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## **Why Nations Diverge: An explanation of the contrasting regime types of India and Pakistan, 1947-1958**

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# Why Nations Diverge

**An explanation of the contrasting regime types of India and Pakistan,  
1947-1958**

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Bachelor Thesis as part of BSc International Relations and Organizations

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*"When they partitioned, there were probably no two countries on Earth as alike as India and Pakistan."*

– Nisid Hajari, author of ‘Midnight's Furies: The Deadly Legacy of India's Partition’<sup>1</sup>

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<sup>1</sup> Doshi, V., & Mehdi, N. (2017, August 14). *70 years later, survivors recall the horrors of India-Pakistan partition*. The Washington Post. [https://www.washingtonpost.com/world/asia-pacific/70-years-later-survivors-recall-the-horrors-of-india-pakistan-partition/2017/08/14/3b8c58e4-7de9-11e7-9026-4a0a64977c92\\_story.html](https://www.washingtonpost.com/world/asia-pacific/70-years-later-survivors-recall-the-horrors-of-india-pakistan-partition/2017/08/14/3b8c58e4-7de9-11e7-9026-4a0a64977c92_story.html)

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## 1. Introduction

At the stroke of midnight on 15 August 1947, India gained independence from nearly 200 years of British colonization. Unlike what Lord Mountbatten, the last Viceroy of British India, had envisioned, the dream of a united India never came true. Instead, the Indian empire was divided along religious lines into two countries – India and Pakistan. India would be home to the majority of Hindus and Sikhs, whilst Pakistan, including its eastern wing (present day Bangladesh), was to be home to the majority of Muslims of the empire. What followed this historic moment were unprecedented levels of violence, deaths, and one of the largest mass migrations known to mankind.

Long before the British had arrived to South Asia, the Indian subcontinent (or present-day India, Pakistan and Bangladesh) had been a unified territory. The north-western area of this region was the birthplace of the Indus Valley Civilization, and centuries later, the majority of this region was under the rule of first the Maurya empire, then the Mughal empire and finally the British Raj. Thus, both India and Pakistan emerged from a common political, economic and institutional history that spans over two millennia.

Yet, post-independence India and Pakistan were not all that similar. In addition to the religious differences on which they were created, the two countries adopted starkly different regime types. According to the Polity IV index<sup>2</sup>, in 1950 India was a democracy with a score of 9, whereas Pakistan was an anocracy with a score of 4 (Marshall et al., 2019). Pakistan's score would fluctuate repeatedly in the coming years, from 5 in 1955 to 8 in 1956, then rapidly dropping to -7 in 1958 (see Figure 1). The country was mired in a series of military coups and unstable regimes. India's score, on the other hand, remained at a stable 9 throughout this period (Marshall et al., 2019).

Given the shared historical backgrounds from which India and Pakistan emerged, they should have developed similar regime types post-independence. The key puzzle that I will investigate in this research paper relates to the different regime types adopted by two countries that were carved out of the same empire. What truly defies this path-dependent kind of expectation is that they diverged almost immediately after 1947. The research question is: *Why did the critical juncture of independence from British colonial rule lead to democracy in India and autocracy in Pakistan?* Due to the time and space restrictions of this paper, the

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<sup>2</sup> The Polity IV index is a comprehensive measure of the extent of a country's democracy, calculated on a scale of -10 (full autocracy) to 10 (full democracy).

analysis shall focus on the period of 1947 to 1958, the latter being the year when Pakistan first experienced a military coup d'état and came close to becoming a full autocracy.

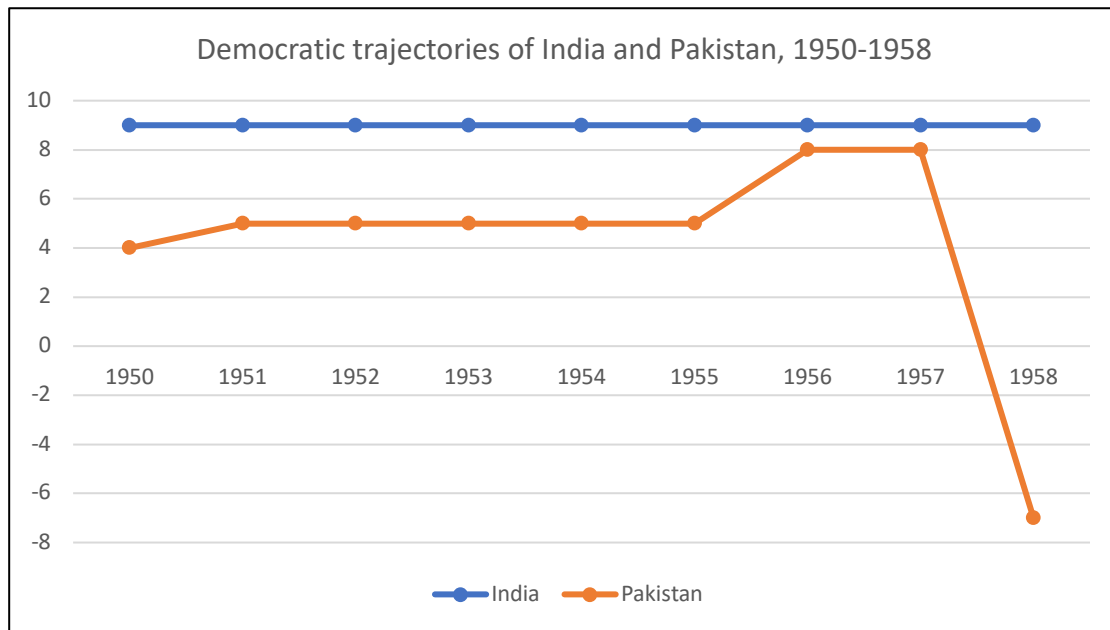


Figure 1: Illustrating the post-independence democratic trajectories of India and Pakistan, based on Polity IV figures (Marshall et al., 2019)<sup>3</sup>

In terms of scientific relevance, this research adds to the limited current literature that compares the regime types of India and Pakistan, by differing in two key aspects. First, I assess the strength of two competing explanations of regime divergence – religion and institutions. Second, in order to answer the research question, I apply the new historical institutionalist framework of Acemoglu and Robinson (2013), using concepts such as “inclusive-extractive” institutions, “virtuous-vicious” circles, and “institutional drift”. In terms of societal relevance, this paper comes at a time when the democratic trajectories of India and Pakistan seem to be converging – not due to Pakistan’s democratic progress, but due to a decline in India’s level of democracy under the current Hindu nationalist government. At such a time it has become all the more important to remind ourselves of the democratic foundation on which India was built. The intended audience of this paper is thus not limited to scholars and students of political science.

<sup>3</sup> The y-axis represents Polity IV index scores, which are calculated by assessing constraints on executive powers, civil liberties for citizens, and the presence of institutions through which citizens can express preferences about alternative policies and leaders (Marshall et al., 2019, p. 14).

