the subject of limning,¹ an obsolete name of illuminated manuscripts or Miniature Paintings. There are many interesting accounts of discussions between the English Ambassador Sir Thomas Roe and the Emperor Jahangir on the subject of Miniature Paintings. "The ambassador had many interviews with the Emperor, most of them fruitless as far as the main purpose of his mission was concerned, but they discussed many subjects outside the matter of his business, and one of these led later to several interesting situations. This was the subject of Painting."² Sir Thomas Roe relates that the Emperor Jahangir was extremely delighted to know that Roe himself had a small collection of miniature paintings prepared by the English and French artists, which he had brought with him from his country. One hearing this "the Emperor sent for the ambassador, late at night asking him to bring a picture which he had not shown before; Jahangir wished to have it as a gift, or, if he could not get it, to have copies

made for his wives. Roe took two pictures, one an English miniature (presumably by Hilliard, Oliver, or one of that School) and the other an oil painting by a French artist. Jahangir did not like this last, because it was in oil, but coveted the other."³

There are several other interviews of the same kind also recorded by Roe. The European miniatures shown to Emperor Jahangir were very good ones, and he liked them very much; these included some from the leading English miniaturist, Isaac Oliver.⁴ Even "as a young man Jahangir was attracted by the pictures brought by the Jesuit missions, and seems to have made friends with its members on that account. In 1602 it is related that he wore around his neck a locket containing miniatures of Jesus and the Virgin, and to have displayed even a greater desire for objects of a similar nature than his father."⁵ Jahangir's successor Shah Jahan also showed a great liking for miniature painting. Roe records "The Ambassador had presented the heir-apparent with a silver watch, very small, which he took kindly; but would see the Pictures I showed his father the night before, if I had given him, he would have better accepted than any thing; demanding if I had no more." The young emperor-elect was obviously as greedy as Jahangir to possess examples of the European miniature painters art."⁶

These examples show the keen interest and love the Mughal Emperors had for miniature paintings. It was probably due to a common element which existed in both the schools of art; i.e. the art of book illustration.

It is worth noting that European settlements existed in India even before Mughals came to power. The Europeans had already settled in India from the time of the Portuguese navigator Vasco da Gama in 1498.⁷ Later on, they established factories at Cochin, Calicut and Goa, and had direct trade relations with India. Their churches were decorated with religious paintings, but these did not in any way influence Indian Painting. The Mughal Emperors were the first to show interest in European art, especially in European miniature painting, and Western influence was

manifested for the first time in the Mughal School of Painting. Akbar's enthusiasm for their art and culture made a favourable opening for Europeans in the Mughal Court. During his reign Western influence was transmitted through the Portuguese, especially the Jesuit missions to the Mughal Court in 1580-83, 1591, and 1595-1605.⁸ The Mughal artists copied their works, with the result one could see a significant change between early and later works produced in the reign of Akbar. "Hamayun and Akbar in a garden pavilion"⁹; Plate I is representative of early work of the Mughal School. The entire painting is completely Persian in character, the composition, the figures with their costumes and head-dresses, the architecture with its decorative motif, the cypress tree, the narrow strip for the sky painted in gold, the painting from several eye-levels so that one can see the inside as well as the outside of the building, and the flat linear treatment are all derived from Persia. In fact the only thing Indian is the Peacock. Compare this with Plate II, "The Story of the Unfaithful Wife."¹⁰ One is struck by some very obvious stylistic changes in the painting. The use of subtle modelling completely changes the character of painting from flat to three dimensional. This change in Mughal School of Painting, brought it very close to the mediaeval miniature painting of Europe: note particularly the figures of women, their dresses, and the figure milking the cow, Plate II, as can be seen very clearly by comparing with Plate VIII, Figure 1.¹¹ The drawing of the dog in Plate II (Mughal) and in Plate III (European)¹² has a very close similarity in resemblance and character. The sky in both the paintings is painted as a narrow strip and stars are painted on the top, whereas the rest of the paintings have been treated as if it is a day scene. It was a common and symbolic way of representing night scene in Indian, Persian, Mughal and Mediaeval Miniature Paintings.

The depiction of the birds with great love and sympathy is a common feature of both Mughal and European Miniature paintings, as can be seen in Plate IV, Figure 1,¹³ and Figure 2.¹⁴ The grouping of the crows, the minuteness of detail, and realistic approach is identical and possibly

one is derived from the other. The Cow, Plate II, without hump is Western in character. In the indigenous school the cow was invariably painted with a hump.

Water was stylized in the Persian and indigenous schools. Mostly it was painted in zig-zag lines, in scroll or semi-circle, dissecting each other, and if fish were painted that were always shown on the surface. In the depiction of water, the Mughals were influenced by the European miniature painters, who painted it realistically as can be seen in Plate VIII Figure 1, and Figure 2.¹⁵

The art of miniature painting and love for it reached its climax during the reign of Jahangir. The paintings of this period are much closer to European miniature paintings than to Persian. Still they retain their own individuality. This aspect can be seen clearly in Plate VI¹⁶ and Plate VI. Both the paintings depict genre scene. The figures are full of expression and fully convey the essence of the subject-matter. The colour scheme in each one of the paintings is harmonious and subdued. The sky is treated realistically in a narrow strip. The folds are simplified with subtle modelling and employment of aerial and plain air effect. The things at the distance are smaller in size. The bushes in the foreground of Plate V and Plate VII¹⁷ are identical in execution. A comparison of expressions on the faces of the figures playing trumpets in Figure 1 and the figure playing Shahnai in Figure 2¹⁸, Plate X are similar in execution, and there is hardly any difference in their facial expressions. The embroidery work on the clothes worn by the person in Plate IX Figure 1¹⁹ reflects European influence, (compare with Figure 2).²⁰

Shah Jahan's interest in the miniature painting has already been mentioned. His primary interest, however, was architecture. During his reign, the effect of excessive European influence on miniature painting resulted in disintegration of the unity attained during Jahangir's reign. The damage caused to the miniature painting by the excessive European influence in the reign of Shah Jahan is evident from the painting "Night

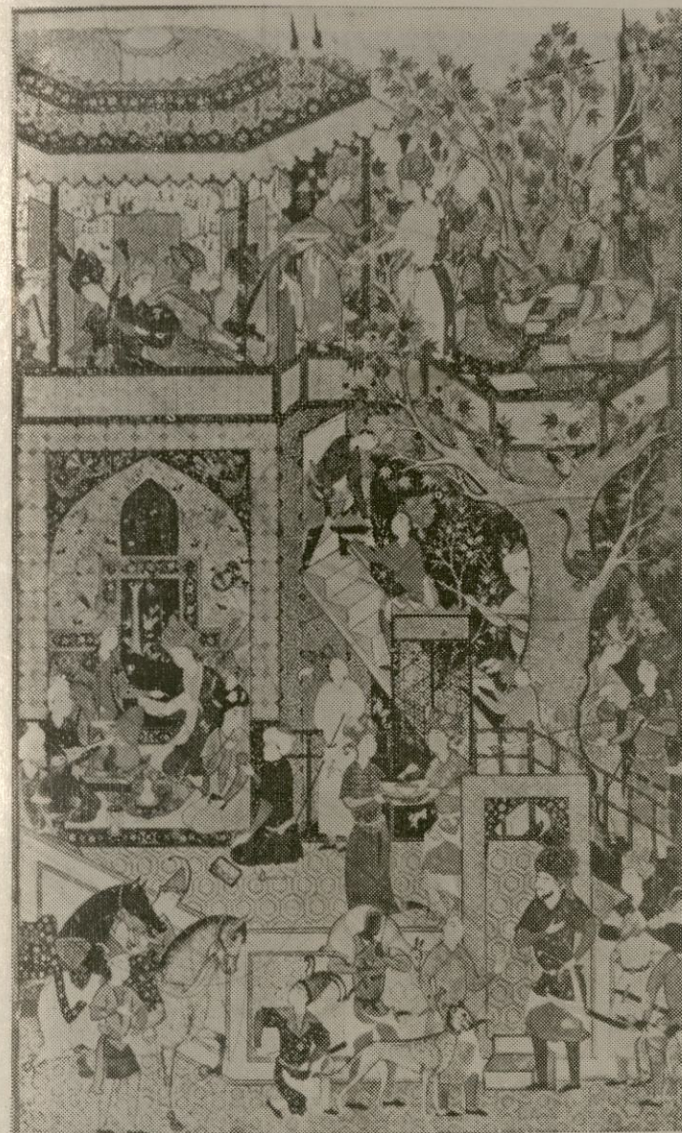
Scene; priests in council."²¹ It gives the effect of an oil painting rather than miniature. This increase in the European influence is also visible in other paintings painted during his reign. The treatment of background and figures becomes different, and their more and more employment linear and aerial perspective, angels, winged figures, floating clouds and an increase in the use of shadows, and in the process the first vigour and spontaneity was lost to a considerable degree. During the reign of his successor, Aurangzeb, interest in miniature painting declined further, resulting in the ringing of its death bell. "The Emperor Aurangzeb at the siege of Bijapur"²² is a representative painting of this period. It is divided into two distinct parts. The lower part is close to miniature painting in technique whereas the upper half is closer to the oil painting of Europe. Such a lack of harmony is indicative of an art in decay and indeed it marks the end of Mughal Painting as a vigorous art.

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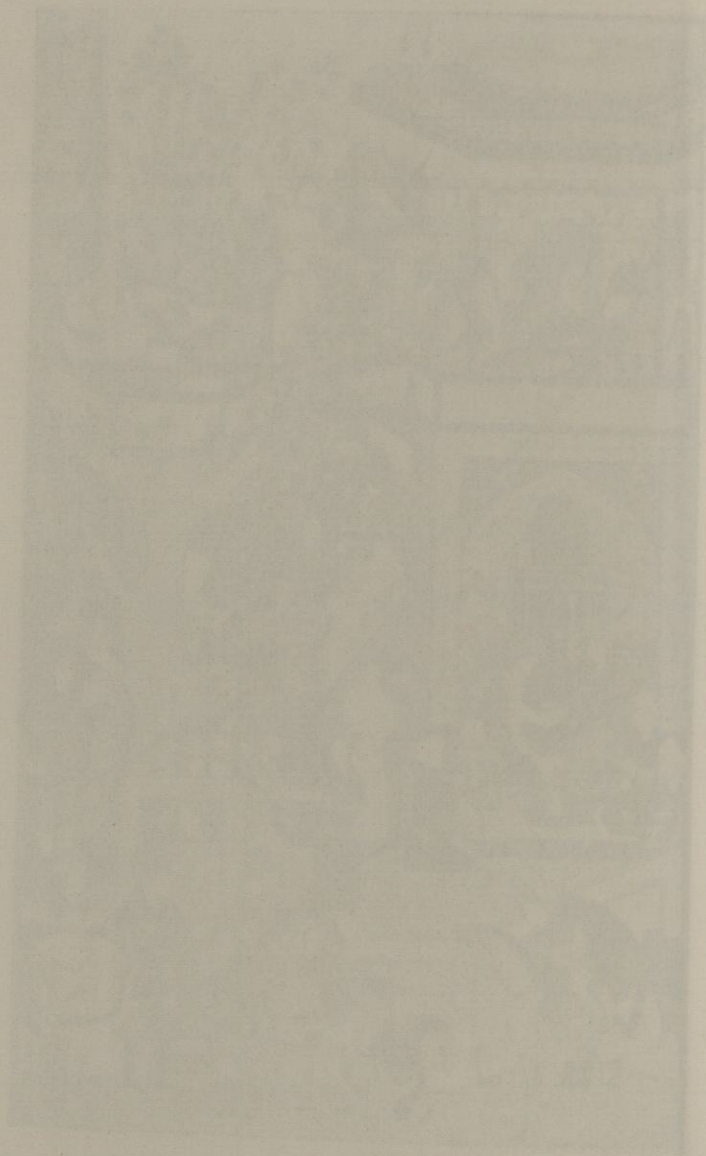
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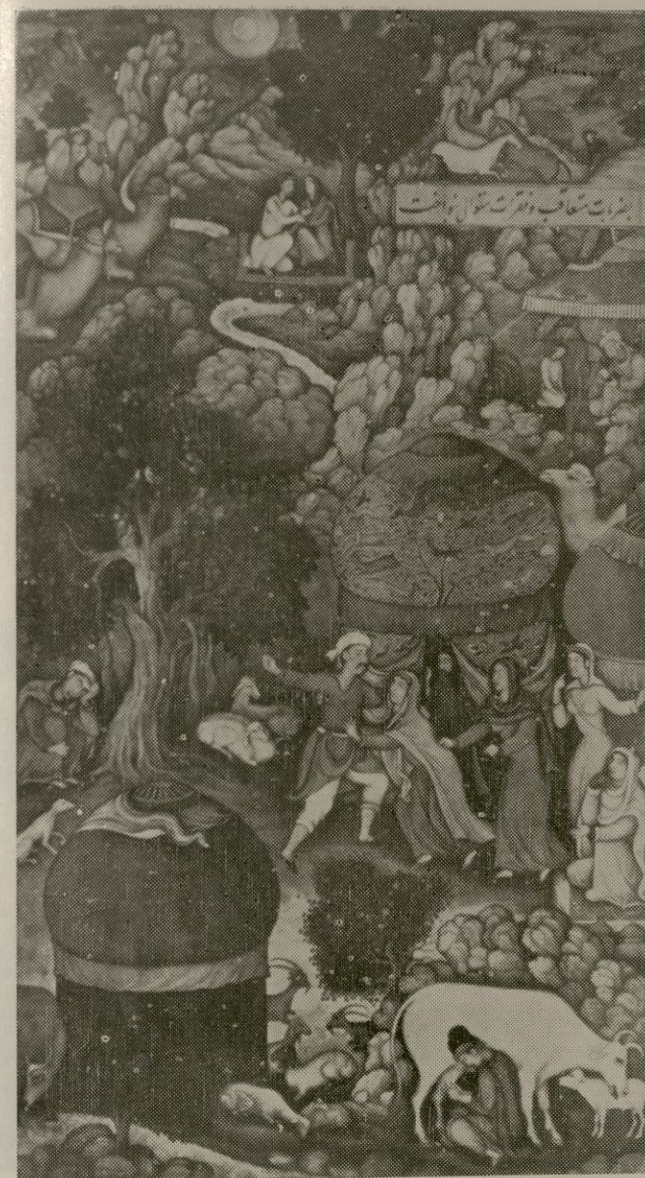
"Hamayun and Akbar in a garden pavilion."

PLATE I

PLATE II



"The story of the unfaithful wife." (1595 A.D.)
 PLATE I



"The story of the unfaithful wife." (1595 A.D.)
 PLATE II

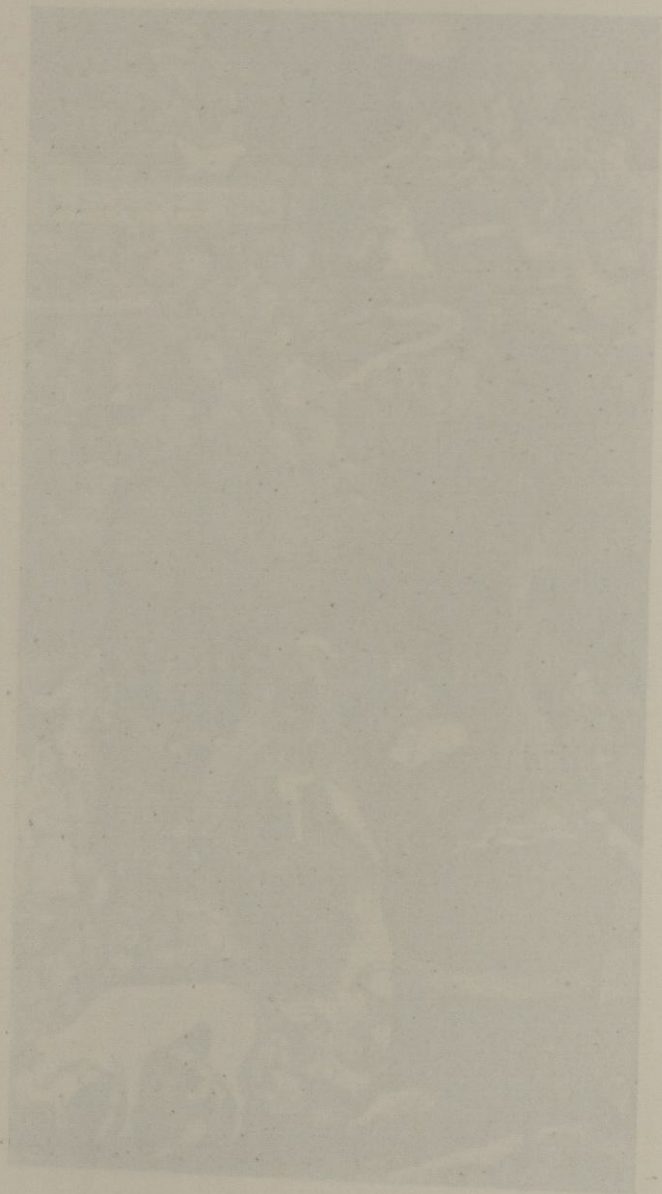


PLATE II
 "The story of the wandering wife." (13th A.D.)



