

PalArch's Journal of Archaeology  
of Egypt / Egyptology

## War 1965 and Tashkent Accord: A Comparative Assessment of Role of National Assembly of Pakistan in Contrast to Presidential Powers

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**Muhammad Waheed, Dr. Rizwan Ullah Kokab, Prof. Dr. Mahboob Hussain. War 1965 and Tashkent Accord: A Comparative Assessment of Role of National Assembly of Pakistan in Contrast to Presidential Powers– Palarch's Journal Of Archaeology Of Egypt/Egyptology 17(9). ISSN 1567-214x**

**Key words: Parliament, War 1965, Dictatorship, Accord, Presidential Powers,**

### ABSTRACT

This paper studies the reaction of Pakistan's National Assembly, unicameral parliament, prior and following the Indo-Pakistan War of 1965. The Assembly was elected through the electoral college of Basic Democrats. Soon after the elections the trouble in Kashmir heightened the tension between Pakistan and India. In democracies there are traditions that parliament discusses the all-important happenings and there is history of parliament's key role in the conflicts. The paper evaluates the role of Pakistan's Assembly in 1965's War as well as consequent Tashkent Accord. Taking an exploratory look at the debates of National Assembly the researchers have assessed the role and views of assemblymen about the declaration of war; their views about the reasons, factors, beginners, events, and outcomes of the war; and their expressions about the Tashkent Accord. The findings of the study mark that the Assembly was far less powerful in contrast to the authoritarian President of country. Along with the debates, the archival sources as well as the secondary sources are consulted for this historical study.

## Introduction

The war affects the countries at large in all social and political perspective. Same happened with Pakistan during and after the War of 1965 against India. The war also determined the power structure in the country. The tension rose between Pakistan and India when Indian Army launched an operation in Kargil in May 1965, crossed Cease-Fire line and occupied three Pakistani posts (Khan, 1965). While the elections for National Assembly Pakistan were held on 11<sup>th</sup> May.

### Pre-War Tensions and Assembly

The newly elected National Assembly of Pakistan started its inaugural session on 12<sup>th</sup> June 1965. The session that continued till 5<sup>th</sup> August started its business with the debate on the budget. During this period, the tensions and small operations on the borders of India and Pakistan broke out and continued. The issue of tension on Indian borders was raised in the National Assembly for the first time on 14 June 1965, the second day of Assembly's proceedings, by some legislators from East Pakistan. Two members Abul Kuasem and Shah Aziz Rahman presented adjournment motions and asked to discuss the matter of concentration of Indian forces on Pakistan's border. The legislators pointed out the war-like preparation and constant infiltration of Indian Army on borders, especially on Rann of Kutch. The members showed serious concerns on the activities of Indian Army and considered it as the danger for security of the State of Pakistan. The legislators demanded to adjourn the Assembly business to discuss on issue of Indian penetration (Quasem, 1965). The leader of the house having presented the official view on the issue, agreed to discuss upon the issue later, on arrival of Foreign Minister in the Assembly (Sobur, 1965).

During discussion on budget Major Zulfiqar Ali Khan Qizilbash (1965), a member from West Pakistan criticized Indian intentions to force Pakistan. He praised government to set aside a sum of 5% as a cut in over-all development program for defence. Another mention to Pakistan's relations with India and dangers of war was made during the discussion on budget by Syed Ali Asghar Shah (1965). On 21<sup>st</sup> June he referred to that India's making of war-like preparations and requested the Civil Defence training for the civil population. He also viewed that the budget for the welfare of ex-servicemen was far too when the government had recalled 20 lakh ex-servicemen to active duty. On the same day during budget discussion another member Fida Mohammad Khan cited the

war-like situation by saying that the Indian Army was knocking at Pakistan's borders. He told the house that the Indian army had occupied two posts in Kargil. He called the morale of people of Pakistan high and that of Indians low. Referring the battle of Panipatt he advocated for war and offered that 'cut should have been more and more'. He even was prepared to suspend whole budget and whole program in order to give a give a fight to the Indians (Mohammad, 1965). Majibar Rahman Chowdhury however objected on point of order over the advocacy of war of Fida Muhammad Khan who was defended by the presiding Deputy Speaker's ruling out the point of order (NAPD, 1965).