This paper now proceeds as follows. The theoretical framework reviews literature on the compatibility of Islam and democracy, and presents Acemoglu and Robinson's (2013) theory of institutional drift. While the religious explanation predicts that Pakistan did not become democratic because it is an Islamic country, the institutional explanation predicts that the two countries diverged due to small institutional differences that developed before independence. Next, the research design section lays out the variables, data and methods. Thereafter, the religious explanation is investigated. Through a qualitative content analysis of Pakistan's 1956 Constitution, I find that the country's relationship with Islam is not comparable to some countries in the Arab region. Religion appears as just another item in the Constitution rather than being the main source of its laws. Next, the historical institutionalist explanation is investigated. Using a process tracing method, the origins of the two independence movements are researched. I find that the parties leading these movements differed significantly in terms of their composition and strength, which can explain their post-independence regime types. Finally, it is concluded that India and Pakistan diverged in terms of regime type not due to Pakistan's religion, but because their basic institutional foundations differed in terms of compatibility with democracy.

## 2. Theoretical Framework

### 2.1 Islam and Democracy

The compatibility of Islam and democracy is a widely debated topic in the field of political science. A number of scholars have found that the majority of Islam-dominant countries are autocratic (Fish, 2002; Lewis, 1996; Voll, 2007; Kubba, 1996). This finding has led many to the conclusion that Islam is a barrier to democratization, with several causal mechanisms also being explored.

First, scholars have argued that Islam's emphasis on the absolute sovereignty of God clashes with the democratic notion of the sovereignty of the people (Hashemi, 2013, p. 73; Voll & Esposito, 1994, para. 10). The idea of the citizen as a participant in the polity does not seem to have existed in Islamic cultures, as evident by the lack of a word for 'citizen' in languages such as Arabic, Turkish and Persian (Lewis, 1996, p. 55). Parliaments as sources of law are considered blasphemous, as God's law – or *Shari'ah* – is considered the highest governing authority in the lives of people (Voll, 2007, p. 172; Stepan, 2000, p. 48). As a result, the fundamentals of democracy such as suffrage, elections, parliament and judiciary are absent in Islamic political culture (Kedourie, 1992, as cited in Voll, 2007, p. 172). In some present-day Muslim countries, elections are merely a symbolic means of choosing a government but lack substantive meaning.

Second, Islam does not separate state and religion, as demonstrated by the saying "In Islam, God is Caesar" (Huntington, 1996, as cited in Fish, 2002, p. 20). Muslims place higher importance on religion than believers of other faiths, making politics inseparable from religion (Fish, 2002, p. 20). Many Arab states for example have inherited a legacy of rigid monarchies which are maintained and fed by Islamic ideas (Karatnycky, 2002, p. 106). Muslim autocrats often use religious sentiments to present the opposition as enemies of Islam and gather support for their unjust policies (Platteau, 2017, p. 8). Historically, Muslim political life has been marked with tribalism, political violence and the political passivity of the common man (Kubba, 1996; Huntington, 1993). All these ideas are rooted in religious doctrines which have perpetuated a tradition of authoritarianism in present-day Islamic countries.

Third, women are not treated as equal citizens in Islamic culture, with large disparities between the two genders in terms of sex ratio, education level, labor force and political representation (Fish, 2002, p. 25). These differences create fundamentally unequal social



relations and authority relations. The high ratio of men to women can make young men more likely to join militant groups, while wives being completely economically dependent on husbands can make the latter more domineering (Fish, 2002, p. 31). The general alienation of women in politics and society translates into a political arena where people become more accustomed to hierarchy and inequality. Thus, the culture of female repression in Muslim societies creates a political system conducive to authoritarianism, where power is concentrated in the hands of one authority figure, similar to the father in the family (Fish, 2002, p. 30).

Based on this literature, it can be predicted that Pakistan could not develop a sustainable democracy like India because it is a Muslim country. Therefore, the first hypothesis is:

H1: Pakistan developed an autocratic regime because it is a Muslim country.

## 2.2 Historical institutionalism

North (1990) defines institutions as “the rules of the game in a society” that “structure incentives in human interactions, whether political, social or economic” (as cited in Acemoglu et al., 2004, p. 1). The starting point of Acemoglu and Robinson’s (2013) new historical institutionalist perspective is the degree of inclusivity of a country’s political institutions. Inclusive political institutions are defined as those that are sufficiently centralized and pluralistic, and therefore allow the broader masses to participate in political decision-making (Acemoglu & Robinson, 2013, p. 81). Extractive political institutions are those that lack centralization and/or pluralism, and therefore concentrate political decision-making power in the hands of a few elites (Acemoglu & Robinson, 2013, p. 81). The inclusivity of political institutions also has implications for the country’s economic institutions and development, though this line of enquiry is not relevant to the core aim of this paper.

Following this, Acemoglu and Robinson (2013) put forward the theory of institutional drift. The starting point in this theory is a critical juncture, which they define as “a major event or confluence of factors disrupting the existing economic or political balance in a society” (Acemoglu & Robinson, 2013, p. 101). This definition may, however, not be widely applicable, as it emphasises that such an event be “major”, and does not give any indication of what the results of such a disruption might eventually be. Alternative definitions of critical junctures are “turning points of established institutional parameters that shape what is

politically possible” (Thelen, 2002, p. 99) and “situations of uncertainty in which decisions of important actors are causally decisive for the selection of one path of institutional development over other possibilities” (Capoccia, 2016, p. 1). A critical juncture is a “double-edged sword”, meaning it can either lead a society to a path of prosperity by creating inclusive institutions, or to a path of poverty by creating extractive institutions (Acemoglu & Robinson, 2013, p. 101).

Once institutions are set up due to a critical juncture, they tend to persist, as actors are incentivized to maintain them (see Figures 2 and 3). In the case of inclusive political institutions, a virtuous circle is created wherein pluralism and rule of law allow for mass participation, while free media informs the public of any threats to inclusivity, thereby counterbalancing any attempts to capture power (Acemoglu & Robinson, 2013, p. 333). Similarly, extractive political institutions lead to a vicious circle wherein power remains concentrated in the hands of the ruling elite, and the lack of constraints on this power prevents any attempts to allow mass participation (Acemoglu & Robinson, 2013, p. 366)<sup>4</sup>.