"Salman offers his book to Charles VI." (Early 15th century).
 PLATE III

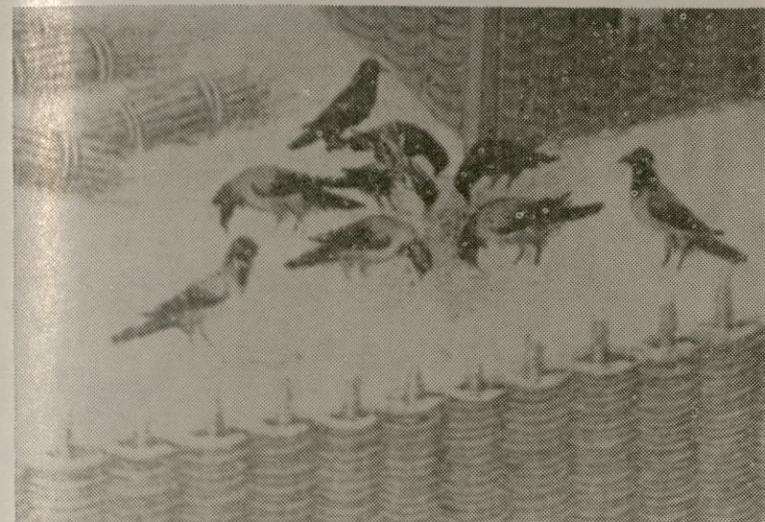


Fig. 1. "The Month of February" (1411—1416 A.D.)
(Portion of Plate VI enlarged)

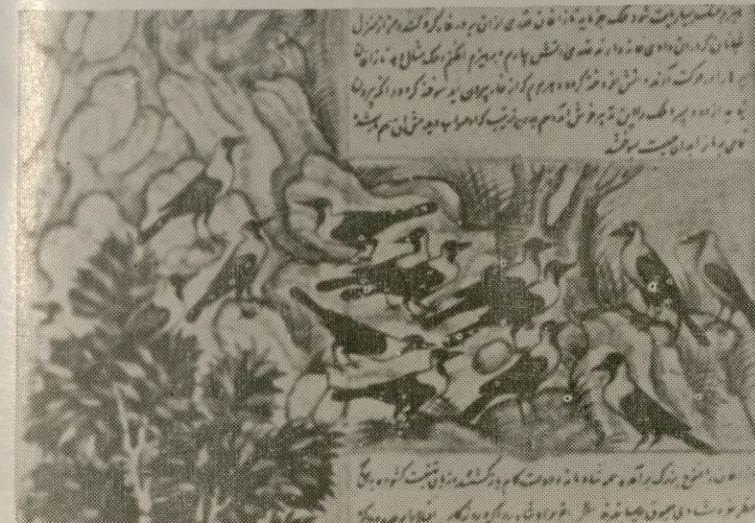
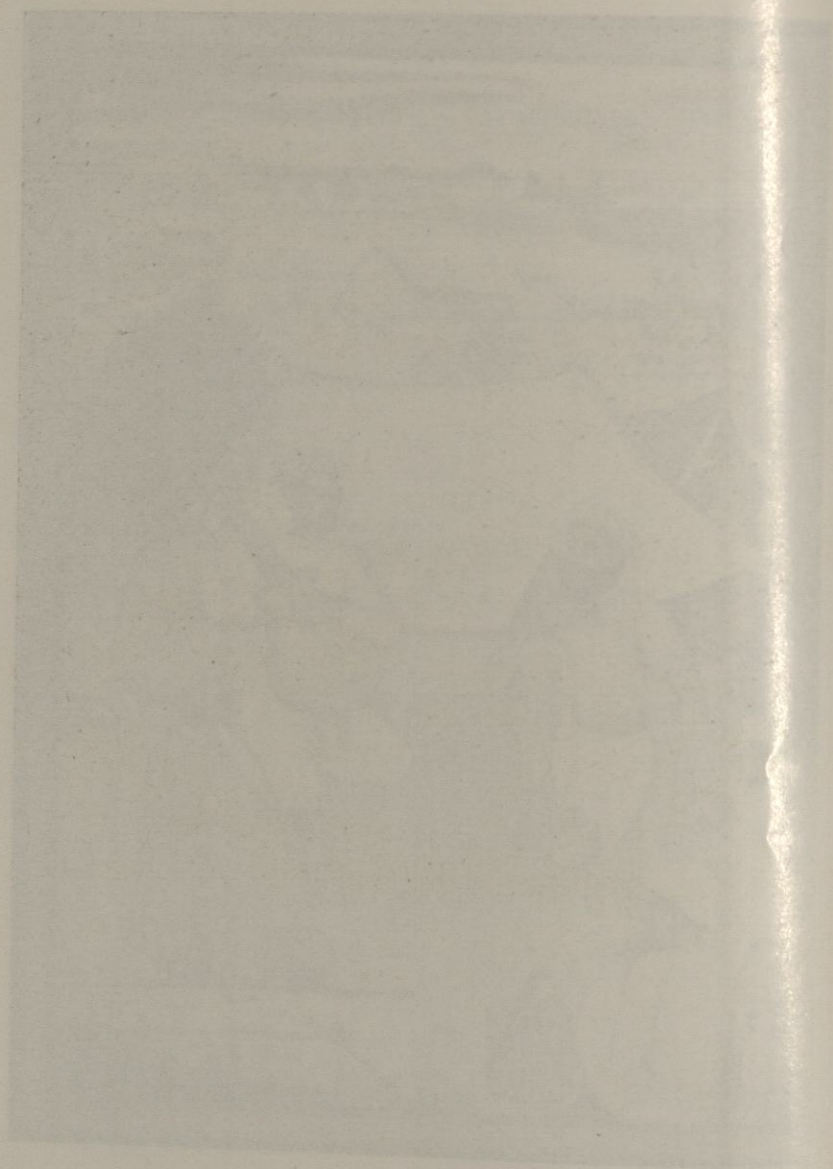


Fig. 2. "The crows destroying the owls." (Portion enlarged).
PLATE IV



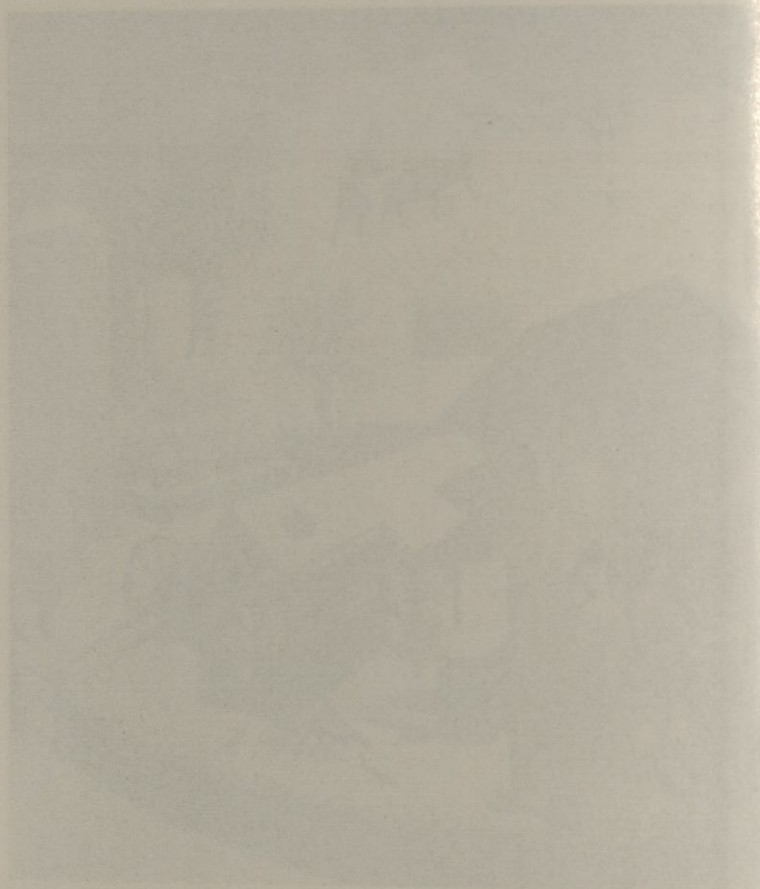
"A group of servants."
PLATE V



“The Month of February.” (1411—1416 A.D.)
 PLATE VI



“The Month of February.” (1411—1416 A.D.)
 PLATE VI



"The Month of February," (1410 A.D.)
PLATE VI



"May-Day excursion," (1410 A.D.)
PLATE VII

"The Month of February," (1410 A.D.)
PLATE VIII



Fig. 1. "St. Waudru arriving in Hibernia." (1455—1468 A.D.)
(Portion enlarged)



Fig. 2. "Akbar crossing the Ganges" (About 1600 A.D.)
(Portion enlarged)

PLATE VIII

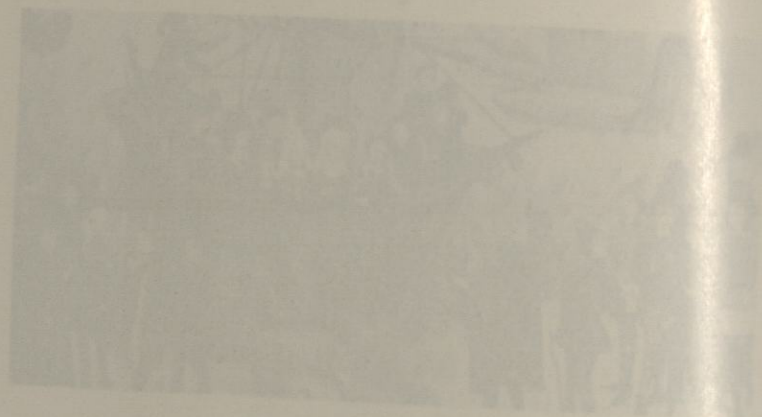


Fig. 1. "Wanda's arrival in Hibernia." (1432-1448 A.D.)
(Portion enlarged)

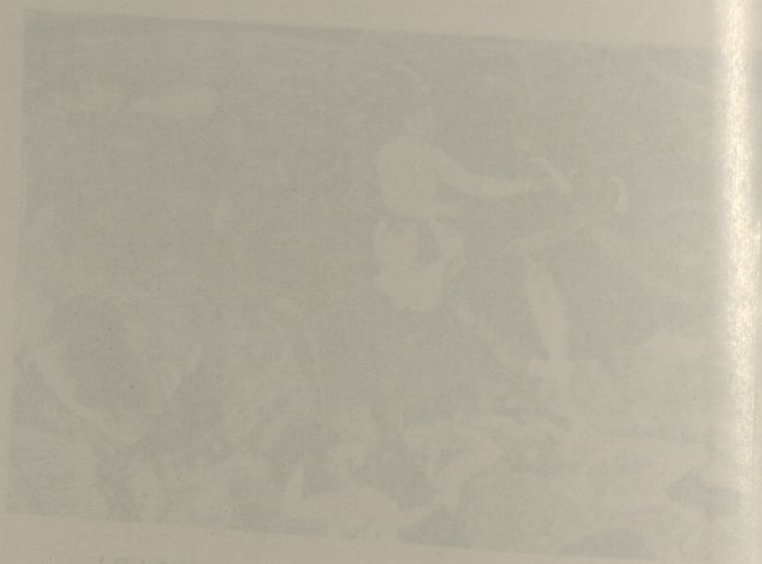


Fig. 2. "Aster's arrival in Hibernia." (About 1400 A.D.)
(Portion enlarged)
PLATE VIII



Fig. 1. "Portrait of an unknown man."



Fig. 2. "January" (1411-1416 A.D.) (Portion enlarge)
PLATE IX

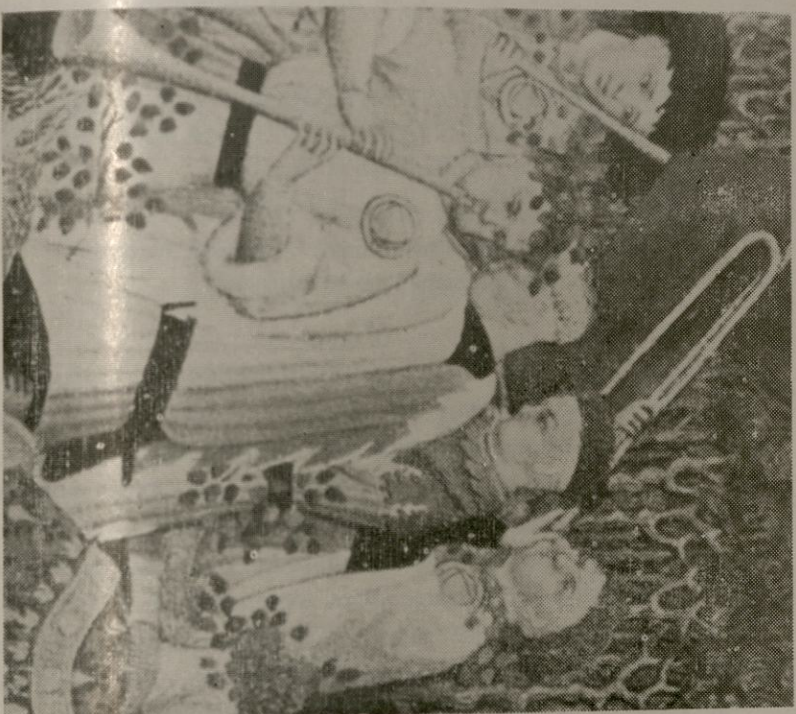


Fig. 1. "May-Day excursion." (1410 A.D.)
(Portion enlarged)



Fig. 2. "Processional scene at the court of Jahangir." (1605 A.D.)
(Portion enlarged)

PLATE X

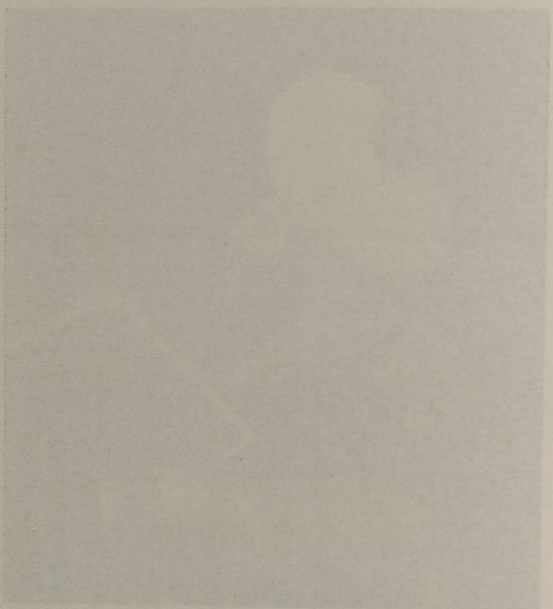


Fig. 1. "May-Day excursion." (1410 A.D.)
(Portion enlarged)