During the Budget debate on 22<sup>nd</sup> June 1965 Rana Ghulam Sabir Khan, a member from West Pakistan also praised the high morale of soldiers after their 'fighting bravely in the Great Rann of Kutch'. Instead of serious points regarding possible war or its outcome he referred jokes on Indian soldiers (Sabir, 1965). Nur-ul-Amin, former Chief Minister of East Pakistan, objected on the military strategy of leaving the defence of East Pakistan unattended but he could not continue to elaborate his point due to an announcement from the Speaker. He also objected on the 5 percent defence cut on development budget (Amin, 1965).

The issue of Indian build-up on border was once again raised in starred questions on 25th June 1965. The legislators showed their keen interest in the security of the state and put questions in this regard. The legislators asked the Minister of Home Affairs if he was aware of Indian build-up on the Pakistan borders and whether the measures taken to alert the Civil Organisations to bring them in line with the requirements of time and if government was to train the people at large in Civil Defence. The government representative, the parliamentary secretary, did not disclose the details on the pretext of safety issues (Gillani & Mohammad, 1965).

Thus the issue of Indian infiltration in Pakistani borders, Kahmiris' actions and Pakistan army's advances could not be discussed in Assembly even when the opposition indicated the issue in very early meeting of the house and introduced adjournment motion in this regard. The adjournment motion remained un-addressed for around two months' session and could not be discussed and treasury benches used delaying tactics. The non-availability of Minister of Foreign Affairs, Zulfiqar Ali Bhutto, was the pronounced key reason for treasury benches to delay the matter (Rahman & Sobur, 1965). Even during the

discussions on the East Pakistan's, the equal share in the defence of country there was absence of any mention to the current situation of defence with India (NAPD, 1965). Saleem Khan, a member from West Pakistan being retired Lieutenant Colonel, during speech on Finance Bill, praised the expenditures and steps suggested for defence without any commentary on the current situation. He also supported the cause of Kashmir's liberation (Saleem, 1965).

During the war-like situation at Indian border, the government of Pakistan exempted the large number of foreigners for the registration under the law but allowed them to travel anywhere in the country. The regime issued the exemption orders with executive powers and presented for approval in the Assembly after sometime. Although the government presented the exemption orders for approval in the Assembly, yet it did not show the figures and details of foreigners who were allowed under these declarations of exemption (Gilani, 1965).

#### **President's Address on War 1965:**

The open war of September 1965 started on 6 September. The National Assembly did not hold its session during the war. The post-war session of the Assembly commenced on 15<sup>th</sup> November 1965. As war had generated political and societal disturbance in Pakistan, it seemed that there were issues of food security in East Pakistan more than West Pakistan although the flames of war did not hit the Eastern areas of the country. Pakistan had to face social unrest and food crises. The food security issue hit the East Pakistan specially and government had to import rice from Burma. The quality issue of Burmese rice was raised in the Assembly and legislators showed serious concerns in this regard (James, 1965).

Hamid (1993) elaborated that Ayub Khan, the President of Pakistan and alleged reprobate of the war, addressed the Assembly in the first day of its session after the September 1965 War on 15<sup>th</sup> November 1965. The session was called two months after the War. In this session the emergency order of September 1965 was laid for approval of the legislature. The President conveyed the legislators about the Indian infiltration in Rann of Kutch in early days and Indian attack on Pakistan in September 1965 (Khan, 1965). The President of Pakistan took legislatures in confidence about the country's strategy about Indian invasion. He asked that Pakistan always tried to promote peace in the region, especially with its neighboring countries but India always adopted the attitude which harmed the

peaceful situations. He enlightened about the legal and ethical stance of Kashmir issue and maintained that Indian infiltration in Kashmir had no ethnical, geographical and political reasoning. The President Ayub told the Assembly that: “For 18 years we have tried to come to some understanding with our immediate neighbor, India, whose attitude towards us has been one of continued hostility. It is this attitude which has been devilled our relations and which is the root cause of all India-Pakistan tension. There was no legal, moral, geographical, ethnical or political justification for India to create the Jammu and Kashmir dispute except as a deliberate and calculated device to pose a lasting threat to the existence of Pakistan (Khan, 1965).”

The President Ayub Khan laid responsibility of War on India and said that Indian forces tried to occupy cease-fire line in Chaknot area in 1964 and in Dahagram (East Pakistan) in earlier days of 1965, which became the cause of high tensions between both the countries. He added further as:

“Her [Indian] hostility towards Pakistan also became more open. Her [Indian] armed forces tried in 1964 to occupy first Chaknot on the cease-fire line and then earlier this year Dahagram in East Pakistan. She [India] followed this with a military take-over of some 3,000 sq. miles of disputed territory in the Rann of Kutch despite the existence of an agreement to settle this dispute by negotiations. We naturally had to react and thwart her designs. Realizing the futility of the course she was pursuing, India for the first time in 18 years agreed to submit a dispute over what she claimed was Indian territory, to impartial arbitration and to abide by its decision (Khan, 1965).”