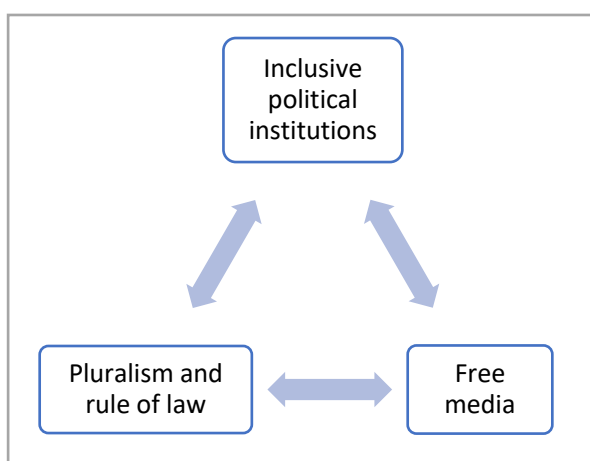


Figure 2: A virtuous circle

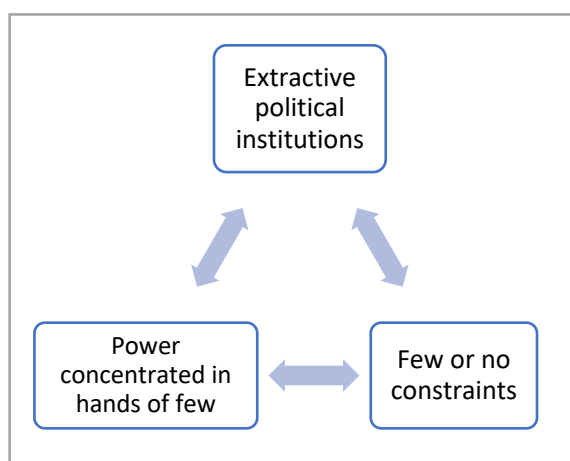


Figure 3: A vicious circle

What determines if a critical juncture will create a virtuous or a vicious circle in a given society? The effect of a critical juncture depends on the minor initial institutional differences between societies (Acemoglu & Robinson, 2013, p. 107). When a critical juncture interacts with these differences, societies can respond in very different manners, eventually leading to divergence. Thus, even seemingly similar societies can drift apart institutionally in the face of a critical juncture. While Acemoglu and Robinson (2013) believe that only pre-existing contingent conditions can decide the outcome of a critical juncture, other scholars

<sup>4</sup> In both cases, economic institutions also play a key role in sustaining political institutions, but that mechanism has been left out as it does not help in answering the research question at hand.

like Mahoney (2002), Slater and Simmons (2010), and Berins Collier and Collier (1991) also stress the importance of political agency (as cited in Capoccia, 2016, pp. 3-5). Critical junctures provide key actors with unique choices for change. The decisions taken at this crucial time shape the design of the institutions that are thus created (Capoccia, 2016, p. 3).

Based on Acemoglu and Robinson's (2013) theory of institutional drift, independence from the British can be treated as the critical juncture that interacted with some small pre-independence institutional differences between India and Pakistan. These differences led to a post-independence divergence in regime type. Section 5 investigates two key differences between pre-independence India and Pakistan – party strength and the kinds of social classes leading the two independence movements. Accordingly, the second hypothesis is:

H2: The pre-existing institutional differences led to democracy in India and autocracy in Pakistan upon independence.

### 2.3 An initial comparison of the two explanations

The two explanations directly contradict each other for at least two reasons. First, for Acemoglu and Robinson (2013), religion and regime type is merely a spurious relationship as the causes of authoritarianism in the Muslim world are path dependent on the historical legacies of colonialism and empire (p. 61). The religious explanation also cannot illustrate differences within the Muslim world, such as why Indonesia or Turkey were able to develop better democratic elements than Syria or Egypt.

Second, scholars of the religious explanation of regime type would argue that the Muslim world cannot democratize unless it abandons the tenets of Islam in politics. For historical institutionalists, the process of democratization is independent of cultural factors. The Muslim world can develop inclusive political institutions if decision-making power is captured from the narrow set of ruling elites and distributed in the broader masses. This can happen through a critical juncture such as a revolution, organized movement, or an unprecedented confluence of factors, or if leaders simply choose to abandon their grip on power (Acemoglu & Robinson, 2013, p. 427; Acemoglu et al., 2004, p. 35).

Overall, I expect that the historical institutionalist perspective will provide a stronger and more consistent answer to the research question. This prediction is driven by the vast literature which contends the claim that Islam and democracy are incompatible. First, scholars of the incompatibility argument adopt a narrow view of democracy, i.e. a Western-style liberal democracy (Hashemi, 2013, p. 75). Voll and Esposito (1994), however, point out

that a democracy in Islamic polities is possible, through a “theo-democracy” where people exercise political sovereignty under the sovereign rule of God (para. 11). In such a system, the chief executive is selected through the will of the people because God’s rule provides a basis of political equality (Voll & Esposito, 1994, para. 15). Other Islamic concepts such as “consultation (*shura*)”, “consensus (*ijma*)”, and “independent judgement (*ijtihad*)” also indicate the democratic possibilities in an Islamic polity (Voll & Esposito, 1994, para. 30).

Second, scholars have argued that Islam is used as an excuse to avoid democratization and as a tool to sustain autocratic power based on manipulated interpretations of the Koran (Kubba, 1996, p. 86; Stepan, 2000, p. 49). The congruence of religion and politics ended with the death of Prophet Muhammad, after which politics took precedence over religion (Platteau, 2017, p. 4). Since World War II, many Muslim countries have been unstable autocracies where the incorporation of religious elites in the political process is combined with widespread corruption (Platteau, 2017, p. 8). Religious clerics, seen as spiritual role-models and messengers of God, are bought-off by the ruling elites to declare their support for the government and its policies. This religious legitimacy is contested by the political opposition, which claims to be the most legitimate representation of Islamic values (Platteau, 2017, pp. 8-9). The ensuing struggle of power leads to political instability, where religion, rather than being the cause, is merely a means to further the legitimacy and political interests of autocrats.

Third, many authoritarian Muslim regimes are endowed with oil and natural gas, which is also their main source of revenue. Autocrats use this income to please the population by providing money to the public, thereby disincentivizing them from opposing authoritarian rule (Karatnycky, 2002, p. 105). The use of natural resource wealth to maintain power and minimize the pressure for popular representation has little to do with religion.

Finally, public opinion surveys have found widespread support for democracy in the Arab world, indicating that the democratic deficit is not a result of Islamic culture (Esposito & Mogahed, 2007, as cited in Hashemi, 2013, p. 70). Moreover, some scholars have falsely equated Islam with the Arab world, whereas more than half of the world’s Muslims live in (near-) democracies in countries such as Indonesia, Pakistan, India, Bangladesh and Turkey (Stepan, 2000, p. 48; Hashemi, 2013, p. 69).

### 3. Research Design

The overarching aim of this paper is to assess the reasons why independence as a critical juncture produced contrasting regimes in societies that were previously similar. This question can only be answered when at least two societies are studied together, so a comparative case study design is the most apt. Moreover, in order to derive a proper causal explanation, a Most Similar Systems Design is appropriate. This is why the cases of India and Pakistan have been chosen. As detailed in the introduction, the two countries have a shared history that spans over 2000 years. Post-independence, they differ on two key factors – religion and regime type. In this study, religion acts as an independent variable whilst regime type is the dependent variable.