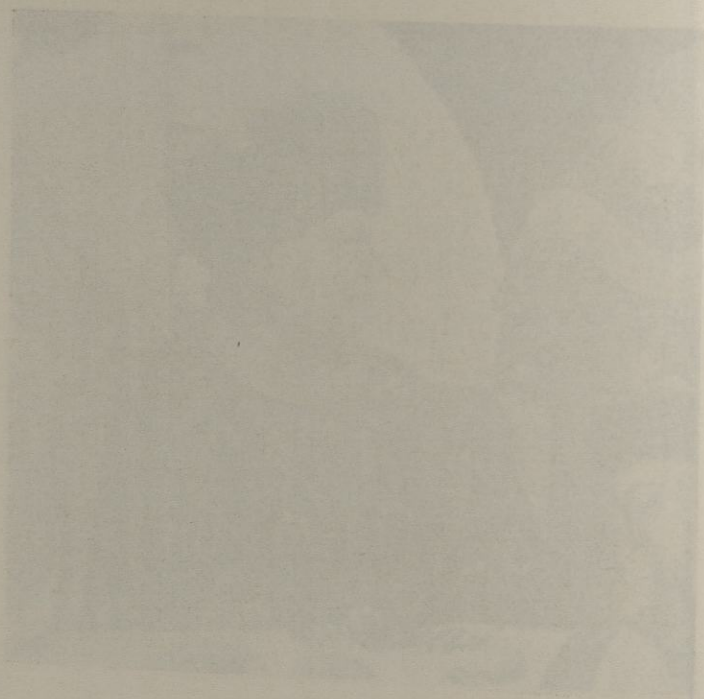


Fig. 2. "Processional scene at the court of Jahangir." (1605 A.D.)
(Portion enlarged)

PLATE IX

**JUDICIAL REVIEW AND THE COMPARATIVE STUDY
OF PAKISTAN AND UNITED STATES JUDICIAL BRANCH
OF GOVERNMENT***

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I

Legal Scholars and men of learning in the East as in the West have characterized the Supreme Court as the great political invention. The Supreme Court has further been appraised as the most successful contrivance. Both in the United States and Pakistan, the court is more securely lodged in the confidence of the people than the other two branches of the Government.¹ In Pakistan the Supreme Court functions more or less on the same basic patterns as the American Supreme Court. They both function on the basis of an inevitable mechanism of a federal states, as guardians of the civil rights. Both the Supreme Courts consider the Maxim *Salus populi est suprema lex* (the safety or welfare of the people is the Supreme Law) as their guiding rule.

Most of the problems of modern society, whether of industry, agriculture, or finance, or racial interactions or the eternal conflict between liberty and authority, as Felix Frankfurter writes, become sooner or later legal problems for ultimate solution by the Supreme Court.² Decisions of the Supreme Court, "may require other institutions to come to grips with an issue they have ignored; the legitimacy conferred by victory in court may be useful in attracting members and resources and mobilizing others. For example (in the U.S.) the civil rights decisions... contributed to the growth of civil rights organization... that became active in the streets as well as in the Congress."³ Thus Supreme Court becomes instrumental in the influencing national Policy Making.

*In case of Pakistan, the time-period is restricted till the functioning of 1973 Constitution.

Unlike the executive and legislature, the Supreme Court never takes the initiative. It only acts when it has a case, and the Court must wait till litigants bring cases before it. It is then that the Judges express their wisdom on the multifarious aspects of human complexities.

For academic purposes, the Supreme Court in the United States as well in Pakistan, is regarded as a Constitutional Court.⁴

The tendency to view the Court as a unique and relatively isolated body is largely the result of its power of judicial review in the two countries. The power to declare acts of legislature unconstitutional makes the Supreme Courts of the United States and Pakistan different from the highest courts of most other nations. For example the judicial review of legislation is unknown to the United Kingdom — the 'mother' of common law.

II

United States' Supreme Court

The Supreme Court derives its powers directly from the Constitution in the judicial system of the United States. Article III, Section 1, and Article I, Section 8, of the Constitution of the United States of America provide for a system of Courts as follows :

"The judicial power of the United States shall be vested in one Supreme Court, and in such inferior Courts as Congress from time to time ordain and establish."

"The Congress shall have power to constitute tribunals inferior to the Supreme Court."

It is Article III, Section 2, of the Constitution which describes the powers of the Supreme Court as follows:

"The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority;

to all cases affecting Ambassadors, other public Ministers, and Consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more States; between a State and Citizens of another State; between Citizens of the same State claiming lands under grants of different State, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects."

"In all cases affecting Ambassadors, other public Ministers, and Consuls, and those in which a State shall be party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions and under such regulations as the Congress shall make."

In short, the jurisdiction of the Supreme Court can be defined as follows : (i) It has original jurisdiction in all cases against Ambassadors, other public Ministers and Consuls, and in a case in which a State is a party. (ii) It has appellate jurisdiction in all other cases to which the judicial power of the United States extends : the Supreme Court has appellate jurisdiction, both as to law and fact.⁵

Chief Justice Marshall sustained appellate jurisdiction in 1810 in the case of *Fletcher v. Peck*. Now United States Code, Title 28, Sections 344, 861 (a) and 861 (b) defines this jurisdiction : "It provides for an appeal from a final judgement, decree, or decision in the highest appellate Court of the State in which a decision in that case or suit could be had deciding against the validity of a treaty or statute of the United States or deciding in favor of the validity of a State statute on the ground of its being repugnant to the Constitution, treaties or laws of the United States."

The creation of the Supreme Court with its appellate powers was "the greatest conception of the Constitution."⁶ The original jurisdiction is vested by the Constitution itself, without power of Congress to

qualify or regulate it. In appellate jurisdiction, the Supreme Court holds it both as to law and fact, with such exceptions and under such regulations as the Congress shall make, thus giving to the Congress a very large discretion in the limitation of the jurisdiction of the Supreme Court and in the regulation of such as it generally exercises. In the Act of 1789, and of the other Acts of Congress upon this subject, the discretion of the Congress has been largely exercised in limiting and excepting from its appellate jurisdiction a large number of cases. The appellate jurisdiction of the Supreme Court and the original jurisdiction of other Federal courts is capable, under the Constitution, of greater enlargement than has been prescribed in the Acts of Congress.

It was, as one jurist wrote, "the intention of the framers of the Constitution that the judicial power should be the protector of the Constitution against violation by either of the other departments, or by the States."⁷

The American judiciary like that of Pakistan has no army or police force to execute its mandates or compel obedience to its decrees. It has no control over the purse strings of the government. Those two historic sources of power rest in other hands. The strength of the judiciary is in its respect and prestige. Respect and prestige do not grow suddenly; they are the products of time and experience. But they flourish when judges are independent and courageous. The judiciary is in a high sense the guardian of the conscience of the people as well as of the law of land.⁸

Judges of the United States have enjoyed the highest respect, and have received the greatest moral support from the bar and the public in the performance of their duties.⁹ Independence of judiciary can be best judged from the remarks of Chief Justice Marshall in the Virginia State convention in 1829-1830.

"The judiciary department, comes home in its effect to every man's fireside; it passes on his property, his life, his all. Is it not to the last degree important, that he (judge) should be

rendered perfectly and completely independent, with nothing to influence or control him but God and his conscience."

Two leading cases that established the doctrine of Judicial Review in the United States of America, are :

1. *Marbury v. Madison* : 1 Cranch 137, (1803).
2. *McCulloch v. Maryland* : 4 Wheat, 316, (1819).

Main motive behind the Judicial Review is to safeguard the Constitution which is paramount over ordinary or statutory law. Ordinary law, must be consistent with the Constitution. In any political system, no matter how developed, "the boundaries separating Constitutionally permissible behaviour from that which is Constitutionally proscribed are imprecise enough to cause occasional controversy,¹⁰ and to resolve that controversy, the judicial review plays its part.

There are different schools of thought giving their opinions on 'Judicial Review'. The issue which they tried to settle was : was it the intention of the Founding Fathers to invest the Supreme Court with the power to nullify acts of the Congress which in the opinion of the Court, are repugnant to the Constitution? Some have confined while some have qualifiedly denied, the courts' authority to exercise judicial review. Others have so interpreted the doctrine of judicial review as to severely restrict the scope of its application.¹¹ Whatever the thinking remains, the hard fact is that the Supreme Court of the United States has acquired the power of judicial review and it has been applied since Marshall's days.

Under the theory of the separation of powers the judiciary department must stay within the bounds of its Constitutional power and cannot exercise those powers¹² which are to be found in the other two departments of government,¹³ such powers as are normally legislative¹⁴ or powers which are generally executive in their nature or powers¹⁵ which are, by specific constitutional provision, conferred on a department other than the judiciary.¹⁶

In performing the judicial function of declaring what the law is, the judiciary department must accept the law as it is imposed by the proper law making power,¹⁷ the judiciary cannot, on the other hand, in declaring what the law is disregard the presently existing law by reason of considerations based on public or human grounds;¹⁸ nor should the judicial department in performing such function be influenced by considerations of popular opinion or approval.¹⁹ The court held in *State v. Shumaker*, 157 NE 769 as follows :

"It may be that a decision so reached may not meet with general public approval, but courts should be indifferent to any consideration of that nature. The trend and weight of public opinion and sentiment on questions of importance is subject to change; but sound legal principles found on reason and justice should never change. It is, therefore, apparent that courts cannot be servants of the people in the sense that they must conform their decisions to meet the decisions of any class or even of a majority of the people."

The masterly judgement of Chief Justice Marshall in *Marbury*, decided many vital Constitutional questions. To narrate in his own words :

"The phraseology of the Constitution of the United States confirms and strengthens the principles, supposed to be essential to all written Constitutions, that a law repugnant to the Constitution is void ; and that courts, as well as other departments, are bound by that instruments. The judicial power of the United States is extended to all cases arising under the Constitution."²⁰

Marbury v. Madison was the first important case in which the principle of judicial review of an act of Congress was involved. A section of the Judicial Act of 1789 which conferred the power on the Supreme Court to grant the writ of Mandamus was declared unconstitutional.²¹ Professor Alexander M. Bickel commenting on the above case said :

"The institution of the judiciary needed to be summoned up out of the Constitutional vapors, shaped, and maintained; and the great Chief Justice, John Marshall . . . not singlehanded, but first and foremost . . . was there to do it and did. If any social process can be said to have 'done' at a given time and by a given act, it is Marshall's achievement. The time was 1803; the act was the decision in the case of *Marbury v. Madison*.²²

Since the case of *Marbury v. Madison*, the right of the United States courts to declare acts of Congress unconstitutional has never been disputed. The Court succeeded in asserting the right of the national judiciary, and of itself on appeal, to compel officers of the United States including cabinet officers, to perform all ministerial acts that the laws of the United States required of them.²³

The Supreme Court according to Robert G. McCloskey is "like the American political system of which it is a part, proceeds by impulse rather than by design, pragmatically rather than foresightedly. Like the United States, the Court derives advantages from this approach; but like the United States, the Court, too, is bound by its limitations."²⁴

Since about 1937, the Court has been rebuilding its Constitutional dwelling place, knocking down obstruction here, building a new road there, in response to a bewildering succession of conflicting impulses. Vast new areas of Constitutional supervision have been opened in such decision as *Palko v. Connecticut*,²⁵ *Burstyn v. Wilson*,²⁶ and *Brown v. Board of Education*,²⁷ to name only three among many. Other regions, once significant, have been closed off to judicial intervention: the fields of the national commerce power and of economic due process are the standard examples. Still others have been temporarily opened, then more or less firmly shut again or vice versa. The development has been accompanied by one or more Court opinions offering a particularized justification.²⁸

There have been in history serious challenges to the judicial set up of

the U.S. For example, President Roosevelt's plan to 'pack' the Court. He was convinced that the groups in American society who has benefited most from the reform statutes and by the same token presumably had suffered most from judicial nullification—would back him up.²⁹ "It failed because it struck at the independence of the Court—and in so doing aimed a harder blow at the Constitution than any of the blows struck by the wrongheaded Court majority."³⁰

In spite of all its strength, Supreme Court has never claimed to have unlimited powers in interpreting the Constitution, it has for its own governance developed a series of rules. Justice Brandies defines those rules as follows :

- (a) "The Court will not pass on the Constitutionality of legislation in a friendly, non-adversary proceeding."
- (b) "The Court will not anticipate a question of Constitutional law in advance of the necessity of deciding it."
- (c) "The Court will not formulate a rule of Constitutional law broader than is required by the precise facts to which it is to be applied."
- (d) "The Court will not pass upon the validity of a statute on complaint of one who fails to show that he is injured by its operation."
- (e) "The Court will not pass upon the Constitutionality of a statute at the instance of one who has availed himself of its benefits."
- (f) "It is a cardinal principle that a statute will, if fairly possible, be construed so as to avoid a question of Constitutionality."

The function of the Supreme Court throughout American history had been to give meaning to the great silences of the Constitution. William F. Swindler observes :

"The function had been performed by the Court from the time

of John Marshall, and had varied as the national frames of reference had varied from Marshall's era of a coalescing nation to the economic centralization of the United States of Waite and Fuller. The twentieth century had experienced the reform arguments of the progressive era, the decade of normalcy under Taft, the revolutionary transition over which Hughes had presided, the cold war of the Truman and early Eisenhower years, until the emergence of the concept of a national citizenship with its rights protected by a Federal rule of law, in the jurisprudence of the sixties."³¹

The conclusion appears to be fully warranted that the Supreme Court of the United States was meant to be the head of a unified American system of administering justice. This fact, once quite generally recognized, though by some men very unwillingly, "is now, apparently, not so much as dreamed of, even by the Supreme Court itself."³²

III

Supreme Court of Pakistan

In the 1973 Constitution of Pakistan, there is no article corresponding to Article III, Section 1, of the Constitution of the United States, which provides that judicial power of the United States shall be vested in one Supreme Court and in such other Courts as the Congress may from time to time ordain and establish. There is, however, in it a provision for the establishment of the Supreme Court of Pakistan,³³ a definition of its powers and jurisdiction and also a provision for the establishment of the four High Courts of each Province, and in a limited way, a description of their powers and jurisdiction.

Pakistan Supreme Court derives its powers in detail. Article 175, reads as follows :

1. "There shall be a Supreme Court of Pakistan, A High Court for each Province and such other courts as may be established by law."

2. "No court shall have any jurisdiction save as is or may be conferred on it by the Constitution or by under any law."³⁴

Article 184 is about the original jurisdiction of Supreme Court. It says :

1. "The Supreme Court shall, to the exclusion of every other court, have original jurisdiction in any dispute between any two or more Governments."

Explanation : "In this clause, the 'Governments' means the Federal Government and the Provincial Governments."

2. "In the exercise of the jurisdiction conferred on it by Clause 1, the Supreme Court shall pronounce declaratory judgements only."

3. "Without prejudice to the provisions of Article 199, the Supreme Court shall, if it considers that a question of public importance with reference to the enforcement of any of the Fundamental Rights conferred by Chapter I of Part II is involved, have the power to make an order of the nature mentioned in the said Article."³⁵

The Appellate jurisdiction of the Supreme Court is given by Article 185 of the Constitution, which describes it as follows :

1. "Subject to this Article, the Supreme Court shall have jurisdiction to hear and determine appeals from judgements, decrees, final orders or sentences of a High Court."

The above mentioned Article goes on to define the powers of the Supreme Court in detail; which are not relevant here for our purpose.³⁶

The Supreme Court is the highest judicial authority in Pakistan. Its pronouncements are constitutionally declared binding on all organs and authorities set up under the Constitution,³⁷ and these cannot be challenged by them on any ground whatsoever the only way to do this is to commence Review Proceedings before the Supreme Court itself.