The President said Indian infiltration in Pakistani areas was not an accidental permeation but a deliberate and planned attack on its neighboring country. India tried to capture Pakistan during asleep. Its actions in Kargil and Azad Kashmir might not be bearable. He added as:

After a brief lull; the Indian Army re-embarked on its long-planned course of aggression. In the middle of May this year, Indian forces seized 3 isolated and thinly manned outposts in Kargil on our side of the ceasefire line in Azad Kashmir (Khan, 1965).”

General Ayub Khan conveyed that Indian forces started a direct action on international borders from August and Pakistan had to counter the neighboring forces in Chamb, Kargil, Awan Sharif and other areas. He concealed from the parliament that Pakistani guerillas disguised as Kashmiris crossed the ceasefire line on 5 August to make their presence visible as a prelude to an indigenous Kashmiri revolt. Instigated and planned by Pakistan, they became the starting point of war (UK, 1965). However Ayub claimed what no assemblyman had

chance to contradict or question that the Pakistani move was just to encounter the Indian infiltration. He told that:

“they interpreted our restraint as weakness and went to the extent of shelling the village of Awan Sharif in Pakistan on 25th of August. Simultaneously they were preparing the ground for launching a direct offensive against Pakistan from the Chamb sector. Our forces moved in support of the Azad Kashmir forces into the Chamb sector and destroyed the aggressive positions which the Indian Army had taken for an attack on Pakistan (Khan, 1965).”

The President told about the September attack saying that

“on September 4, the United Nations issued an appeal for peace. The Indian response to this appeal from the world body was a treacherous attack on Pakistan on the 6th of September in the Lahore area. It was a three-pronged thrust. Anticipating this, our forces had occupied forward positions and within a matter of hours, the massive Indian advance was halted and repulsed. Outnumbered 4 to 1 our gallant forces, supported by our valiant Air Force, delivered crushing blows on the aggressor and pushed him back to positions from where he was not allowed to advance.”

Kokab (2017) enlightened that the president twisted the facts in his narrative to the parliament regarding the beginning of war. About the initiator of the war historians impartially have concluded that Pakistan started the war. Freeman (1965) described that the United Nations' reports also showed that the Cease-Fire Line was first crossed by the Pakistan which became the cause of war. The India might decrease the tension if it tried for the dialogue but Indian Prime Minister communicated the nation to back Army and expressed to “see it to the end”. The Indians were ready for war, although dialogue might favor them. The dialogues were not in favor of Pakistan and India could be more beneficial in negotiations but Indians did not try for dialogue and Pakistan was also not in favor of dialogue before the War.

Pakistan had agreed for cease-fire just two days after the Indian attack and did not want to prolong the war conditions. The President Ayub admitted that “Pakistanis had not been angels” but same time expressed that Pakistan could not compromise for his territory. Pakistan showed its consent for Cease-Fire on 08 September but called it “purposeful Cease-Fire” and protested upon inhuman acts of Indian Army (James, 1965).

The president also presented a view of Indian attack in various areas and stated that India moving across Pakistan's border in Rajasthan occupied a small post in Pakistani territory. In response Pakistani ‘forces struck back hard and captured extensive areas deep in Indian territory.’ He explained the ceasefire as

“When the cease-fire came on the 23<sup>rd</sup> of September, the Indian forces had little to show for all their aggression. They had suffered heavy casualties on the battle-field and their war-machine had been badly mauled. They were in occupation of an area of 430 sq. miles in different sectors as against which they had yielded over 1,600 sq. miles to our forces.” The Big International forces responded after two weeks of war. The president criticized their delaying response and said that “the Security Council passed resolution on 20 September while reiterated on 05 November upon it.”