#### 3.1 Variables

The dependent variable in this study is regime type, i.e. democracy in India and autocracy in Pakistan, in the period of 1947-1958. This is defined and measured using the Polity IV democracy index, which is a score calculated by assessing the competitiveness and openness of a country's political participation and executive recruitment, the constraints present on the chief executive, and the civil liberties guaranteed to citizens (Marshall et al., 2019, p. 14). The score is assigned on a scale of -10 (full autocracy) to 10 (full democracy). Apart from being a comprehensive measure of democracy level, Polity IV has an advantage over other measures such as the Freedom House Index because it has figures from further back in time. For the chosen cases, the Polity IV index has scores from 1950 onwards.

The overarching independent variable in this study is independence from British colonial rule. The two hypotheses each present an additional independent variable – Islam and institutional differences. Islam will be measured in terms of the extent to which it shapes politics in Pakistan, as opposed to shaping citizens' private lives. Within the second hypothesis, two key institutional differences will be explored – party strength and the kinds of social classes leading the two independence movements. Pre-independence India and Pakistan were institutionally similar in many ways, including their colonial political systems, judicial systems, widespread structural inequality between social classes, systems of taxation, infrastructure and education. The two factors of party strength and social composition of the independence movement, therefore, stand out clearly as two of the few differences between pre-independence India and Pakistan.

### 3.2 Data and methods

In order to evaluate the claim that Islam is responsible for the regime trajectory of Pakistan, it is important to assess the role of religion in the political arena. A country's constitution not only reflects the political culture of the society within which it was written, but also act as "monuments around which institutions can crystallize" (Arjomand, 1992, p. 40). Pakistan's 1956 constitution clearly sets out the relationship between religion and the state. Therefore, an analysis of Pakistan's 1956 constitution is a reliable way to test hypothesis 1. The method of qualitative content analysis allows for this vast document to be condensed so that the relevant parts can be systematically extracted and analyzed. Following the method outlined by Schreier (2013), section 4 sets out the coding frame, with religion and democracy as the main categories. Some secondary sources are also used in the discussion of the results.

In order to investigate hypothesis 2, I use process tracing. Starting from 1885 when the Indian National Congress was founded, the analysis traces the events that formed the party into a body of mass politics, thereby increasing its strength and solidifying a democratic future for independent India. Simultaneously, the analysis traces the growth of the Muslim League from 1906, which remained weak and lacking vision until independence. In line with the crux of process tracing, the focus will be on causality, i.e. *how* party strength and social composition of the independence movements caused the regime trajectories that we see post-independence. Evidence is drawn from secondary sources due to the lack of availability of original party manifestos, government documents, newspaper articles etc. from such a long time back.

## 4. A religious explanation of democratic divergence

### 4.1 Contextualizing Pakistan's 1956 Constitution

Before analyzing Pakistan's 1956 Constitution, it is crucial to understand the context in which it was written and adopted. Pakistan faced two big challenges after independence – the persistent delay in the making of a Constitution, and the demands for greater representation from East Pakistan.

After the death of Pakistan's founding father, Muhammad Ali Jinnah, in 1948 and the assassination of Prime Minister Liaquat Ali Khan in 1951, the country was enveloped in chaos. The First Constituent Assembly was dissolved in 1954 on the pretext that it had failed to write a constitution for more than seven years (Choudhury, 1956, p. 243). In the same year, the Muslim League suffered a major defeat against the United Front Party in the East Pakistan elections (Newman, 1959, p. 22). Though East and West Pakistan were created on the basis of religion, religion was the *only* common factor between them. They differed largely in racial backgrounds, languages and cultural habits (Choudhury, 1956, p. 246). While India accommodated its vast linguistic diversity by creating states along linguistic lines, Pakistan stuck to Jinnah's vision of "one nation, one culture, one language" (Jaffrelot, 2002b, p. 8) and proposed to make Urdu the national language – an act which was fiercely protested by the Bengalis (Jaffrelot, 2002a, pp. 257-258). Despite being larger in size and population, East Pakistan deeply feared being dominated by the central government. Choudhury (1956) describes this Bengal-Punjab controversy as perhaps the single biggest factor that delayed the adoption of the constitution (p. 246).

Without a constitution, Pakistan found itself lacking direction. This was augmented by deep-seated insecurity brought on by the loss of the Indo-Pak war of 1947-48 and the contentious issue of Kashmir (Jaffrelot, 2002a, p. 256). Between 1947 and 1959, more than half of the yearly state budget went towards strengthening of the military, thereby granting it enormous influence (Jaffrelot, 2002a, p. 256). Finally, in 1956, the Second Constituent Assembly adopted Pakistan's first Constitution, however this success was short-lived. When Governor-General Ayub Khan declared martial law in 1958, the Constitution was abrogated (Wilcox, 1965, p. 142).

## 4.2 The coding frame

Using the data-driven subsumption strategy, the categories were generated while reading the material and as and when new relevant details were encountered (Schreier, 2013, p. 19). The categories and sub-categories are defined as follows:

- A. Religion: This category applies whenever an article or a clause refers to religion. Based on Jinnah's speech before independence, where he stated that religion is a matter of personal faith and not of the state (Tudor, 2013, p. 95), the subcategories are:
  - a. Religion as a matter of the state: This sub-category applies whenever religion motivates a particular law or political function.
  - b. Religion as a matter of personal faith: This sub-category applies whenever religion is described as a matter of individual choice.
- B. Democracy: This category applies whenever an article or a clause refers to democratic processes or values as the ideals that the state should adhere to. Democracy is understood in the practical sense of the word – it denotes rule of law, elections, legislatures, freedom of speech etc. The sub-categories are:
  - a. Democratic processes: This sub-category applies whenever democratic processes such as elections are outlined and formalized.
  - b. Democratic values: This sub-category applies whenever democratic values such as equality and freedom are formalized.

With the category of Religion, the goal is to verify if Islam is the foundation of laws in Pakistan or simply a guide to citizens' personal lives. If the former is found to be the case, the conclusion would be that the writers of the Constitution intended to structure politics around religion. The literature would then lead us to expect that the Constitution would have little to no democratic principles, as discussed in section 2.1 of this paper. The category of Democracy aims to confirm this expectation. According to hypothesis 1, religion heavily guides political life in Pakistan, and thus democratic principles are absent in its Constitution.



### 4.3 Results

The following quotes are from the Constitution of Pakistan of 1956, which was accessed online. Note that only the most relevant quotes have been presented here due to limitations of space.