IV

Supreme Court of Pakistan's Approach to U.S. Case Law

It was during the second Martial Law (1973) that Judges of the Supreme Court of Pakistan unanimously declared that Martial Law was illegal; and held the ex-Military President Yahya Khan as a Usurper. With that the Court took a giant stride in restoring its credibility as the supreme defender of the Rule of Law.

The American experience has been an important persuasive authority as to basic theory of Judicial Review. The influence of the United States judiciary on Pakistan's highest Court of law, if not massive, has been quite tangible.

Judges of the Supreme Court of Pakistan fully realise that both independence of judiciary and just laws are most essential. Independence of the judiciary, in the absence of just laws, and just laws, in the absence of independence of judiciary, cannot guarantee a just administration of law. "Modern judiciary strives to achieve legal justice i.e. justice according to law."³⁸

The feature embedded in the judicial mechanism in Pakistan which promoted the growth of judicial review is the considerable respect and influence that the judiciary (at higher level) commanded in the socio-political structure of Pakistan.³⁹

Pakistan's eminent Jurist, A.K. Brohi, while discussing the powers of the judicial system of Pakistan writes :

"If the government is to be government of the laws and not of men, the laws must be made, and after they are made, since they act not self-enforcing, there must be some organ of the sovereign power within the State to which should be assigned the duty of enforcing them."⁴⁰

The Courts in Pakistan are of the view (by observing the court

decisions, as above that any violation of the rights of citizens by anybody, no matter whether by a private individual or by an instrument of bureaucratic 'empire', must be justified with reference to some law of the country. The assumption seems to be the outgrowth of the concept of due process of law as interpreted by the United States Supreme Court.⁴¹ The highest court in Pakistan has also emphasized that there is no inherent power in the executive except what has been vested in it by law, and that law is source of all power and duty.⁴²

The superior courts in Pakistan have made efforts to educate the bureaucracy to act according to the Maxim: *Nemo debet Esse Judex in Propria Causa* (no man can be a judge in his own cause).⁴³ This principle was made applicable to all tribunals and bodies having jurisdiction to determine judicially the rights of parties.⁴⁴ The public officers were advised not to do anything which might even create a suspicion that there had been an improper interference in the cause of justice.⁴⁵

Public administration in Pakistan was exposed by the judiciary to the need for the application of the concept of 'equal protection of law'—a term borrowed from the fourteenth Amendment of the Constitution of the United States. Section 1, of the said amendment is as follows:

"... No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

The above amendment was interpreted by the Supreme Court of the States in a variety of circumstances—too voluminous to be mentioned here. Nevertheless, the basic principle of 'equal protection of law' was always kept in mind. The Supreme Court of Pakistan in one case defined the concept in the following words:

"Equal protection of law means that no person or class of persons shall be denied the same protection of the laws which is enjoyed by other persons or other classes, in like circumstances, in their lives, liberty and property and in pursuit of happiness... The guarantee of equal protection of the laws requires that all persons shall be treated alike, under like circumstances and conditions, both in the privileges conferred and in the liabilities imposed."⁴⁶

In *Abul A'la Maudoodi v. Government of West Pakistan*, the Chief Justice of Pakistan takes guidance from the case law of the United States. He writes:

"...I may here cite in support a short passage from the judgement of the United States Supreme Court in the celebrated case of *Yick Wo*."⁴⁷

In the same case the Chief Justice takes another example from the United States case law to support his arguments. He defines in the following words:

"...Whatever constitutional rights were involved, the United States Supreme Court has always upheld the power of judicial review by fresh appraisal or evidence as well as law, while at the same time giving due weight to administrative finding that have been reached after hearing and receipt of evidence. But where no constitutional right was involved, judicial review has been confined to the record of the hearing and evidence before the agency and to determination whether there was excess of power."⁴⁸

The Supreme Court of Pakistan made successful efforts in the above case, to prevent the shrinking of the sphere of public liberties.

The judges of the Supreme Court struck down an attempt by the executive to ban the JAMA'AT-E-ISLAMI. The opinion of the Court

became a land-mark in the development of public liberties. It was suggested that the judiciary has the general right to review administrative action. The development of judicial review was traced and found that it developed gradually, from case to case, in response to the pressures of particular situations, the teaching of experience, the guidance of ideas and general principles, and the influence of legislation.⁴⁹ Power of judicial review is available to Courts, it was said, in relation to matters which are not expressly governed by statute or other law.⁵⁰

Justice Jackson of the United States, pointed out in *West Virginia State Board of Education v. Barnette*, the object of the incorporation of fundamental rights thus :

"The very purpose of a Bill of Rights is to withdraw certain subjects from the vicissitudes of political controversy, to place them beyond the reach of majorities and officials and to establish them as legal principles to be applied by the Courts. One's right to life, liberty and property, to free speech, a free press, freedom of worship and assembly, and other Fundamental Rights may not be submitted to vote, they depend on the outcome of no elections."⁵¹

Taking the above United States case in consideration, the Supreme Court of Pakistan pointed out in *Jibendra Kishore v. The Province of East Pakistan*, that :

"The very conception of a fundamental right is that it being a right guaranteed by the Constitution cannot be taken away by the law, and it is not only technically inartistic but a fraud on the citizens for the makers of a Constitution to say that a right is fundamental but that it may be taken away by the law."⁵²

The judiciary, in Pakistan appears to be equally dedicated to the cause of Constitutionalism as that of the United States. In *State v. Zia-ur-Rahman*, the Chief Justice of the Supreme Court remarked :

"In exercising this (judicial) power, the judiciary claims no supremacy over other organs of the Government but acts only as the administration of the public will. Even when it declares a legislative measure unconstitutional and void, it does not do so, because, the judicial power is superior in degree or dignity to the legislative power; but because the Constitution has vested it with the power to declare what the law is in the cases which come before it. It thus merely enforces the Constitution as a paramount law whenever a legislative enactment comes into conflict with it because, it is its duty to see that the Constitution prevails. It is only when the legislative fails to keep within its own Constitutional limits, the judiciary steps in to enforce compliance with the Constitution"⁵³

Constitutionalism found expression in the rulings of the Superior Courts that rights guaranteed to the citizens by the Constitution should be respected by the executive. It is suggested that the executive should always be on its guard and "to exercise its powers under the law with due care and caution", so that its orders did not impinge on the rights guaranteed by the Constitution. This was held in *Qari Abdul Hameed Qadri v. District Magistrate, Lahore*.⁵⁴

In 1969 Martial Law imposed by Yahya Khan was continued by Z.A. Bhutto, when he assumed power on the 20th of December 1971. Mr. Bhutto became the first civilian Chief Martial Law Administrator in Pakistan. Martial Law of 1969 (as continued by Mr. Bhutto) was challenged in the Supreme Court. The Supreme Court declared Martial law illegal and General Yahya Khan as Urrper.

American judicial experience did play its part in the decision, as relevant cases of the United States were put forward in support of arguments.

The Supreme Court of Pakistan observed in *Asma Jilani v. The Government of the Punjab*.⁵⁵

on a similar point, it is an equally well-established principle that where the Civil Courts are sitting and civil authorities are functioning the establishment of Martial Law is, in this sense, always a judicial question, for, the Courts have always claimed and have in fact exercised the right to say whether the necessity for the imposition of Martial Law in this limited common law sense existed."⁵⁶

".... No single man can give a constitution to the society which in one sense, is an agreement between the people to live together under an order which will fulfill their expectations, reflect their aspirations and hold promise for the realisation of themselves. It must, therefore, embody the will of the people which is usually expressed through the medium of chosen representatives."⁵⁷

".... A person who destroys the national legal order in an illegitimate manner ... should be tried for high treason and suitably punished."⁵⁸

The Chief Justice of Pakistan had United States in mind when he remarked about the jurisdiction of the Supreme Court in the above case. He observed :

"The Courts undoubtedly have the power to hear and determine any matter or controversy which is brought before them, even if it be to decide whether they have the jurisdiction to determine such a matter or not. The superior Courts are, as is now settled, the Judges of their own jurisdiction. This is a right which has consistently been claimed by Supreme Court and other Courts of superior jurisdiction in all civilised countries."⁵⁹

The Supreme Court of Pakistan also expressed :

"The American view, as given in the Corpus Juris, Secundum, is clearly to the same effect that 'the validity of Martial Law is always a judicial decision' ... The American Courts from the

case of *Ex Parte Milligan* decided in 1866 have consistently maintained that 'Martial rule can never exist where the Courts are open.'⁶⁰

The 'grabbing of power' and installing himself as the President and Chief Martial Law Administrator of Pakistan by General Agha Muhammad Yahya Khan by the Proclamation of 1969 having been declared by the Supreme Court to be entirely illegal. The question arose whether everything (legislative measures and other acts) done during his illegal regime, whether good or bad, can be treated in the same manner and branded as illegal and of no effect. It was held by the Supreme Court as follows :

"Grave responsibility, in such circumstances, rests upon Courts not to do anything which might make confusion worse confounded or create a greater state of chaos if that can possibly be avoided consistently with their duty to decide in accordance with law. Acts done by those actually in control without lawful authority may be recognized as valid or acted upon by the Courts within certain limitations, on principles of necessity. There is no doubt that a usurper may do things both good and bad, and he may have during the period of usurpation also made many Regulations or taken actions which would be valid if emanating from a lawful Government and which may well have, in the course of time, affected the enforcement of contracts, the celebration of marriages, the settlement of estates, the transfer of property and similar subjects.

All these cannot be invalidated and the country landed once again into confusion?"⁶¹

The doctrine of necessity was put forward by the Chief Justice of the Supreme Court. He supported his views from the case law of the United States (after the civil war). He observed :

"... Such a principle, has also been adopted in America in various cases which came up after the suppression of the rebellion of the Southern States and the American Courts too adopted the policy that where the acts done by the usurper were 'necessary to peace and good order among citizens and had affected property or contractual rights they should not be invalidated', not because they were legal but because they would cause inconvenience to innocent persons and lead to further difficulties."⁶²

In the recent case of *Begum Nusrat Bhutto v. Chief of Army Staff*⁶³ it was held by the Chief Justice of Pakistan that the imposition of Martial Law stands validated on the doctrine of necessity. It was further held that, "the legal consequences of such a change must... be determined by a consideration of the total milieu in which the change is brought about, including the motivation of those responsible for the change, and the extent to which the old legal order is sought to be preserved or suppressed."⁶⁴

One of the judges (Muhammad Akram, J.) mentions and analyses number of American cases⁶⁵ to bring home the contention that :

"There is no reason to believe, ... that judicial review of Government actions in an emergency should depend in any way on whether there had been a declaration of Martial Law or on whether the emergency measures were carried out by military or civilian authorities. In either case the standard should be the measure to restore order."

Justice Akram analysis the American cases ; *Korematsu v. United States*,⁶⁶ and *Hirabayashi v. United States*,⁶⁷ as follows :

"The Supreme Court (U.S.) decided the constitutionality of emergency measures taken by the Federal Government during wartime, the Court undertook an independent, albeit restrained, inquiry as to whether there was a reasonable basis in fact for the

conclusion that the measures were 'necessary' to meet the particular dangers posed by the emergency situation"

Conclusion

The case law of the United States has been, if not an infallible guide, certainly a most welcome aid and assistance for the Judges of the Supreme Court in Pakistan. This is especially true where the question of Judicial Review was involved, as we have noted in the above pages.

The intervention by the Courts in Pakistan during the various Constitutional crisis and on matters of civil liberties, to attempt to restrain the illegal powers of the government have been influenced by the decisions of the Supreme Court of the United States in similar circumstances. It is regrettable that the principle of judicial intervention in such matters has not been accepted more readily by the past governments of Pakistan.

Pakistan is lucky to have a special skill group as McWhinney writes, highly trained in the theory of law and government and with some experience also in its day to day working.⁶⁸ This group of lawyers have from time to time brought important matters before the Supreme Court of Pakistan. The Court in its turn, has responded positively. In his regard many fundamental changes in the law, politics and social arrangements were made by the Supreme Court of Pakistan.

Judges of the Supreme Court of Pakistan have very closely observed the American case law as already said before and have applied its basic principles while deciding the important and vital cases.

Although the Pakistan Supreme Court is in no way bound by the decisions of the Supreme Court of the United States, still, it would need some courage for any Judge in Pakistan to decline to accept the interpretation placed upon the United States Constitution by great a Judge as long as 1803.

It is accepted by the Judges of Pakistan that the doctrine of judicial review has reference to all important method of securing the supremacy

of the Constitution by means of judicial recognition and enforcement of the requirement of the Constitution.⁷⁰

The confidence of the citizen in modern government is increased by more, rather than less, judicial review of the administrative process. It assures that basic unfairness will be corrected. The Administrator who knows he must ultimately account to a judicial body for his action will tend to be a more responsible public official.⁷¹

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SIKH ATTITUDE TOWARDS PUNJAB'S PARTITION DURING 1945-47 : AN ANALYTICAL STUDY

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In 1539, when Baba Guru Nanak breathed his last at the age of seventy, he left as his sacred legacy a new faith which, though confined to the Punjab only, was destined to play an important role in Indian history.¹

Guru Nanak was deeply imbued with Islamic teachings and ideas of great Muslim saints and scholars. According to Gurmit Singh, "If we make a comparative study of the glorious Quran with teachings of Sri Guru Granth Sahib Ji, we notice that the basic truths presented by each are the same."² So, Guru Nanak can be termed as a remarkable product of the Bhagati Movement, which owes its beginning to the reaction against the narrow-mindedness of the Brahminas, and the caste-ridden, decadent Hinduism.³

Universal love, equality and brotherhood, preached by Muslim saints and Monotheists was his mainstay.⁴ He has an uncompromising belief in the one-ness and omnipresence of God. His concept of God is summed up in the Mool Mantra, the verse which precedes the poem, Japji, the early morning hymn :

"There is One God

His Name is Truth

The All-pervading Creator,

Without fear, without hatred

Immortal, Unborn, Self-existent ;

By grace, the Englightener,

True in the beginning, true throughout the ages,

True even now, Nanak, and forever shall be true".⁵

Condemning idol worship, he termed it as vain and futile.⁶ This aspect of his teaching brings Sikhism close to Islam.⁷ Though under the succeeding nine Gurus Sikhism under-went a change in its outlook; compulsion of time turned Sikhs against the Muslims. They also remained totally aloof from the Hindus and preserved their separate social and religious identity.⁸

Against this background, the Sikh scholars of the later period always stressed their separate identity and Sikh leaders during the formative phase of the freedom struggle in India termed their community as a nation totally distinct from the Hindus. This fact is proved by the statements of influential Sikh leaders like Giani Kartar Singh and Master Tara Singh.⁹

Sikhs rose to power under Maharaja Ranjit Singh, who ruled Punjab from 1780 to 1839.¹⁰ But his rise, being totally guided by the events of that time, could not provide a strong base for Sikhs to retain their rule for a long time. So, soon after his death, the Sikh Kingdom fell to pieces and proved to be the only Sikh state worth the name in their long history.¹¹ The fall of their Kingdom in the Punjab was such a severe blow, politically and culturally, that the Sikhs could not recover from its consequences during the long years to come.

After the British occupation of the Punjab in 1849,¹² the only course left to them was that of total loyalty to the crown. One whole century under the British rule proved sufficient to make Sikhs a docile and contented lot, pinning all their hopes on the British. Even in 1857, when whole of India waged a war against the foreign ruler, the Sikhs remained totally indifferent to the hopes and aspirations of the freedom fighters, providing full support to the British in overcoming them.¹³

The Sikhs adopted the same attitude in 1947, when the British withdrew from the sub-continent. It seems that one hundred years of subjugation and the patronage of the British had made them so dependant on the foreign rulers that they could not comprehend an India without

the British Raj. Thus, as the following pages show, they were almost unconcerned about their future, while the Hindus and Muslims prepared for the task of filling the vacuum to be caused by the British withdrawal.¹⁴

Round about 1945, when the freedom struggle in the Indian sub-continent entered its final phase, all concerned parties—the British, the Congress and the Muslim League—had fully recognised the fact that the Sikh community had to play a decisive role in the shape of things to come. But, unfortunately, the Sikhs themselves, as the events showed, were not able to comprehend their own importance. This fact is also recognised by Lord Wavell, the then Viceroy of India. He writes: "I thought that the Sikhs if they played their cards well, could exercise and influence in the Punjab far beyond their numbers."¹⁵

Why the Sikhs could not play their cards well and exercise their influence and why they could not hear the call of the time, is a sad tale that had far-reaching influence not only on the fate of the Sikh community itself but on Pakistan as well. So a critical study of this formative phase in Sikh polity is of special interest in the context of the Pakistan movement.