Instead of any debate on the address of the President the Assembly discussed the September War in the context of a resolution to pay respectful homage to martyrs and armed forces of Pakistan. Abdus Sobur Khan, the Leader of the House and Minister for Communication, started the discussion on the resolution on 17<sup>th</sup> November 1965 (NAPD, 1965). Nurul Amin, the Opposition leader, supported all three parts of the resolution namely the paying homage to martyrs and Shaheeds, the appreciation of the fortitude of armed forces and expression of grateful thanks to all friendly countries (Amin, 1965). After the passage of the resolution, a motion about the situation created by Indian aggression on War 1965 was moved. Z.A. Bhutto, the Foreign Minister spoke first. He shed light on the history of hostile relations of Pakistan with India. Entire rhetorical assault was aimed at the Indian aggression and animosity against the Muslims and Pakistan. He laid the responsibility of the start of War on India and told that on 16<sup>th</sup> August the India Army occupied the outpost in Kargil and in the subsequent days shelled on the West Pakistani village of Awan Sharif, crossed the ceasefire line frequently on 24<sup>th</sup> August and towards the end of the August started an operation in Uri-Poonch sector (Bhutto, 1965).

#### **Presidential address in March 1966 on Tashkent:**

On 10 January 1966 India and Pakistan concluded Tashkent Declaration and agreed upon ceasefire and settled to go back on 06 September 1965 position. Minister of Foreign Affairs Z.A. did not agree to accept the Soviet draft of Tashkent Declaration but Ayub accepted it with his own will. The clause of non-use of force between both the countries for Kashmir was included by the own handwriting of Ayub Khan after the denial of Bhutto to do so. Bhutto tried to counsel the Ayub about various contradicted clauses but could not be succeeded. The former Governor Punjab Salman Taseer presented this controversy as:

“Bhutto could clearly see the implications of signing the Tashkent Declaration. He bitterly opposed the Declaration and fought tenaciously for the exclusion of some of the more damaging clauses. But as Ayub Khan’s Foreign Minister, his influence was clearly limited (Taseer, 1979).”

The known political writers of that time Zeering et al. (1977) penned this controversy as:

“It appears now that Foreign Minister Bhutto counseled the President against accepting anything less than an agreement for the holding of a plebiscite on Kashmir”

The Indian writer Das (1969) also spoke on this controversy between Ayub and Bhutto and considered it as Bhutto’s effort to sabotage the peace dialogue. The Indian writer Durga Das wrote on issue as:

“Foreign Minister Bhutto tried to sabotage the agreement by raising all kinds of objections to the Soviet draft. Even after Ayub had, in his own handwriting, agreed to include a non-use of force in the draft declaration, Bhutto omitted these words from the fair draft sent back by the Pakistanis to the Russians. The Soviets were indignant and decided not to let Bhutto, whom they now were describing as a *gariachi Glave* (hot head), get away with it. They successfully poured cold water on him by going back directly to Ayub and holding him to his earlier commitment. Bhutto, thereafter, cut a sullen figure at Tashkent. At a glittering ceremony at which the Declaration was signed, those present saw Bhutto quietly rapped by Ayub for blowing smoke rings and conducting himself in a manner which was not in keeping with the dignity demanded by the occasion.”

The Ayub regime was obstinate to sign the declaration but Bhutto raised voice against pact and pointed out various clauses were against the National interest. Bhutto was directed to go back to country and take the nation in confidence in favor of the declaration. The known Indian journalist and writer Kuldip Nayar penned upon the issue as:

“When India asked for an official confirmation of the amended draft, Pakistan said that there never was any draft. Bhutto apparently had had his way. He had threatened to go back to Pakistan straight away and ‘take the nation into confidence’. Ayub knuckled down under his threats because he could not take chances. He had emerged weaker from the 1965 conflict.”

Bhutto resigned on Tashkent issue but no voice was heard about the Tashkent and Bhutto resignation in the Assembly. The legislators, from opposition and treasury benches, totally ignored the matter and remained silent in this regard. Bhutto resigned in June 1966 after a prolonged leave from his office. He was welcomed by the populace at large on every station during his travel by train from Rawalpindi to Larkana (Talbot, 1998).

Bhutto denied to accept Tashkent declaration and showed deep concerns upon that. The public image was also against this cease-fire agreement and



populace considered it against the benefits of the country. The public especially the students uprising against the pact and demonstrated to back the Kashmir issue. Bhutto resigned from his post and publicly criticized the Tashkent Declaration. He staged a demonstration against Ayub and arranged a tour to force public gatherings where Ayub's policies were criticized in all respects (Sobhan, 1969).

On the Tashkent Declaration President Ayub Khan addressed the National Assembly on 8<sup>th</sup> March 1966, the second day of the third session of the Assembly. He called the Declaration as a pact of peace (Khan, 1966). He considered the agreement as an initiative to resolve the Kashmir Issue which ultimately turned into socio-economic development in the region. He expected that

“Once this basic dispute [on Kashmir] is resolved, the two countries can turn their energies and resources to socio-economic development, and also give serious thought to a reduction of the heavy defence burden which an armament race would inevitably entail (Khan, 1966).”