#### A. Religion

##### a. Religion as a matter of the state

Article	Quote
Preamble	[...] Pakistan would be a democratic State based on Islamic principles of social justice
1 (1)	Pakistan shall be [...] known as the Islamic Republic of Pakistan [...]
32 (2)	[...] a person shall not be qualified for election as President unless he is a Muslim
198 (1)	No law shall be enacted which is repugnant to the Injunctions of Islam as laid down in the Holy Quran and Sunnah [...] and existing law shall be brought into conformity with such Injunctions.

##### b. Religion as a matter of personal faith

Article	Quote
18 (a)	[...] every citizen has the right to profess, practise and propagate any religion
25 (1)	Steps shall be taken to enable the Muslims of Pakistan individually and collectively to order their lives in accordance with the Holy Quran and Sunnah.
197 (1)	The President shall set up an organization for Islamic research and instruction in advanced studies to assist in the reconstruction of Muslim society on a truly Islamic basis.

#### B. Democracy

##### a. Democratic processes

Article	Quote
Preamble	[...] the State should exercise its powers and authority through the chosen representatives of the people
Preamble	[...] the independence of the Judiciary should be fully secured

32 (1)	There shall be a President of Pakistan [...] who shall be elected by an electoral college [...]
37 (1)	There shall be a Cabinet of Ministers with the Prime Minister at its head, to aid and advice the President in the exercise of his functions.
44 (2)	[...] there shall be ten seats reserved for women members (in the National Assembly) [...]

b. Democratic values

Article	Quote
Preamble	[...] the principles of democracy, freedom, equality, tolerance and social justice as enunciated by Islam, should be fully observed
5 (1)	All citizens are equal before law and are entitled to equal protection of law.

#### 4.4 Discussion

The results of the qualitative content analysis show that contrary to expectation, politics in Pakistan is not centered around religion. Apart from articles 32(2) and 198(1), Islam does not influence any political function or law. Though the State is required to assist citizens in developing a Muslim society, this requirement does not impair the government's ability to functioning democratically. Citizens are allowed to practice any religion, in line with the democratic principle of freedom. The Preamble explicitly states that Pakistan should be democratic, which is further substantiated by the numerous articles that draw up its parliamentary system. Democratic values such as equality and justice are also enshrined in the Constitution.

In section 2.1 of this paper, three main arguments were presented regarding the incompatibility of Islam and democracy. The results of the content analysis will now be used to test these claims.

First, scholars have argued that Islamic countries lack democracy because the law of God is considered higher than that of the parliament. Under Article 1(1) of its Constitution, Pakistan declared itself an 'Islamic Republic'. However, unlike those of other Islamic countries, Pakistan's 1956 Constitution also explicitly formalized democratic principles. It established a unicameral legislature, a cabinet of ministers, an independent judiciary, and most importantly, handed people the power to elect their representatives who make laws

(Constitution of Pakistan, 1956), as opposed to relying on the word of God. The founding fathers of Pakistan belonged to a modernizing elite most of whom possessed little knowledge of Islam. They were of the strong opinion that Pakistan should be democratic, as for them Islam and democracy were inseparable (Rahman, 1985, p. 36). This is also reflected in the Preamble (Constitution of Pakistan, 1956).

Second, scholars have argued that there is a lack of separation between the state and religion in Islamic countries. However, Islam appears only as an item in the Pakistani Constitution among a list of other things, as opposed to being structurally embedded in it. In other words, the set-up of the state and its various democratic processes does not revolve around religion in the constitution. The words “Islam”, “Muslim” and “Allah” appear only around 35 times in a document of over 80 pages and 200 articles. Clearly, the writers did not intend to build a state where religion would dictate politics, but rather envisioned a democratic country where the principles of Islam would be adhered to<sup>5</sup>. Arjomand (1992) makes a similar argument by saying that the mention of Islam in the Pakistani Constitution stems from the “right to cultural identity” as opposed to the desire to institutionalize it in the political order (p. 61).

Furthermore, scholars have argued that Islamic countries have inherited a legacy of rigid monarchies that sustain religious ideas, and that the religious doctrines of Islamic political life lead to violence and political passivity of the common man. Neither of these, however, apply in the case of Pakistan – the country did not inherit a religious monarch, and its political instability was mainly marked by bloodless coups. A series of riots in East Pakistan in the year 1952 were instigated in order to demand greater autonomy and representation for the region, however these did not have a religious base (Lionel, 2008).

Third, scholars have argued that the ill-treatment of women in Islamic culture contributes to a culture of hierarchy and inequality where power is concentrated in the hands of one dominant figure. However, there is no reason to believe that during the immediate post-independence period, women in Pakistan were any worse-off than women in India. In the 1950s, India had a sex ratio of 1.054 while Pakistan had a sex ratio of 1.064 (United Nations Statistics Division, n.d.-a). In the same period, India’s male life expectancy was 37.71 years and female life expectancy was 36.22 years. Pakistan’s male life expectancy was 37.19 years and female life expectancy was 37.75 years (United Nations Statistics Division,

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<sup>5</sup> This highlights the role of political agency during a critical juncture. The leaders of Pakistan were faced with a choice when framing the Constitution – they could either adopt Islamic laws or enshrine Islamic principles in a democratic Constitution. The analysis leads to the conclusion that they chose the latter option.

n.d-b; United Nations Statistics Division, n.d-c). Like India, Pakistan guaranteed suffrage rights to women and encouraged their political participation by reserving seats at various level of government (Constitution of Pakistan, 1956; Skard, 2014, p. 122). While Indian women organized to advance their collective interests through the National Federation of Indian Women, Pakistani women mobilized via the All-Pakistan Women's Association (Subramaniam, 2004, p. 635; Skard, 2014, p. 122).

The results of the qualitative content analysis and the course of events in post-independence Pakistan lead to the conclusion that its autocratic course and instability were not a function of its Islamic nature. Religion seems to be a vital part of Pakistan's society and people's lives, but it has in no way dictated the politics behind its unstable governments and military interventions in the period of 1947-1958. This finding does not support hypothesis 1, and further begs the question – If not religion, what explains Pakistan's democratic deficit between 1947 and 1958? I now turn to an alternative explanation, one which takes us much further back in time in order to illustrate the institutional foundations of India and Pakistan.

## 5. A historical institutionalist explanation of democratic divergence

### 5.1 The social origins of the Indian National Congress and India's independence movement

Between the mid and late 19<sup>th</sup> century, a number of regional movements had failed to lobby the British colonial administration for more representation for Indians in decision-making and advisory bodies, which called for a more united and large-scale effort (Tudor, 2013, p. 47). The Indian National Congress (INC) was born out of this somewhat pro-democratic movement. It was founded in 1885 by a handful of upper-caste Brahmin men who were educated in England itself, and were therefore well-versed in law and democratic theory (Hanes, 1993, p. 74). Though they initially favored suffrage only for the educated, their aim of indigenous representation, along with open debate and adoption of policies via majority voting foreshadowed India's democratic future (Tudor, 2013, p. 49).