It must be noted here that the Sikh leadership at this stage had gone into the hands of three leaders who enjoyed tremendous influence on their community. The first was Master Tara Singh, who had by that time, become the unquestioned King of this community. Second was Sardar Baldev Singh, a multi-million industrialist and Defence Minister in the Interim Government under Pandit Jawahar Lal Nehru. The third was Maharaja of Patiala, who as Sikh Jathedar and ruler of the largest Sikh state in India, enjoyed tremendous influence over his co-religionists.

The British were aware of the Services rendered by the Sikhs for the Empire and were of the view that Sikhs could also be useful for them in future. So the British Government tried to assess their position and aspirations. First of all, the British Government put forward a proposal,

which aimed at grouping all the Sikh States in the Punjab, where they were to be in total majority. Lord Wavell writes in his diary, July 16, 1946: "Left Simla yesterday and called on H.H. Maharaja of Patiala at Chail on the way down. I had an hour's talk to him about the possible grouping of Sikh states and the problems of the Sikhs generally. He was sensible but nothing new came out of it."¹⁶ So a precious chance made available to the Sikhs was lost.

Sir Winston Churchill, the great British Statesman, was also fond of Sikhs due to their services during the 2nd World War. Other British leaders were also of the same view. They knew that the Sikhs, hard-working, brave and loyal, could render the same services to the empire in years to come. Even at that time, thousands of Sikh soldiers were rendering valuable services to the defence of Malaya and Singapore. They wanted to cement those ties, so that the British may be able to count on their services in times of need. They were keen to do something for the Sikhs.

So at the end of 1946, when all leaders from the Sub-Continent were in London for talks with the British Government, the Sikh representative happened to be Sardar Baldev Singh. The British asked Sardar Baldev Singh to extend his stay for two days and consult the British Government and the Muslim League so that a way could be found out to ensure a respectable place for the Sikh community in the future India. But Sardar Baldev Singh on the behest of Nehru declared that Sikhs had no claim whatsoever. If they had any claim, they could settle in with Congress directly and not through any other party. So the Sikhs lost another chance.

The first chance was lost a few months earlier when the Cabinet Mission, led by Sir Stafford Cripps, visited India. The mission had frank talks with the Sikh delegation led by Sardar Baldev Singh. Sir Cripps told him that H.M. Government was keen to see the Sikh community flourishing with respect and honour and make its future secure. Sardar Baldev Singh made a plea for the establishment of a Sikh State.

But Sir Cripps was of the view that such a state carved out at the expense of other communities could not be able to survive long. On the other hand, it would negate all the essentials required for statehood, as Sikhs did not enjoy absolute, even simple majority in any part of India, or even Punjab. In spite of this the British Government was prepared to mark out the area from Panipatt to Nankana Sahib as an exclusive Sikh Zone.

This area, though not an independent state but totally reserved for the Sikhs, would be able to join any succeeding dominions. But the Sikh representatives insisted for a larger portion, the area from Panipatt to Jhelum. Thus the proposal was dropped.¹⁷

At a later stage, Master Tara Singh gave the details of his talks with Sir Cripps to a friend. According to this friend, Sardar Gurbachan Singh, Sir Cripps had argued that even a smaller Sikh state, lying between India and Pakistan, would be a great source of strength for them. Both India and Pakistan would try their best to have friendly relations with it and each would try to keep it away from the other. America and Britain would provide technical aid for its development. But Master Tara Singh insisted that the Sikhs would remain with the Hindus.

Sir Cripps tried to convince him for two days, but with no effect. When Masterji tried to contact him again, he refused to meet him with a comment that Master Tara Singh had betrayed his nation.¹⁸

Upto the time, it had become clear that all front-line Sikh leaders had pinned their hopes on the Congress and acknowledged it as the future master of India.¹⁹

It appears that the Sikh leaders were not serious about their future. A Sikh historian, Khushwant Singh, remarks: "Sikh leaders did not press the case for a Sikh State with sincerity. No one took their line of approach seriously."²⁰ Master Tara Singh, the Akali leader, was made to believe by the Congressites that Hindu-Sikh Unity was a historical fact and that the fate of the Sikhs lay with the Hindus and the best they could do for themselves was, that they should not allow a Muslim State to emerge.

Sardar Baldev Singh had some personal motives of his own. He was more interested in his capital invested in Tata Steel Mills than in any thing else.²¹

So was the case with Maharaja of Patiala, who, being the head of the largest Sikh State, enjoyed special status in Sikh polity. Some Sikh leaders tried to convince him and arranged his meeting with the Quaid-e-Azam in mid-1946. Along with some Muslim and Sikh officers in the Indian Civil Service, he reached Patiala. During a fairly long dialogue, the Quaid-e-Azam argued that Sikhs like Hindus and Muslims, are a separate nation, but have no majority in any part or province in India. So they are not entitled to a separate state or Khalistan. Neither the British nor the Hindus would agree to their claim. But the Sikhs still had a chance. Quaid's contention was that the Sikhs could have a claim for greater Patiala, comprising of the area lying between Ravi and Jamnna rivers. Its ruler, being a Sikh Jathedar (Head of the community) could proclaim as its Raj Parmukh (Head of Government). So far as the government of Pakistan was concerned, it would provide all facilities to this Sikh state and would even guarantee its defence needs. But the Maharaja, not interested in the scheme, asked for some more time. And a few days later his Sikh Chief Minister passed all the details of this scheme on to the Congress leaders.²²

This is also testified by Mr. Mehar Chand Mahajan, a former Chief Justice of India, who later wrote : "The Maharaja of Patiala, as a patriotic Indian, scornfully rejected Jinnah's offer of a Sikh state at the sacrifice of his own state, throne and power."²³

The Muslim League, particularly the Quaid, had foreseen that the Sikhs occupied a unique position in the Punjab. So they tried again. "Not once, but on several occasions, the Quaid made a gesture to the Sikh community, which, however, was not reciprocated."²⁴

The same gesture was made in May 1947 as well, when the Quaid was at Lahore. He had detailed talk with Master Tara Singh and the Maharaja

of Patiala. His proposal was that the Sikhs should not press for Punjab's partition, but let the whole of Punjab remain in Pakistan. And the Muslim League, on its part, would guarantee that :

1. Sikhs will enjoy full internal autonomy and the status of a sub-nation with Pakistan.
2. The area lying between Ravi and Jamnna rivers is recognised as Sikh Motherland.
3. Sikhs will have 33 per cent seats in the Punjab Assembly.
4. They will have 20 per cent seats and rights in Pakistan and the same ratio will apply to the Supreme and High Courts.
5. Sikhs will have 40 per cent quota in Pakistan's Armed Forces and its High Command.
6. No Legislation in Pakistan, described by the Sikhs against their interests and declared as such by the Highest Court in Pakistan, will be promulgated.²⁵

The Quaid was of the view, and he made it clear later, that in case Muslims and Sikhs are reconciled, the later will drop the idea of Punjab's division and thus Bengal will remain intact. The proposal to divide the province was accepted by the British only to placate the Sikhs. But by carrying out this proposal, the Sikhs were to gain nothing and the Muslims to lose a lot.²⁶

On the other hand, some extremist Sikhs, with the knowledge and blessings of their leaders, were bent upon creating trouble in the Punjab and thus sabotaging the establishment of Pakistan. Master Tara Singh, having rejected the partition plan, was after establishing 'Khalsa Raj' in the Punjab by force. This plan had been struck some years earlier and a thorough preparation had been made to carry it through. He himself told later :

"In 1940, when Nazi Germany had occupied France, people in India

were greatly perturbed and foresaw the end of British rule. I asked the Sikhs in West Punjab to be fully prepared and fortify all of their localities and mohallahs. We had organised Warrior gangs, who were prepared after the British withdrawal to take a lead over the Muslims and occupy whole of the Punjab. Amritsar had been fortified and made totally secure and the Sikhs were prepared to encircle and occupy Lahore.²⁷

Patiala and other Sikh States were fully involved in this mad plan, but events overtook it. Though all the preparations made to carry out this plan were utilised by the Sikhs seven years later and resulted in untold misery and holocaust of the Muslims, but without desired results for the Sikhs.

Right about the same time, some moderate Sikh leaders saw the reason and tried to reconcile with the Muslims. Baba Juevan Singh's Dal, a Sikh organisation, having foreseen the disastrous effects of Punjab's division, decided to have talks with the Muslim League. The Dal, through a resolution, authorised its President, Giani Hari Singh, to contact the Quaid-e-Azam and try to keep Punjab intact. The Quaid-e-Azam welcomed this proposal and offered an independent Sikh State within Pakistan. The Quaid was prepared to meet Master Tara Singh to work out further details of his offer. But when Giani Hari Singh, along with other Sikh leaders, approached Master Tara Singh and informed about the Quaid's offer, he totally refused to have talks with the Quaid.²⁸

Giani Hari Singh later commented: "Mr. Jinnah was prepared to accept all our proposals. Had Master Tara Singh met him, Indian history would have totally changed."²⁹

So it is quite wrong to say, as contended in some quarters, that the Quaid and other Muslim League leaders did not try to placate the Sikh leaders. On the other hand, as the events showed, they left no opportunity unutilised and tried their best to make the Sikh leaders see the light of reason upto the last moment. The Muslim League leaders, like Mian Ifikharuddin, Nawab Mamdot and Raja Ghazanfar Ali Khan, tried for

many days to have talks with Master Tara Singh. As a last resort, the Muslim League offered Chief Ministership of the Punjab and a larger quota in Cabinet and High Court to the Sikhs. But Masterji at that time had totally gone mad and the Sikhs were doomed for ever.³⁰ By that time the Punjab had been in the grip of anti-Muslim riots and the Sikhs had become a tool of the Hindus in this carnage. The Muslim League leaders made concerted efforts to win Masterji's confidence. According to another Sikh Historian, all Muslim League leaders worth the name, were trying their best to strike some sort of bargain with the Sikhs. Some Sikh leaders also favoured this effort as they were aware of the fact that the riots would bring misery and bloodshed for the Sikhs as well. But Masterji remained unmoved and refused to hear the call of reason. It is said that the Muslims in the Punjab, in spite of being in numerical strength, kept quiet as they did not want to have a quarrel with the Sikhs and were still hopeful of some sort of understanding with them. Even in mid 1947, some high British officials in the province urged upon Masterji to join hands with the Muslim League and form a government in the Punjab so that communal tension might be checked. But Master Tara Singh plainly refused to co-operate.³¹

All these facts show that the Sikhs were neither interested in a separate independent state of their own nor had any clear idea about their position in the future India. So it can be said without an iota of exaggeration that all their actions, at the time of British withdrawal, were guided solely by anti-Muslim and anti-Pakistan motives. And history bears witness that the Congress and Hindu leadership had succeeded in rallying them against the Muslims. But this was not the end. The Congress leaders had another assignment for the Sikhs, i.e., to use them in driving the Muslims out of East Punjab.³²

A paragraph in the Daily Jathedar (Gurmukhi) of Jullunder dated 26th November, 1967, reveals that 'round about August, 1947, a leader of the Congress High Command sent Rs. 3 lakh and a lorry load of grenades to Master Tara Singh, so as to enable the Sikhs to expell all the

Muslims from East Punjab.³³ And, according to Sardar Narinder Singh, Sardar Patel, the Home Minister in the Interim Cabinet of Nehru, sent sufficient amount to Master Tara Singh and asked to him to purchase arms and drive all the Muslims out of East Punjab.³⁴

These are a few examples. Many more examples can be given to prove this ugly game. This Congress-Sikh alliance against the Muslims brought un'old hardships for Sikhs themselves, as the reaction in West Punjab uprooted all the Sikhs from their homes in that part of the divided province. This attitude of the Sikhs sealed their fate. Playing in the hands of the Hindus, they forfeited their right of having a respectable place in India itself. Even the Sikh leaders of note had to lament afterwards. Sardar Gurbakhash Singh says : "All that Sikhs have done to the Muslims, has robbed me of all the joy and happiness. The plight brought to women, children and the old, is a sad fact, not to be found even in the black history of the Nazis.³⁵ Whereas the Hindu leadership, on whom the Sikhs had pinned their hopes, had decided to keep them in a subservient position. It was the time when the Quaid gave them a final warning.

In mid 1947, when Pakistan had become a reality, he said to a Sikh friend, Sardar Sobha Singh : 'Sardar Bahadur you know the Hindu only as your co-slave. Now you will know real Hindu when he becomes your master and you become his slave.'³⁶ And the Sikhs came to know the real Hindu a few months later. According to a Sikh I.C.S. Officer, Sardar Kapur Singh, 'The Governor of East Punjab, Mr. Chandu Lal Trivedi, with the Consent of the Prime Minister, Pandit Nehru, and Deputy Prime Minister, Sardar Patel, instructed all the Deputy Commissioners in the province to treat all the Sikhs, particularly those coming from West Punjab, as criminals and keep them in check by all means and even subject them to third degree, so as to teach them a lesson.'³⁷ Even Sardar Hukam Singh, an Akali member and later Deputy Speaker of Lok Sabha, lamented that the East Punjab Government, in a policy letter issued on

10th October, 1947, instructed all the District Magistrates to keep Sikhs in strict check as they are a criminal lot, committing crimes for Zar, Zan and Zamin."³⁸

The final verdict on the position of Sikhs in free India is summed up by Principal Johd Singh. He writes : "The Sikh leaders could not get accepted even one of all the demands made by them during the last twenty years. First of all, they declared not to accept the Muslim majority in the Punjab. They even swore it on Maharaja Rangjit Singh's grave. But soon after they accepted the Muslim Majority as a fact. Then they raised a cry for independent Punjab. But the Punjab Hindus refused to cooperate and opposed them. So our leaders again faced a defeat. Then they demanded an independent Sikh state and again had to face a frustration. Thus all the communal demands of Sikh leaders met with total rejection."³⁹

Later, a Sikh historian, who preferred to remain anonymous, commented that Sikh leaders by banking upon hollow and fraudulent offers and promises of Hindus lost this historical opportunity.

The above facts show that the Sikhs, at the instigation of Hindu Congress leadership, by having the Punjab divided, ruined themselves politically, socially and economically. The Sikh leaders had lost sight of the fact that Sikh cultivators of Lahore, Sheikhupura, Lyallpur and Jhang districts were not only a happy lot, but constituted the back-bone of their community. The Sikh Commercial Community in West Punjab, had their dealings and interests up to Sind, N.W.F.P. and even beyond it i.e., Afghanistan and Iran. But this prosperous community lost all its business opportunity due to short-sightedness of their leadership."⁴⁰

A rich social structure based on prosperity brought by agricultural and commercial enterprise collapsed totally. And thousands of Sikh cultivators and traders had to begin their life a-new.⁴¹ This fact was admitted only three years later and by a person no other than Masterji himself. He lamented in 1950, "that the circumstances have brought

us to a turn that we, having managed to escape the Muslim domination, have fallen victims to the totalitarian Hindu rule."⁴²

Though Masterji had not enough courage to admit the role he himself played to bring his community to this crucial turn, but circumstances showed that his short-sighted policy based on hatred of the Muslims and Pakistan brought total disillusionment to the generations of Sikh youth. So far as present Sikh leadership is concerned, it has yet to decide its present status and future place in the vast multitude that has now become Hindu India. This state of indecision is reflected by the fact that the whole Sikh community is still split into two extreme groups. One of them still prefers, like Master Tara Singh, Maharaja of Patiala and Sardar Baldev Singh, some sort of reproachment with the Hindu Majority, while some leaders like many of their sane and sober predecessors, term Sikhs as a separate nation, with claim for a say about their destiny, though not clear about their future status. This was later asserted by Sardar Rajinder Singh, Secretary General, Akali Dal.