While addressing the Assembly on the Tashkent Declaration President Ayub did not give the details about the agreement and just called the legislature the pact has been done and it would be important for future development. The President supposed that the government may concentrate on public progress and national reconstruction as the peace agreement had finalized between both the countries. And further emphasized the political and constitutional conditions of the country, praised his constitutional setups and advised the legislature not to consider a parliamentary form of government for the country. He argued in favor of amendments in the Constitution but not as a parliamentary but in favor of a Presidential form of government. He also presented an overview of his foreign policy and international relations but did not present the details of the Tashkent Declaration for which he came to address the Assembly (Khan, 1966).

The address of Ayub Khan was an isolated piece in the proceedings of the House. No debate in the Assembly was held on the address of the President. No questions were raised and no comments were laid on his assertions. It appeared that there was nothing wrong with the statements of the President within the House. The Assembly remained quiet on the Tashkent Declaration and the speech of the President. Negating these developments the Assembly occupied itself in the recovery of possession of Land and Buildings Ordinance 1965 (NAPD, 1966). Not to speak of the storm that was in the offing outside the House and in broad

cities of country where a movement against the Tashkent Accord was boiling to be erupted.

Bhutto had a different opinion of Tashkent Declaration and tried to resign several times but Ayub denied to accept his removal from office. Bhutto was threatened by regime and directed to remain silent on Declaration (Mody, 1974). Bhutto's stance on Tashkent Declaration clearly showed under the table dealing on issue but the Assembly did not speak out on a serious matter of national interest. The political developments occurred during and after the war but nothing were seen in the Assembly. The legislators did not discuss the good and bad points of the declaration but just praising remarks for the President Ayub Khan. The political developments in the country after the war were totally ignored by the legislators and never discussed the scenario in Assembly.

On 14<sup>th</sup> March 1966, however, a privilege motion was placed in the Assembly regarding appointment of Bhutto, Foreign Minister as leader of the delegation to Indo-Pakistan Conference. The privilege motion was moved by Abul Quasem who objected on Bhutto's appointment as leaders of the delegation while Leader of the House, Khan A. Sobur, Minister for Communication was also included as a member of the delegation. The Speaker ruled the motion out of order on the grounds that the Ministerial Conference was held on the basis of the Tashkent Declaration. Speaker declared that it was 'within the absolute power of the President to determine the composition of a delegation and appoint its leader.' He did not see 'how, by any stretch of imagination, this infringed the privilege of Assembly (NAPD, 1966).'

### **1966 Violations:**

Post 1965 war violations of Indian forces were discussed in the National Assembly of Pakistan on the adjournment motions. For instance in May 1966 the violation of the Indian forces were discussed in the house by Mukhlesuzzaman, a member from East Pakistan. The newspapers had reported that the Indian Army assaulted in areas of East Pakistan on 22 May 1966 (Dawn, May 23, 1966). While they attacked on Kashmir border on 24 May 1966 (Dawn, May 25, 1966). The Indian forces attacked on civilian areas and damaged the villagers at large. The issue of Indian assault was presented in house a week later by Mukhlesuzzaman through two adjournment motions. One adjournment motion was related to the Indian violation on the Indo-Pakistan border in West Pakistan and the other

related to some happenings in East Pakistan. The motions were accepted for discussion. In the discussion later the legislators condemned the Indian action. It had been conveyed to the legislature that Indian intrusion had been seen in various areas of the East Pakistan, especially in Assam, Sylhet, Mymen Singh, Rangpur and other border areas. The opposition criticized the government upon low-level defense arrangements in East Pakistan (Mukhlesuzzaman, 1966). The opposition legislators also questioned about the strength of Indian troops and weaponries used against Pakistan in war and insurgencies (Haque, 1966).

### **Conclusion:**

The powers of National Assembly were limited in the contrast to those of Presidential office. It was clearly evident from the initiation of war and Tashkent Declaration. The Ayub regime did not discuss about the initiation of war in the Assembly although opposition presented the issue months before the open attack. The clauses of Tashkent Declaration were also not presented in the house to discuss. The Assembly was just intimated about the war situation and the Pact months after their occurring. The Ayub's Minister of Foreign Affairs resigned upon Tashkent Declaration issue and populace protested upon that at large but the Assembly remained silent in this regard.

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