From an elite bargaining body, the INC gradually shifted to mass politics via four key processes in the early 20<sup>th</sup> century. First, the reversal of the 1905 partition of Bengal following widespread protests showed the great potential of mass mobilization in bringing about political change (Tudor, 2013, p. 52; Krishna, 1966, p. 413). Second, the inability of moderate ideologies to bring about political reform demonstrated how critical it was at the time to rally behind a large-scale civil disobedience movement (Tudor, 2013, p. 53). Third, heavy taxation by the colonial administration to fund World War I created serious dissatisfaction among the lower social classes who were struggling to make ends meet (Tudor, 2013, p. 54). This sparked a new motive for the political mobilization of the masses. Lastly, Congress's new charismatic leader, Mohandas Karamchand Gandhi, aimed to reform the party by reaching out to the rural masses of India (Jaffrelot, 2002a, p. 260). His ideology of non-violent demonstration received great public attention (Tudor, 2013, pp. 54-55). Then, the Jallianwala Bagh massacre of 1919 unified the Congressmen under a banner of anti-colonial sentiments (Tudor, 2013, pp. 54-55). Through these four processes, the INC gradually shifted from being a body of elites bargaining for change, to a body leading the mass civil disobedience movement, which would eventually become the Indian independence movement.

In order to create a stable democratic foundation, the INC first had to work on creating political equality which had long been absent due to India's rigid caste system. From 1920 onwards, the party began to lay the foundations of an egalitarian public arena by campaigning against caste-based untouchability, promoting self-spun cloth or *khadi* as a

symbol of unity between the urban and rural masses, and launching mass movements such as Non-Cooperation, Civil Disobedience and Quit India – all of which employed peaceful means of protest (Tudor, 2013, p. 72; Jaffrelot, 2002a, p. 260). The results of these campaigns were an increasing political equality, a greater sense of nationalism among many citizens, and a growth in the membership and party organization of the Congress (Krishna, 1966, p. 419). Consequently, the Congress Party developed such a steadfast ideational commitment to democratic principles that it was unlikely that independence would lead India to a path of authoritarianism. Upon independence, the INC formalized their long-practiced democratic ideals in the Indian constitution, thus creating the world’s largest democracy.

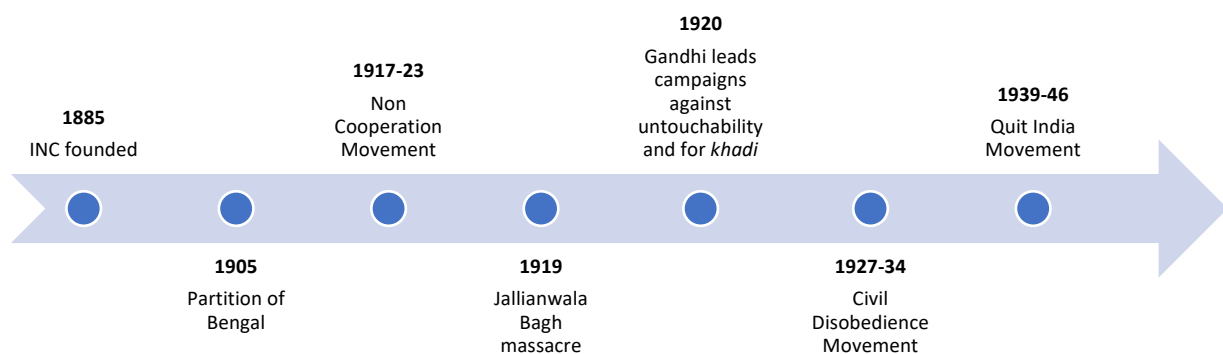


Figure 4: Tracing the process of the development of India’s “coherent distributive coalition”

Congress developed what Tudor (2013) calls a “coherent distributive coalition”, meaning that its membership was made up of a large variety of social groups, all of which held grievances towards the colonial administration and thus had similar distributive interests (p. 101). Though it originated as a party of mostly upper-caste Hindus, it gradually mobilized a diverse set of masses through the various movements that spoke close to India’s dominant rural peasantry. Urban dwellers also joined as the Congress-led movements seemed to be the best way to express their grievances. Congress garnered a reputation for representing broad interests which wanted redistribution of power and resources from the colonial state to the masses (Tudor, 2013, p. 102). In this process, it created a robust intra-party organization which ensured that India “survived the partition almost intact” (Jaffrelot, 2002a, p. 255).

## 5.2 The social origins of the Muslim League and Pakistan's independence movement

In the mid 19<sup>th</sup> century, India's aristocracy was over-represented in the colonial administration, albeit with limited powers. With the partial democratic reforms of the late 1880s and Congress's successful attempts to integrate representatives from urban associations into Legislative Councils, the influence of the educated middle class increased, albeit at the expense of the land-owning aristocratic class (Tudor, 2013, p. 56). This was particularly threatening for Muslim aristocrats of the United Provinces (UP; present-day states of Uttar Pradesh and Uttarakhand), who were disproportionately affected by the reforms brought about by the INC's efforts (Jaffrelot, 2004, p. 10).

In the backdrop of these political developments, a group of aristocrats, mostly Muslims from UP, met in December 1906 in Dhaka and formed the Muslim League (Tudor, 2013, p. 62). Unlike the INC, the Muslim League was to be a means of maintaining the privileged positions of aristocrats under the British Raj by opposing democratic reforms (Tudor, 2013, p. 62; Jaffrelot, 2002a, p. 261). Certain membership rules of the League clearly show that it was open to neither the middle class nor mass politics – the number of members was limited to 400; each member would have to earn at least Rs. 500 annually and pay a membership fee of Rs. 25. To put this into perspective, the average Indian earned Rs. 42 a year (Tudor, 2013, p. 62), while membership of the Congress costed only Rs. 0.25 a year (Krishna, 1966, p. 419). Note that being Muslim was not a membership criterion, simply being rich would have sufficed.

The Muslim League in its early years was more “colonial loyalist and anti-democratic than pro-Muslim” (Tudor, 2013, pp. 63-64). Their aim was to support colonial rule in order to protect aristocratic interests and to negotiate extra-proportional Muslim representation if political reform were to happen, so as to avoid Congress-led Hindu domination (Jaffrelot, 2002a, p. 261). The colonial administration was quick to agree with the latter demand, as Muslim loyalty could be strategically used to weaken the INC and its pro-democratic movement. Once Muslims had been granted separate representation through the Lucknow Pact of 1916, the Muslim League was abandoned, but in the coming years it would re-emerge as Pakistan's independence movement (Tudor, 2013, p. 65).