He made it clear that the Sikhs are a separate nation in India. Somebody can have objection to it but nobody can check them from calling them a separate nation.⁴³ So the whole Sikh community has again reached the position that it enjoyed in 1947. The real test of their leadership is how they play their cards. Whether Giani Zail Singh on one hand and Sant Jernail Singh Bhindranwala on the other have the ability to strike a balance between the two extremes, is yet to be seen.

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NUCLEAR FAMILY TRENDS AND SENIOR CITIZENS

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This paper focuses on : (1) the perception about the emerging family structure in Pakistan, (2) the emergence of senior citizens group in the population structure of Pakistan, and (3) the prospects of coordination between the same two variables. The presentation is constrained by the lack of data especially collected for this purpose. However, an effort has been made to pull out some relevant information from studies conducted for other purposes in the areas of Punjab. The generalizations made for the whole of Pakistan may be read with caution. Nevertheless, many of the statements made in this paper may remain assertions until verified, but these are certainly based on personal observations.

Structurally, the family may be divided into nuclear and joint family type based on the number of generations living in one household. One simple way of operationalizing the concept is : family composed of one to two generations as a nuclear family (second generation is that of unmarried children), and the one with two or more generations as a joint family (second generation is that of married children).

1. Nuclear Family Trends

Family research since about the middle of this century has indicated one gross empirical regularity: "...that in all parts of the world and for the first time in world history all social systems are moving fast or slowly toward some form of the conjugal family¹ system and also toward industrialization" (Goode, 1964: 108). The experiences of industrial societies suggest that with industrialization the traditional family system, assumed

to be a joint family system, breaks down. Whereas the industrialization generated such forces that lead to the emergence of nuclear family trends, the nuclear family, by virtue of its typical characteristics, may have facilitated the process of industrialization. As such there seems to be quite a 'fit' between industrialization and the nuclear family (Goode, 1964 : 109). However, the nuclear family may be an ideal system in an industrial society but in actuality societies may exhibit variations in this ideal. The example of such a variation, i.e., the persistence of joint family system, may be seen in the highly industrialized society of Japan (Baum and Baum, 1980 : 161).

Pre-industrial societies have often been associated with joint family system where more than two generations have frequently been found to be living in the same household. These are the families where the authority is primarily vested in the male patriarch. All members usually contribute to the family income.² All of them follow the same occupation, be that agriculture, business, or some other work. The property is usually in the name of the patriarch which gives him 'power' over his family members. Again such a situation may have been an ideal and pre-industrial societies may have been closer to this ideal of joint family system. As the societies move away from pre-industrial to industrial types their family structure changes from joint family to nuclear type of family.

Despite the fact that Pakistan is often considered as an agricultural country, its economy is on its way to becoming an industrial one (see Economic Survey of Pakistan 1982-83). Theoretically, it is expected that industrialization will germinate the forces that may facilitate the process of change from joint family system, supposedly in existence somewhere in the past, to the nuclear family in the future. One may formulate some idea about the trends in family structure from the scattered bits and pieces of information collected at different times and places in the province of Punjab. Some of the findings may be quite provocative and thereby many of you may question the methodology simply because the results do

not seem to show congruency with the legendary existence of joint family system in Pakistan.

During the middle of 1950s a survey of six villages in Lahore district (Sleem, Akhtar and Sahi, n.d. : 25) showed that 55 per cent of the families were nuclear (married couple with offsprings living in independent households). About 14 per cent were joint families. Such families were more common among agriculturists than among families of other occupations. The remaining families were a mixture of the two types in the sense that many other relatives were residing with them.

Data collected in 1970 from 14 village communities in the Mona Reclamation Project (in SCARP II) near Sargodha showed that 55 per cent of the families were nuclear and 45 per cent were joint families (Chaudhari and Associates, 1970 : 139). The proportion of nuclear families was the same as it was found about 14 years ago. As a note of caution it may be pointed out that the previous data were from a relatively more developed district than the district for present data. One indicator of this development was the proportion of urban population in Lahore district which was 48 per cent as enumerated in 1951 population census.

In 1980 data were collected from four villages of Sheikhpura district. The sample of 465 cases was selected from couples having at least one living child aged 1—5 years. Out of these couples 65.8 per cent were living in nuclear families whereas 34.2 per cent were in joint families (Ijaz and Mirza, 1980 : 25). Another cross-sectional study of families from 20 villages selected from the tehsils of Chakwal, Lahore, Samundri and Bahawalnagar was carried out. Here the basis of a family's selection was that it should have at least one living child of school going age. About four fifths of the respondents had nuclear families and the rest belonged to joint families (Anwar and Naeem, 1980 unpublished data). In spite of all the methodological limitations in these studies, the data suggest that not only a substantial proportion of the rural families were living in nuclear units but also a changing trend toward a pattern of nuclear families over the last two decades.

In a low income group, study of 1541 households located in 32 Katchi Abadis of Lahore in 1982, it was found that 46.0 per cent of the families were two generations (nuclear) families, 33.0 per cent were having 2-3 generations, 15.7 per cent were with four generations, and the rest had a mixture of other relatives (Shah and Anwar, 1983 : 62).

The cross-sectional data, though sporadic, presented here suggest that nuclear family trends seem to be taking root. There appears to be the emergence of values impressing upon independent living in the rural areas, at least that of Punjab. Three fifths of the cases agreed with the statement: "It is desirable for the young people to set-up their separate households soon after marriage," and the remaining two fifths disagreed in a study of the 14 rural communities (Chaudhari and Associates, 1970 : 183). This value supports the setting up of nuclear families. Although the reasons for such a desirability were not explored but one could make an observation about the cordiality of relationships between the two married generations. It has often been observed in Punjabi villages that soon after the son gets married and brings his wife to his family of orientation some kind of friction starts between the daughter-in-law and her in-laws. This happens despite the fact that in substantial proportion of the cases the son is married to his first/second cousin. There seems to be a built-in-force³ in the age old custom of dowry that moves the girl to set up her independent household. Will there be no split up of the family if there is no dowry, is a question which needs verification. Nevertheless, soon after the in-coming of the third generation the couple demands a separate household—nuclear family. The tendency of setting up of nuclear families is expected to be greater in the urban areas compared with the countryside just because of the nature of the environment. Nonetheless, a relatively new pattern has emerged in the Western society and the same appears to be taking roots in Pakistani urban society. This pattern is that the related families tend to live 'close by' (especially the successive generations) and they have high frequency of interaction (through visitation, exchange of gifts, through telephone). These

families exhibit 'intimacy at distance' and provide high sense of 'diachronic solidarity' (Baum and Baum, 1980 : 146-180). Both the generations try to live close to each other but not with each other. In this way they will continue showing solidarity in its temporal dimension which has been referred to as 'diachronic solidarity'. A number of nuclear families belonging to successive generations exhibiting high 'diachronic solidarity' have often been termed as modified extended families. In emergencies or otherwise the generations often show high intimacy and concern with each other. This pattern is observed both in Pakistani villages as well as in cities.

2. Senior Citizens in Pakistan

Age at retirement (60 years) may be taken as the cutting point for honouring a person as a senior citizen in Pakistan. The proportion of senior citizens in the population structure of Pakistan is not very high compared with technologically advanced countries of the West. The population census data show that 5.7 per cent of the total population of Pakistan in 1951 was that of individuals 60 years and above. This proportion was 6.9 per cent in 1961, 7.0 per cent in 1972 and 6.7 per cent in 1981 (Population census of the related year and Economic Survey of Pakistan 1982-83). It is obvious that there was a slight increase in the proportion of people aged 60+ years over 30 years period. This change may primarily be attributed to the improvement in health situation in Pakistan. One outcome of such an improvement is the decline in mortality and the second in the longevity of an individual. In Pakistan during the period 1950-52 the life expectancy at birth was 33 years (Afzal, 1974 : 23) which was estimated to be 55 years during 1982-83 (Government of Pakistan 1983 : 169). There was a 22 year increase in the life expectancy over the 30 year period. With the future improvements in health facilities and environment it is expected that the life expectancy will further improve and the proportion of aged will go up especially when the number of children decreases through a decline in birth rate. Without going into the details of population projection it is assumed that the senior citizens are going to

emerge as a significant group in the population structure of Pakistan.

3. Nuclear Family Trends and Senior Citizens

The institution of family has historically been considered as having the responsibility to look after the senior citizens. As a matter of fact one may simply ask: were there really 'old' people in the distant past? In the pre-industrial society the life expectancy was low (it was about 33 years in Pakistan in 1950-52) and thereby the parents were rarely dependent on their children because right up until their death they were active in their occupation. The whole property used to be in their name and in fact the children, by and large, remained dependent on them. The whole family lived together but few people lived to witness the birth of their first great-grand child. In this way caring for the old people in the pre-industrial society by joint family is rather being idealized⁴ (Baum and Baum 1980 : 156).

On the one hand the industrial society produces senior citizens and on the other, by the generation of nuclear family trends it deprives them of the legendary care they could 'enjoy' by living in the traditional family system. Are these processes inevitable? Given the trends in Pakistani society the answer may cautiously be in the affirmative. If so, then can we slow down the processes of change till we get enough time to socialize our senior citizens to face the realities of new order of life? It looks as if the olds are against slowing down the processes of change. There could be a host of other related questions agitating the minds of many colleagues simultaneously. Nevertheless, given the realities of life, can we look after our senior citizens as ordained by God by adopting the pattern of living in nuclear families? Granted that looking after our parents is a sacred duty, can we provide any assurance that we shall do this assignment true to the spirit of letter? If some of us don't do justice, and many of us won't or will not be able to do so, then what? How far are we justified in making the parents dependent upon their children under the changing set up? How about those senior

citizens who never got married? Statistics show that 1.2 per cent of the aged 60-64 years and 1.02 per cent of 65+ years never married (Government of Pakistan, 1982 : 6). This proportion may further increase as observed in the industrial societies. Again who will care for those senior citizens who never had a child (male or female) or who do not have any living child at age 60 years and beyond. According to a survey one out of every seventh married woman aged 60+ years did not have a male living child (Government of Pakistan n.d. 56). Our customs don't encourage such senior citizens for living with their married daughters, if they have any.

Prior to commenting on any of these questions let us look at the existing family living status of senior citizens. A country wide survey of the senior citizens (60+ years) conducted by the Social Sciences Research Centre in 1972 (Hussain, Iqbal, Abbas, 1972 : 18, 20) showed that 56.2 per cent of the respondents from rural areas were living in one generation families (alone or with wife). The percentage of these living with their son was about 37. The rest of the cases were living with other relatives. In the urban areas 49.5 per cent lived all alone or with wife, 48.9 per cent with the son and the remaining were living with other relatives. These data show that more than one half of the rural senior citizens and about one half of their urban counterparts were living in nuclear families. Whether this was by choice or due to having no alternative, it was a reality. Should we change this reality—type of family system, or try to find means to further ameliorate the status of senior citizens. In a small sample study of 100 civil secretariat employees (at Lahore) who were supporting their parents it was found that about one fifth of them did not favour the idea of living with their parents (Dar, 1966 : 37). Despite the fact that they were supporting their parents yet they opined against sharing their living with them. It was a different kind of approach to caring for the senior citizens. Such an approach amounts to upholding the idea of 'intimacy at a distance'.

In another study (Khokhar, 1983) of 100 families in Lahore with a monthly income of Rs. 1500.00 to Rs. 3000.00 it was found that about

one third of the husbands did not agree with the idea of keeping their parents with them. The corresponding proportion of wives was much higher, 46 per cent. The non-acceptance of such an idea was more prominent in the case of parents-in-law than the parents of each spouse. For example four fifths of the husbands compared with three fourths of the wives did not favour the proposal of keeping their parents-in-law with them.

These were the opinions of those couples with whom at least one of the parents was living at the time of interview. May be these opinions were based on their actual experiences of living together with their parents. For example, 38 per cent of the husbands and 30 per cent of the wives said that the presence of parents did not produce conflict in the family. The rest of the cases said that the presence of parents did produce conflict which ranged from 'too much' to 'not much'. These opinions are reflective of relatively not favouring the idea of sharing the household.

The emergence of the senior citizens as a by-product of industrial society invites attention to look after the various facets of their life. Living with the younger generation, by itself, may not take care of all their needs; social, psychological, financial, medical, etc. The generation gap itself may create problems of adjustment and in many cases a parent living within the family feels lonely. Will he/she feel any better with his/her contemporaries is a question which needs exploration.

At the moment the problem looks highly complex. But let us not make our senior citizens totally dependent upon their children, if they have any. Leaving them entirely dependent on their children amounts to role reversal between the two generations. A parent who has been impressing 'independence' on his child, may feel constrained in accepting the reversal of the situation: himself being a 'dependent.' Status/role reversal, at times, becomes painful when the children are unable to afford/provide the badly needed facilities, especially the medical care, to their senior citizens. Therefore, many senior citizens may feel quite comfortable

in having their independent nuclear family unit in the vicinity of their succeeding generation(s). The emergence of a number of nuclear household units with frequent contacts can actually be considered as a modified extended family. It can provide 'intimacy at distance' and help maintaining the 'diachronic solidarity.'

In order to cope with the emerging set-up of nuclear families the provision of old age security and health care is very crucial. The provision and acceptance of such facilities should be perceived as the social right of the senior citizens rather than a charity being doled out. This will also take care of those senior citizens who never married as well as the ever married but having no male living child in their old age.

Concluding Propositions

The cross-sectional data presented in this paper are indicative of the emergence of values impressing upon nuclear family living in Pakistan.

The related families, especially the successive generations, tend to live 'close by' exhibiting 'intimacy at distance' and providing a high sense of 'diachronic solidarity'.

With the improvements in health care and environment it is expected that the life expectancy will further improve and the proportion of aged in the population structure of Pakistan will go up.

Status/role reversal (dependence vs. independence) seems to be inconsistent with the demands and values of industrializing trends of Pakistani society. Therefore, senior citizens may feel quite comfortable in having their independent nuclear family unit in the vicinity of their succeeding generation(s).

The provision of old age security and health care as social right of the senior citizens may strengthen the value of having nuclear families by senior people with dignity.

NOTES

1. Nuclear family and conjugal family used interchangeably.
2. So called olds are rare beyond 50 years, so they work.
3. Making the girl self-sufficient in household goods, feeling of possessiveness, possibility of alternative household setting up.
4. It may be stated here that one of the biggest forces moving the children to care for their parents, who were not necessarily 60+ in age, was their own economic security. Father kept the property especially the land in his name till his death otherwise he himself was insecure. Children obeyed his orders and showed obedience, among other reasons, because they did not want to lose their share in the property. Deprivation from property was quite a forceful threat to the children for any disobedience especially if there were no alternative means of subsistence employment. With the passage of time such practices got deep roots in the normative structure and became institutionalized. Nevertheless, in the event of displeasure the father has the right to deprive his son of any share in the property in his name. One can see the evidence of this fact in the 'AAQ NAMAS' advertized quite frequently in the newspapers. On part of sons the instances of their scuffles with their parents are not rare. The instances of son beating his father/mother can be observed while living in the village. Only the serious cases like murder are reported in the newspaper. But it should be noted, such scuffles usually start after the son gets married.