When the Government of India Act of 1935 opened the possibilities of provincial elections and devolution of power, the League had no choice but to revive support for its existence. Even then, it merely fell in step with the ideology of the Congress and continued to lack its own coherent principles in the 1937 elections (Tudor, 2013, p. 92). It was the Muslim League's failure to win electoral support in these elections that caused a sharp turn in its

ideology. By gaining less than 5% of Muslim votes, it became clear that the League could face extinction in the coming years (Banerjee, 1998, p. 179).

Before 1937, the League had focused solely on safeguarding the rights of Muslims as a minority within a united India (Tudor, 2013, p. 91). After the defeat at the 1937 elections, the three Muslim-majority provinces – Punjab, UP and Bengal – formed an alliance with the League to advance their political interests at the central level. In 1940, Muhammad Ali Jinnah, the leader of the League, first declared the idea of a separate Muslim nation:

[...] the only course open to us all is to allow the major nations separate homelands by dividing India into autonomous national states [...] Islam and Hinduism are not religions in the strict sense of the word, but are, in fact different and distinct social orders. (Jinnah, as quoted in Tudor, 2013, pp. 94-95)

In presenting Hindus and Muslims as antithetical to each other, the League knew that it would gain an advantage in constitutional negotiations and garner political support from Muslims (Banerjee, 1998, p. 190). This eventually worked in their favor, as in the 1946 elections it won an overwhelming majority in the Muslim states, having run its campaign on the slogan ‘Islam in Danger’ (Jaffrelot, 2002a, p. 261).

Despite this, the League lacked commitment to the religious basis of a separate nation. In 1947 Jinnah stated that religion, caste and creed have “nothing to do with the business of the state”, which directly opposes his 1940 claim (Tudor, 2013, p. 95). Furthermore, just a year before independence, the League was willing to accede to a united India on the condition that it be granted provincial autonomy in the Muslim-majority regions (Tudor, 2013, p. 157). The League’s aim was thus not to create a separate religious state, but to maintain its grip on power, be that in a united India or through its ‘theory of two nations’ (Jaffrelot, 2004, p. 13).

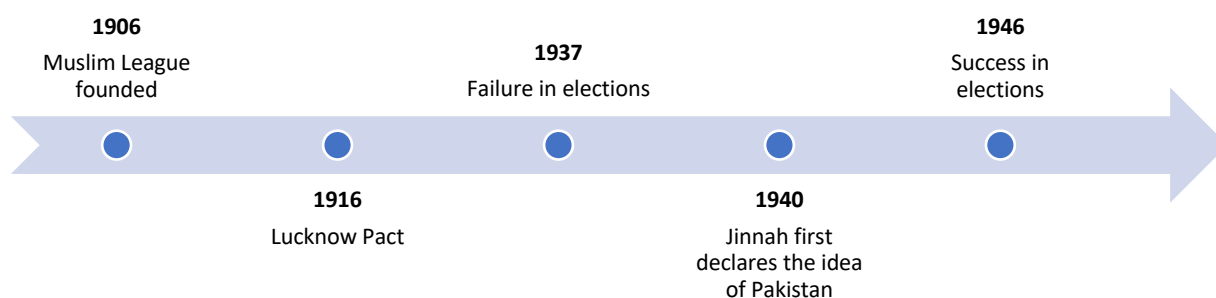


Figure 5: Tracing the process of the development of Pakistan’s “incoherent distributive coalition”



The Muslim League sought only to mobilize influential groups from the three Muslim-majority provinces, their goal being to stay relevant and pursue political power. Thus, the only interests being represented were those of a few aristocrats who feared the loss of their wealth and status in the case that power and resources were redistributed from the colonial state to the masses (Jaffrelot, 2002a, p. 261). The League developed what Tudor (2013) calls an “incoherent distributive coalition”, meaning that the distributive interests of its main member groups were not similar to each other (p. 151). It would be difficult for the aristocrats of Punjab, UP and Bengal to agree on any kind of vision that required power-sharing, so it was best left undefined. Soon after independence, the Punjabi and Bengali aristocrats found themselves in opposition to each other, setting the course for regime instability in Pakistan. Unlike the INC, which was incentivized to develop a strong party structure to lead its campaigns effectively, the League was too weak and unorganized to institutionalize a parliamentary democracy after independence (Jaffrelot, 2002a, p. 262).

### 5.3 Why Nations Diverge? Institutions, Institutions, Institutions

Despite their seemingly shared history, we now know that the independence movements of India and Pakistan were led by very distinct bodies. The Indian National Congress and Muslim League differed in two key aspects – the kinds of social classes involved, and party strength. In India, it was the urban middle class that led the independence movement against the British. This middle class had the incentive to advocate for a representative system because it would give them a greater voice in the political decision-making process. The organisation of the INC was well-structured and the party had a clear vision for post-independence India due to the numerous movements it had led in support of an egalitarian public sphere (Jaffrelot, 2002a, p. 260). Its post-independence state-building was bolstered by the nationalism that it had previously instilled in its followers, one which revolved around democratic norms (Tudor, 2013, p. 101).

In contrast, the aristocratic class dominated Pakistan’s independence movement against the British and against the Congress party’s efforts to create a united India. These aristocrats had little incentive to advocate for a representative government system as this would threaten their political influence. The Muslim League did not develop internally as a stable organisation, relying instead on its charismatic leadership (Jaffrelot, 2002a, p. 261). It lacked substantive goals and vision because it had not indulged in the kind of activism as the INC had in the first half of the 20<sup>th</sup> century. Nationalism was weakly institutionalised and the

party was unable to ensure post-independence stability because its three constituent groups failed to reach consensus on key issues (Tudor, 2013, p. 124).

In the context of these pre-existing institutional differences, independence from British colonial rule on the midnight of 15 August, 1947 caused the two countries to diverge significantly in terms of regime type. This event fits all three aforementioned definitions of a critical juncture – it was a major turning point in the political and economic trajectories of the region, it acted as the key determinant of the political future of both countries and it provided the relevant actors the opportunity to choose their own path of institutional development. Independence, then, led to a vibrant democracy in India and an autocracy in Pakistan.

Upon independence, India swiftly adopted a democratic constitution because it had inherited a legacy of a coherent distributive coalition which had already institutionalized democratic values before independence (Tudor, 2013, p. 151). Its sturdy intra-party organization favored the formation of a stable political system. This stability allowed democratic norms to be further institutionalized, this time formally in the constitution. There was rule of law, pluralism, and political equality through universal adult suffrage. The provision of such rights further contributed to the INC's legitimacy and strength, allowing it to build on its vision of an independent India. In other words, India generated a virtuous circle of the kind stressed by Acemoglu and Robinson (2013), wherein pluralism and the rule of law preserved the inclusivity of political institutions and prevented attempts to seize power from the broader population.