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SOCIAL ADJUSTMENT AND COGNITIVE DISSONANCE AMONG THE BLIND

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Introduction

Full participation of an individual, whether able-bodied or disabled, in the activity of the society is subject to his social adjustment. Generally speaking, social adjustment refers to a state where a person acts in accordance with societal norms, in concordance with the other members of the complex system, and at the same time has no social inhibitions regarding his own actions. Being able-bodied does not imply his automatic adjustment in the society. But in a society comprising mostly of able-bodied it is rather more difficult for the handicapped to adjust to the social system. The reason for the comparative difficulty in the social adjustment of the disabled is that disability, whatever its nature, causes a number of problems including physical problems, economic problems, and social-psychological problems.

The year 1981 proclaimed by the U.N. as the International Year of the Disabled saw about 450 million people on earth who suffered from some form of physical or mental impairment. Among them were included 42 million blind.

Blindness adversely affects not only the blind individual but also all those who come in contact with him. In this way, eventually, the entire society suffers from the ramifications of this malady. Not only is the blind individual incapable of fulfilling his needs, he becomes a parasite and feeds on the labour of others. Farrell has highlighted the intensity of this problem in the following words :

"Blindness is becoming a social problem sharply impinging on the conscience of the world. Aware that more than half of the persons now blind need not have lost their sight or could have had their visual disabilities corrected, society can no longer ease its concern by the old medium of the tin cup nor by the more modern method of pensions and relief. Even if a person is incurably blind, he still has social rights and economic possibility that must be realised and fulfilled".¹

This article aims at identifying some of the problems regarding the social adjustment of the blind in Pakistan and also to find out if there exists any relationship between the fulfillment of needs and the adjustment of the blind. An attempt has also been made to see if cognitive dissonance, if any, plays any role in the adjustment of the blind.

The sociological significance of any attempt aimed at the social adjustment of the blind becomes obvious if one considers the benefits that can be achieved if this huge force (of the blind) can be made to become self-reliant and to participate fully in all facets of social and national life.

Link with Previous Studies

Some of the previous studies including Khan² and Raza³ show that the blind are not in any way inferior to other members of society except for the lack of sight and that they can become useful members of the society with a little consideration.

Kimball Young in a study has pointed out that the blind are not properly adjusted in the society due to a number of reasons, the most important being the attitude of the society itself towards their handicap.⁴

Regarding rehabilitation of the blind, Cutsforth observes that the training imparted to the blind is not geared to the employment demands of the modern industrial age with the result that the fear of the future persists and their hopes of living independent and useful lives in the society remain bleak.⁵

Theoretical Perspective

In this study where the focus lies on the blind, two levels of adjustment are taken into consideration. The first we will call 'primary adjustment' and the second as 'secondary adjustment'. A blind person's 'primary adjustment' takes place when his dependence for the fulfilment of his needs is minimum. 'Secondary adjustment' occurs when a blind individual's participation in social activities is a maximum. Normally, it can be assumed that social participation takes place only after dependence on others for the fulfilment of needs has been minimised. In other words, secondary adjustment normally occurs after primary adjustment has taken place. Thus, social adjustment of the visually handicapped varies from the lowest level of primary adjustment to the highest level of secondary adjustment.

Factors that can be considered relevant to primary adjustment or to the reduction of the primary dependence of a blind person on other members of society are related to the problems concerning :

1. The fulfillment of physical needs.
2. Comprehension and expression.
3. Physical mobility.
4. The availability and use of mass media.

The importance of these needs has been discussed by Cutsforth⁶ in his book, *The Blind in School and Society* and by Wright⁷ in his book *Physical Disability: A Psychological Approach*. On the basis of the factors stated above and the argument developed by Cutsforth and Wright the first of the two hypotheses to be tested can be stated :

The greater the fulfillment of primary needs, the greater the primary adjustment of the blind. Factors that can be considered relevant to secondary adjustment or to the participation of the blind in social activities are the :

1. Type of attitudes faced.
2. Self confidence in the blind.
3. Surface contact or superficial exposure to the general public.
4. Self-assessment of the blind regarding their social status.

It has generally been observed that the society views a blind person as a dependent, inferior or a totally different species from other members of society. On the contrary a blind person may not consider his own or his lot's condition as tragic. According to Festinger,⁸ when an individual is forced to act contrary to his own attitudes and cognitions he will experience dissonance. The greater the dissonance faced by the individual, the more he will want to reduce the dissonance.

In case of the blind the following generalizations can be drawn with respect to the dissonance faced by him :

- (a) If the society forces the blind person to act against his own views about himself, dissonance will be generated.
- (b) The greater the social pressures faced by the blind person to act contrary to his own views the lesser will be the dissonance generated within him, and vice versa.
- (c) The greater the dissonance generated in the blind person, the greater will be the pressures to reduce the dissonance through attitudinal change.

Stated differently, the individual facing the highest social pressures would develop a minimum of social dissonance and the person who faces the least social pressures develops the greater dissonance. The greater amount of dissonance would result into the greater social participation which ultimately would lead to the secondary adjustment of the blind to the society. The blind individual experiencing greater dissonance would have the greatest desire to change his own attitudes and to prove to the society that he is not a different species. Consequently, such a person can be

expected to be the one who most actively takes part in social activities like political, religious, welfare, etc. The second hypothesis can thus be stated:

The greater the cognitive dissonance faced by the blind, the greater their secondary adjustment.

Operational Definitions of the Concepts

Needs: In this study the term 'need' has been used to mean the primary needs of food, clothing, and shelter, the need of being able to move around, the need of being able to conceive what is being said and of being able to express one's views. The fulfillment of needs would thus imply the fulfillment of all these needs.

Primary Adjustment : A blind person's role in the society is twofold. First, he has to look to his own needs and his own welfare, and second, being a member of society he has some social responsibilities as well. Primary adjustment concerns the individual's first role. The lesser he has to depend on other members of the society to fulfill his own needs, the more adjusted he would feel at this (primary) level.

Secondary Adjustment : The greater an individual participates in the activities of society, the more aware he is of his social responsibilities and the more he would be adjusted at the secondary level.

Cognitive Dissonance : This concept has been taken in the same sense as in Leon Festinger's theory. Every blind individual has a set of cognitions or views. If he is forced to act against his cognitions he will experience discomfort and will be motivated to reduce the dissonance through changes in his views or attitudes.

Methodology

The universe selected for the study comprised of the blinds in the city of Lahore. The blind population is scattered all over the city. Apart from those attached with two major training institutions for the blind

there are some who work in the factories, educational institutions (Sunrise School, Ravi Road, Lahore and Government Institute for the Blind, Sheranwala Gate, Lahore) and numerous other fields. There are, of course, a number of blind beggars in the city. More specifically the universe for this study included all the blind between the ages of fifteen to sixty-five years irrespective of sex or type of occupation.

A sample of 65 blind comprising of 50 males and 15 females was drawn on the basis of what is called Snow Ball Technique.¹⁰ Data collection was done in 1982 by one of the authors through personal interviews with the help of an interview schedule prepared in Urdu. There were both structured and unstructured questions. Data collection took about one month to complete.

Sample Characteristics :

1. Most of the respondents (73%) were between 25-49 years of age. The mean age being 35.6 years.
2. Out of the 65, eighteen were born blind while rest of them became blind after birth. The mean age at which they became blind was 10.4 years.
3. Apart from the born blind, majority of the respondents (35 out of 47) were the victims of small-pox and typhoid. The remaining became blind as a result of some other diseases or accidents.
4. Most of the respondents tried to get their blindness cured but very few reported having some improvement like being able to distinguish between darkness and day light.
5. A little over half of the blind were never married, 42% were currently married and 3% each were widowed or divorced.
6. Over two thirds (68%) were formally educated. Out of these nearly three fourths were either Matrics or were educated beyond that level. A few of them were either degree students or were

holders of bachelor's or master's degrees. Majority of the blind (62%) had also received some technical training : cane work, cycle assembling, music, knitting and sewing (female blind).

7. Majority of the respondents (71%) held some employment and were more or less economically independent. The type of job they were doing included teaching in schools or colleges, teaching of the Holy Quran, technical work such as cane work, cycle fitting, braille proof reading. A few of them were vendors.
8. The average monthly income of the working blind was nearly Rs. 700 per month. The average of family income of all the blind was about Rs. 1000 per month.
9. A little over half (57%) of the working respondents had other family members who were economically dependent on them.
10. Music was the most preferred recreational activity followed by reading, poetry, games etc.
11. Eighty per cent (52 out of 65) blind were registered voters. Out of those 92 per cent did actually vote in the previously held local bodies elections.
12. Sixty per cent i.e., three fifths had received training in braille.
13. About three fourths of the blind were aware of the use of white cane though they might not have actually used it. The remaining one-quarter were not familiar with this medium of mobility.

Testing of the Hypothesis

The first hypothesis to be tested was :

The greater the fulfillment of primary needs, the greater the primary adjustment of the blind.

The variables involved in the above hypothesis are : fulfillment of primary needs (X) and primary adjustment (Y). Two separate composite indexes were made for measurement of each of the two variables.

The indexes were made by adding the scores given to the questions relating to a particular variable. For instance, eight questions related to the primary needs. The response to each question was given a score of 0, 1 or 2 depending on the level of fulfillment of primary needs. The responses indicating higher level of fulfillment of the need were given a score of 2. A score of 1 was given to those whose needs were partially being met and a score of 0 was given to those whose needs fulfillment was minimal. In this way the total index score ranged between 2 to 16. Those respondents whose scores on the index of primary adjustment ranged between 2 to 6 were placed in 'Low' category of primary adjustment. The scores between 7 to 11 were placed in 'Medium' category and those with score 12 to 16 were placed in the 'High' Level of adjustment.*

The other variable, 'fulfillment of needs', was also measured in the manner described above. Those getting score between 0 to 6 were placed in the 'Low' category of fulfillment of needs, the scores 7 to 11 in the 'Medium' category and 12 to 16 in the 'High' category.

Table 1 shows the distribution of the cases according to 'Level of Fulfillment of Needs' and 'Level of Primary Adjustment'.

Chi Square (X^2) test was applied to measure the association between the two variables.¹¹ The calculated value of X^2 was found to be 24.44, indicating that there was a significant relationship between the two variables. Looking at the distribution, it can be seen that the result was also in the predicted direction, e.g., those blind whose need fulfillment was at the lowest level were generally less adjusted (primary level). On the other hand, the highest level of primary adjustment was of those whose need fulfillment was also at the highest level. The

*For detailed description of the procedure of measurement and the questions concerning each variable see Abbasi, Asma, *Social Adjustment of the Blind*, an unpublished Master's thesis, Department of Sociology, University of the Punjab, Lahore, 1982.

TABLE I

Relationship between Level of Fulfillment of Needs and the Level of Primary Adjustment

Y Level of Fulfillment of Needs (Scores)	X Level of Primary Adjustment	Level of Primary Adjustment			Total
		Low (2-6)	Medium (7-11)	High (12-16)	
Low (0-6)	Low (0-6)	11	4	0	15
	Medium (7-11)	5	12	5	22
	High (12-16)	2	14	12	28
Total		18	30	17	65

$$X^2 = 24.44 \text{ d.f. } 4 \quad P.001 \text{ (Significant)}$$

relationship was not only significant but also fairly strong (Tschupru's $T = .434$).¹² The second hypothesis was :

The greater the cognitive dissonance faced by the blind, the greater the secondary adjustment.

The variables involved in this hypothesis were Level of cognitive Dissonance (X) and Secondary Adjustment (Y). This hypothesis was tested following the same procedure as in the first hypothesis.

Table 2 gives the distribution of cases according to their 'Level of Cognitive Dissonance' and 'Level of Secondary Adjustment'.

TABLE 2

Relationship between the Level of Cognitive Dissonance and
Level of Secondary Adjustment

X	Y	Level of Secondary Adjustment			Total
		Low (2-4)	Medium (5-8)	High (9-14)	
Level of Cognitive Dissonance (Scores)	Low (2-4)	7	4	0	11
	Medium 5-8)	9	11	7	27
	High (19-12)	0	6	21	27
	Total	16	21	28	65

$X=29.91$ d.f. = 4 $P=.001$ (Significant).

The relationship between these two variables was also found to be significant. Thus the second hypothesis was also accepted showing that the level of cognitive dissonance among the blind was (positively) related with their level of secondary adjustment. This relationship was found to be even stronger than the first one (Tschupru's $T=.997$).

Conclusions

The findings of this research lead to the conclusion that as the needs of the blind individuals are fulfilled they become independent of other members of the society. In doing so the blind become adjusted to society at the primary level. Along with such needs as food, clothing, and shelter, the blind individuals have the additional need of being able to understand and express ideas to other members of society. As this need is fulfilled the blind individual becomes independent. Custsforth¹³ has also given the idea that blind can only perceive objects as something but they cannot get any meaningful relationship which is possible only through visual examination. In fact, the blind must not have this

problem of conception and expression but what actually happens is, as discussed by Wright,¹⁴ that the blind in general are perceived by other members of society as unable to hear or express as well. Thus when the blind are able to understand and express their ideas they become adjusted to society.

Another major finding of this research is that when least social pressures are exerted on the blind in the form of encouraging attitudes of the people in general, they develop the greatest cognitive dissonance. These findings support the theory of Cognitive Dissonance postulated by Leon Festinger.¹⁵ According to him, when an individual is forced to act contrary to his own attitudes and cognitions he will experience dissonance. The extent of the pressures on the individual forcing him to act contrary to his own cognitions will be inversely related to the dissonance created in him. And the greater the dissonance faced by the individual, the more he will want to reduce the dissonance. This study proves that the blind individuals are subjected to pressures in the form of the attitudes of the people in contact with them, encouraging attitudes generate the greatest dissonance, and in trying to remove this dissonance they participate in various social activities so as to prove to society that the blind are not inferior to others. Those blind individuals who have greater self-confidence, and those who consider that blindness has not lowered their status in society, develop cognitive dissonance, and the study shows that these individuals have a high level of social participation, and thus exhibit greater secondary adjustment. These findings support the writings of Chevigny,¹⁶ Cutsforth,¹⁷ and Sommers¹⁸ all of whom were themselves blind but at the same time had great self-confidence, and did not consider themselves to be inferior to the sighted members of society. These individuals were thus able to participate fully in the activities of society, and so much so that they wrote books and made the world aware of the difficulties, thoughts, and desires of the visually handicapped members of the society.

The findings have also led to the conclusion that there was a direct

positive relationship between primary and secondary adjustment. (See Appendix) Those individuals who had greater primary adjustment were the ones who had greater secondary adjustment as well. In other words, those blind individuals who were independent in carrying out their activities of the society were the ones whose primary needs had been fulfilled.

It can thus be concluded that the least socially adjusted individuals were the ones whose needs were fulfilled to a very low extent, and at the same time, they were very much dependent upon other members of society. In contrast, the most socially adjusted individuals were the ones who participated most in the activities of the society and were subjected to the least social pressures.

Another major finding of this research is that when social needs are fulfilled, the individual's adjustment is improved. The more he will want to reduce the dissonance created in him. And the greater the dissonance faced by the individual, the more he will want to reduce the dissonance. This study proves that the blind individuals are subjected to pressures in the form of the attitudes of the people in contact with them, encouraging attitudes generate the greatest dissonance, and in trying to remove this dissonance they participate in various social activities so as to prove to society that they are not inferior to others. These blind individuals who have greater self-confidence and those who consider that blindness has not lowered their status in society, develop cognitive dissonance, and the study shows that these individuals have a high level of social participation, and thus exhibit greater secondary adjustment. These findings support the writings of Cutsforth, Sommers, and Wright, all of whom were themselves blind but at the same time had great self-confidence, and did not consider themselves to be inferior to the sighted members of society. These individuals were thus able to participate fully in the activities of society and so much so that they wrote books and made the world aware of the difficulties, thoughts, and desires of the visually handicapped members of the society.

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APPENDIX

Table showing Relationship between the Level of Primary Adjustment and the Level of Secondary Adjustment

X \ Y	Y	Level of Secondary Adjustment			Total
		Low 1-4	Medium 5-9	Higher 10-14	
Level of Primary Adjustment	Low (2-6)	11	7	0	18
	Medium (7-11)	5	13	10	28
	High (12-16)	0	6	13	19
Total		16	26	23	65

$$X = 24.90 \text{ d.f.} = 2 \quad P = .001$$

AYUB KHAN'S BUREAUCRACY: Pakistan's 'Modernizing Aristocracy'

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Since her inception in 1947, the new nation of Pakistan was influx. Political elites were immature with continuous rivalries, which caused the formation of an unstable political society. A continued delay in institutionalization led to a military regime, formed in 1958 under General Ayub Khan. The ten-year period of Ayub Khan was ruled without a legal democratic institution and was administered by the elites of the civil service. His regime thus was left with only one institution—the bureaucracy—controlled by the Civil Servants of Pakistan (the CSPs).

In this essay we will examine the role of bureaucratic power for political control in Pakistan under Ayub's government. For this purpose we shall take up the model suggested by John Kautsky through his study of bureaucracy and political development and change, and see in our analysis to what extent Pakistan's experience fits into his model.

According to Kautsky,¹ in the traditional order land owners control economic and political power. In absolute order, the aristocracy strengthens by building up a professional army and a centralized bureaucracy. This creates institutional and ideological defenses for modernization and absorbs lower aristocracies, leading to progressive industrialization. The traditional order is then replaced with a 'more

modern' absolute order. The military take-over in Pakistan under Ayub Khan was a case of 'reform coup' as defined by Samuel Huntington.² It was brought about by men who were already participants in the existing political system. Long before the coup, the military had been working as a silent partner in the civil military bureaucratic coalition that held the key decision-making power in the country. The military bureaucracy developed a close working alliance with the civil bureaucracy, not only out of institutional interests, but also because its views on the country's problems and solutions were similar. Like the civil bureaucracy, the military gave priority to state-building and government-building tasks and believed in a policy of centralization. Both looked with suspicion at the political elite. The predecessor of Ayub Khan, President Iskander Mirza, spokesman for civil bureaucracy, had publicly advocated a controlled democracy.³ Ayub Khan, spokesman for the military elite in 1954, had asked for a "controlled form of democracy with checks and counterchecks."⁴ Consequently, he abolished the political parties and formed a centralized federal government under his 1962 Constitution. The two provinces were headed by the governors who were appointed under his discretion. He appointed his cabinet members and principal advisors from the constellation of civil bureaucrats. As a modernizer, Ayub Khan relegated traditional order by controlling authority of the land owners (the lower aristocracy) through a centralized regime. Thus he established an absolute order, replacing a traditional one. During his regime two main separate hierarchies—the military and civil administration—were transformed into centralized instruments of control. The policies at the center were made by the presidential cabinet and advisors and implemented by the secretaries in the secretariat. These men were largely the CSPs. Similarly, at the provincial level, the policies were made by the governors with their provincial secretaries who were the CSPs. Thus the civil bureaucracy, blanketed by the CSPs, controlled the political arena of the country. The CSPs were given aristocratic training in the Civil Service Academy at Lahore, where they were taught

to obey the orders of their superior 'colleagues' and thus the question of disagreement among the hierarchical order never arose.

The aristocratic government of civil bureaucracy under Ayub Khan introduced administrative reform and created new bureaucracy. This might have been done with the view of what Kautsky calls "in order to preserve themselves in power."⁵ Kautsky proposes that the aristocratic government initiated such measures of modernization—modern military training and equipment, communication, transportation and industry—for its preservation. Ayub's government attempted to transform the bureaucracy from an agency of law and order to an agency of socio-economic change. The regime undertook economic development and modernization as its primary national objective, and the bureaucracy was entrusted with the task of attaining this goal. This shift—from a merely 'integrative role'⁶ required a change in the bureaucracy's training and ethos. Early in his administration, Ayub himself called for such a change.⁷

During his regime the civil bureaucracy became the main instrument for implementing the regime's nation-building policies. It did more than merely meet "the integrative needs of the society"; it was also to perform "goal gratification activity."⁸ Hence Ayub's government showed a keen interest in military training, road building, railways and air service development and formation of many new industries for the country. The railways were made a provincial subject. A good number of Boeing planes were purchased and an active and large air service was introduced. The airports of Karachi, Lahore, Dacca and Islamabad were enlarged and were equipped with modern facilities. In the industrial sector, corporations for each province (WPIDC and EPIDC)⁹ were established for facilitating industrial development by granting permission and loans for new industries in the country. These two corporations were always headed by the senior CSP officers who ironically had no background in industrial management and were generalists in this matter.

Kautsky believes that within the aristocracy, it is not the land-lords and religious leaders but the bureaucrats and military men who constitute the central government that may become modernizing aristocrats and may hope to profit from modernization.¹⁰ Hence, aristocrats with a nation power base, like top bureaucratic and military leaders, will tend to be friendly to modernization and 'colonialism'. The top civil officials under Ayub's regime utilized maximum opportunities to modernize Pakistan. They created opportunities for industrial, agricultural, educational, and socio-cultural development in the country. The industrial sector was enhanced to a greater extent. But they took maximum advantage of these developments for their personal benefit. Many of them received private bank loans to build huge homes in return for helping banks in getting large government deposits. The high officials, who were again generally CSPs, created opportunities in seeking employment for their relatives and friends in different private organizations of the country. Even their influence in the educational sector was high, as a professor of a governmental college could be transferred from a good place to a bad place or vice versa by the deputy secretary of education of a province, was a young CSP.

Under the 1962 Constitution, the province became a 'colony' of the center, the administrative unit of a province—the Division—became colony of a province, and similarly a district became colony of a division. Thus, a centralized colonial rule was established by Ayub Khan from the district to the provincial level, and each of these units was headed by a CSP or a senior provincial civil servant. The head of the district, the deputy commissioner, reported to the head of its division, the commissioner and the commissioner reported to the governor of the province, who submitted the report to the President. This system worked as a chain at every place headed by a senior bureaucrat and reached the President who finally made decisions with the advice of his bureaucratic aides. Hence, Braibanti had called Pakistan under Ayub, "an administrative state"¹¹ (see Appendices B—E).

Agriculture made significant strides during Ayub's tenure, as his creative emphasis lay in economic development. The agricultural growth rate increased from 1.3 per cent in the First Five-Year Plan (1955-60) to 3.4 per cent in the Second Five-Year Plan (1960-65). Food-grain output increased 27 per cent and per capita income was up by 14 per cent. The Third Five-Year Plan (1965-70) sought to sustain this momentum and aimed at a 5 per cent growth rate. Statistically, the country made progress but under strong centralized and bureaucratic rule. Equally, there was industrial developmental growth. Manufacturing accelerated. The way was eased for private investment. Liberal tax concessions were granted, and credit facilities were expanded through the establishment of the Industrial Development Bank (IDBP) and the Pakistan Industrial Credit and Investment Corporation (PICIC). As a consequence of the stress on industrialization and the apparent ease with which profit could be made, landlords, professionals, traders, civil servants, and retired military officers "increasingly clamored for permits that would let them in on an obviously good thing."¹² The agricultural sector was headed by the field officers, which were the deputy commissioners, and by the provincial secretary for agriculture. Both these officials happened to be from the CSP cadre. Similarly, the IDBP and PICIC were headed by senior bureaucrats trained in CSP fashion.

With the rise of industrialization the industrialists of Pakistan became very cooperative and friendly to the bureaucrats and the government. As Kautsky remarks, "the industrialists look to the aristocracy and particularly to the bureaucracy and the military for assistance advance with their cooperation. Then a community of interest between the pre-industrial and industrial upper classes emerged."¹³ The new industrialists included many members of Ayub's immediate family. President Ayub insisted there was nothing wrong in this, but his critics could not be expected to remain silent. Resentment increased during the 1965 War with India, when Ayub's sons (who were retired captains of the Army) remained at their business posts while older retired officers

were called up. Moreover, the relationship between government and business had been drastically altered. The political mainstream of support consisted of businessmen and to an even greater extent, industrialists, due to the wealthy and powerfully sophisticated positions through their financial support of political groups and ownership of newspapers. Intermarriages between leading industrial families and civil service families became common. Kautsky believes that when the bureaucracy and the military are dominant politically and a relatively few big industrialists and banking combinations are to predominate in the economy, then they cooperate with each other and become unchallenged by any effective mass movements.¹⁴ Ayub Khan dominated the political arena with his bureaucrats and became a close friend of Dawood, Habibullah, Saigal, and other big industrialists of the country. He married his son Gauhar Ayub to Habibullah's daughter, and in this way his son entered business and owned the Gandhara Motors, the only car manufacturing industry of Pakistan. His political domination and his friend's control over economy created an unchallenged position for them at a time, which could not be threatened by any effective mass movement.

The bureaucratic domination could not last long. With the increase of industrial capacity (an 8.6 per cent rise in 1966-67), there was an expected reaction. The government-industrial relationship became a target for underpaid labour, the students, political dissidents, and lower-middle class income groups. The outbreak was inevitable as Kautsky holds.¹⁵

Top bureaucrats and military leaders, where there are independent bureaucracies and military forces, think that they can strengthen their institutions by modernizing their organization and equipment. All of them are likely to be right only in the short run, perhaps for a generation or two, and wrong beyond that point for monarchy and aristocratic predominance in the military and bureaucracy are themselves threatened by

modernization. Modern armies and bureaucracies can become training grounds for modernizers.

Though Pakistan was making significant gains in all economic sectors, in general urban or rural people saw little or no benefit. Concentration of capital was justified by profits being slowed back into the economy, but only twenty-four economic units controlled almost half of all private industrial assets. In addition, the resources, experience, and contacts of leading private families made them strong contenders for ownership when semi-governmental corporations put their plants on the open market. It is estimated that over two-thirds of the assets thus sold had been bought by them.¹⁶ The influence of the leading families continued, since the CSPs were their protectors. When Ayub's decline was inevitable, people from all walks of life demonstrated on the streets of Lahore and Rawalpindi, denouncing the CSPs. The everyday processions, led by doctors, engineers, labourers, school and college teachers and students carried banners saying 'down with CSPs' and showed an open resentment against this elite class of the society. Homes of the CSPs were stoned, so at this point, they stopped calling themselves CSPs which they used to do with pride, and stopped uniting the three letters (C.S.P.) after their names. In short, one of the important causes of Ayub's downfall was the rise of the civil service as a strong institution of political control. Moreover, the CSPs were responsible of Ayub's decline by giving him false information, especially about the agitation taking place against him in many of the cities of Pakistan. Ayub Khan politicized the elite bureaucracy. But he did not socialize them into new patterns of a political nature by reducing their power and special privileges; rather, he gave them many advantages in matters of power and privilege which they used fully for personal benefit.

The above analysis shows that Kautsky's model corresponds well to Pakistan's experience in developing bureaucratic power for political control. Pakistan, with this experience, witnessed a rapid economic development, but there was a retarding effect on political development.

Braibanti says :¹⁷

In the midst of serious political instability the one stable sector, the bureaucracy, should not experiment with radical change, which might unpredictably spell disaster for the nation.

The civil servants lacked many qualities to carry the political administration in absence of political parties. There was a lack of administrative experience and a shortage of managerial talent. The officers did not have much political maturity. The CSPs' rapid and unusual promotion created problems of uncertainty and instability. There was intrusion of caste, communal and also familial considerations like Panjabis and non-Panjabis, Bengalis and the non-Bengalis, and refugees and non-refugees; and Syed, Sheikh, Quresh, Pathans, Shia, Sunni, Ahmadya feelings. These all created a disharmony among the elite bureaucrats.

The ultimate effect was the fall of Ayub Khan and with him the fall of the CSPs. The country was ruled with military and bureaucratic domination as long as these two elites had their influence which were unchallenged by any effective mass movement. The political condition took a new shape, when in 1967 Ayub Khan allowed the wide participation of political parties. The leaders used CSPs condemnation as their instrument, and the other professional class, realizing the opportunity, came out to the streets, showing grievances against this elite class. The CSPs, through inadvertent modernization, subjected Pakistan to an administrative state, consequently retarding political development. Under their stronghold, the country maintained bureaucratic power as political control.

APPENDIX A

East and West Pakistan Representation in CSP, 1959-67.

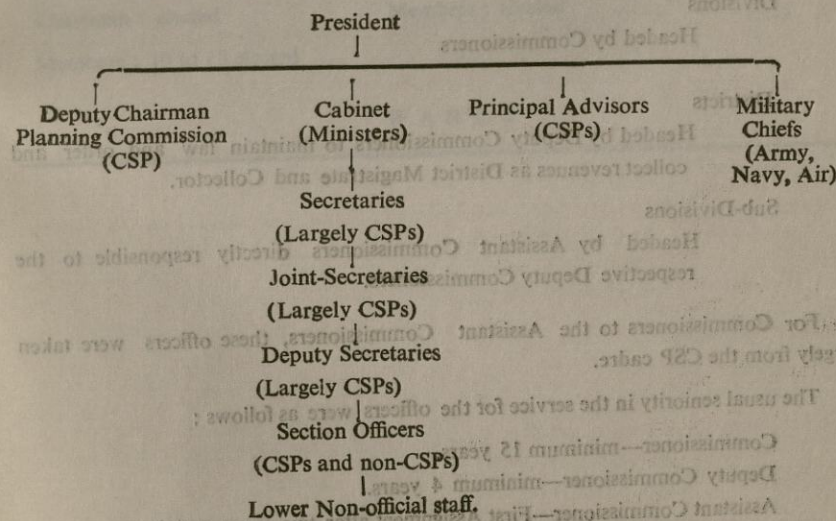
Year	Total of officers	East Pakistan	West Pakistan
1959	24	12	12
1960	29	10	19
1961	27	10	17
1962	27	12	15
1963	31	13	18
1964	33	14	19
1965	30	15	15
1966	30	14	16
1967	30	13	17

The total number of the CSPs were 325.

Source : Pakistan Establishment Division, Gradation List of the Civil Service of Pakistan, July 1, 1967.

APPENDIX B

Administrative Organization at Centre



APPENDIX C

Administrative Organization at Provinces

Year	Total of officers and staff	Governor	West Pakistan
1959	24	Cabinet	12
1960	29	(Ministers)	10
1961	27	Secretaries	10
1962	27	(Largely CSPs)	12
1963	31	Deputy Secretaries	13
1964	33	(Generally CSPs)	14
1965	30	Section Officers	15
1966	30	(CSPs and Non-CSPs)	16
1967	30	Lower non-official staff	17

APPENDIX D

The Organizational set up for Field Administration at Provincial Level

Province

Headed by Governor

Divisions

Headed by Commissioners

Districts

Headed by Deputy Commissioners to maintain law and order and collect revenues as District Magistrate and Collector.

Sub-Divisions

Headed by Assistant Commissioners directly responsible to the respective Deputy Commissioners.

For Commissioners to the Assistant Commissioners, these officers were taken largely from the CSP cadre.

The usual seniority in the service for the officers were as follows :

Commissioner—minimum 15 years.

Deputy Commissioner—minimum 4 years.

Assistant Commissioner—First Assignment after two years training.

APPENDIX E

Basic Democracies Structure

DIVISION COUNCIL (16)

Chairman : Commissioner (Government Official) usually a CSP.

Members : half or more elected, remainder officials.

DISTRICT COUNCIL (78)

Chairman : Deputy Commissioner (Government Official) generally a CSP.

Members : half or more elected, remainder officials.

In Rural Areas

TAHSIL OR THANA
COUNCIL (630)

Chairman : Subdivision officer,
Tahsildar or Circle
officer.

In Urban Areas

CANTONMENT
BOARD (29)

Chairman : Official
Members :

MUNICIPAL
COMMITTEE (108)

Chairman : Official
Members :

half Chairman

Committees,

half officials.

half Chairman of

Union Committees,

half officials.

UNION COUNCIL (7,614)

OR

TOWN COMMITTEE (220)

Chairman : elected

Members : 10 to 15 elected

UNION COMMITTEE (88)

Chairman : elected

Members : elected

WARDS

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