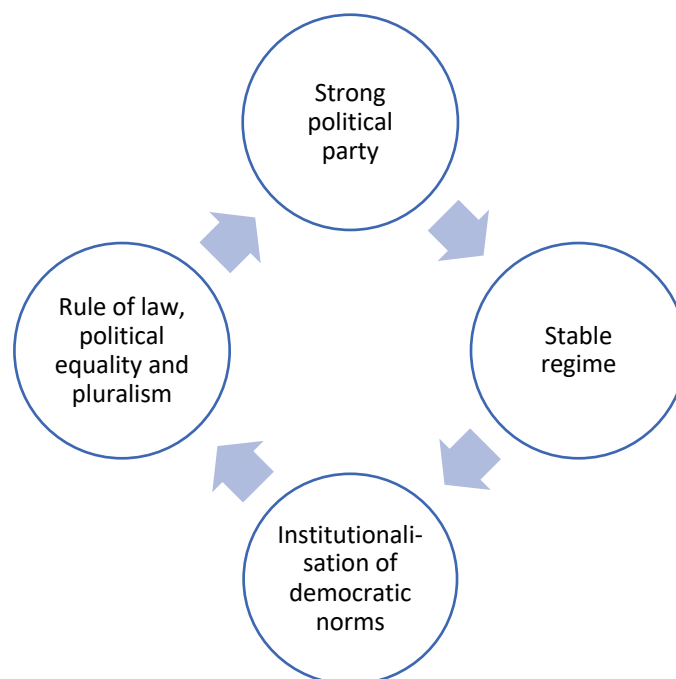


Figure 6: A post-independence virtuous circle in India

In contrast, Pakistan struggled to develop a democracy because it had inherited a legacy of an incoherent distributive coalition that had resisted democratic values before independence (Tudor, 2013, p. 151). More specifically, the strength of the Muslim League – meaning its weak intra-party organization – gave way to an unstable political system. This instability prevented the institutionalization of democratic norms. The result was a series of government breakdowns and military interventions which further weakened the party and caused regime instability. In other words, Pakistan was drawn into a vicious circle of the kind stressed by Acemoglu and Robinson (2013), where unconstrained power in the hands of the ruling elite incentivized infighting to capture the power, and where rulers would re-structure political institutions to secure power, such as by abrogating the constitution and banning political parties.

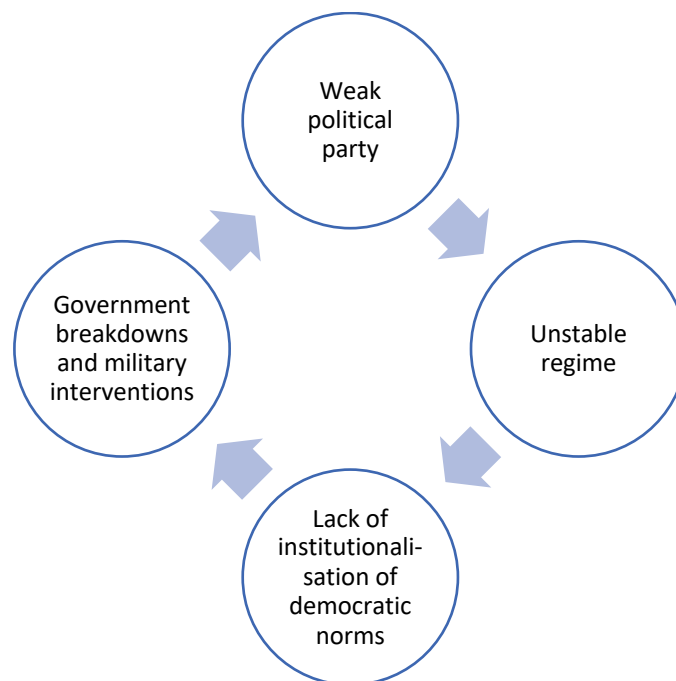


Figure 7: A post-independence vicious circle in Pakistan

India developed inclusive political institutions that were both centralized and pluralistic. Within three years of independence, India had formalized democratic principles in its Constitution. The first Indian general election which took place in 1951-52 has been described as “one of the most impressive democratic spectacles in history” (Ramanathan & Ramanathan, 2017, p. 91). It witnessed the largest ever voter turnout with 81 million Indians showing up at polling stations. Every citizen, regardless of social status, ancestry, caste or

community was granted a voice in the political process. Whereas British rule granted voting rights to only 12% of the population, independent India instantly formalized universal adult suffrage (Ramanathan & Ramanathan, 2017, p. 90).

At the same time, Pakistan developed extractive political institutions that were centralized but not pluralistic. The country was torn apart by weak political leadership and unstable governments. In the mere eight years between 1951 and 1958, the head of government changed six times. The events of October 7 and 8, 1958 formally ended the pluralistic elements of Pakistan's political institutions. In an attempt to restore political stability, President Mirza abrogated the constitution, enforced martial law, outlawed political parties, closed the legislature and suspended civil rights (Wilcox, 1965, pp. 142-143). Several opposition leaders were jailed in the days that followed. Soon after, President Mirza resigned and was replaced by General Mohammad Ayub Khan (Wilcox, 1965, p. 143). A similar coup d'état had been attempted in 1951. The military was thus vital to the extractive nature of the Pakistan's political institutions as it served to limit the extent to which the common man could influence decision-making.

## 6. Conclusion

In this paper I investigated two possible mechanisms behind the puzzling regime divergence of two countries that emerged from a long, shared history – India and Pakistan. First, following the literature on the incompatibility of Islam and democracy, it was expected that Pakistan's autocratic regime was a result of its Islamic nature. Through a qualitative content analysis of Pakistan's 1956 Constitution, it was found that the country's political and institutional set-up was hardly influenced by religion, and contrary to expectation, democratic processes and values were explicitly formalized. Hypothesis 1 was thus not supported<sup>6</sup>.

Second, following Acemoglu and Robinson's (2013) theory of institutional drift, it was expected that the two countries had developed some institutional differences in the years before 1947, which caused regime divergence upon interaction with the critical juncture of independence. By tracing the process behind the two independence movements, it was found that the Indian National Congress and the Muslim League differed in both their strength and the kinds of social classes they represented. While the INC developed a strong intra-party organization that represented the rural masses along with the urban middle class, the League remained weak and represented aristocratic interests. These factors founded an India that immediately formalized and practiced democratic principles, and a Pakistan that was torn apart by unstable governments and military interventions. Hypothesis 2 was thus confirmed.

To conclude, the institutional explanation has provided a stronger and more coherent answer to the simple question – Why Nations Diverge? Nations diverge when those in power have no incentive to, or choose not to involve the masses in political decision-making. Nations diverge due to the contingent path of history, rather than due to one isolated factor or event. These findings are especially significant for scholars studying the origins of democracy and autocracy. This study has also contributed to current literature by answering the question from the new historical institutionalist perspective of Acemoglu and Robinson (2013), and proving its strength by directly comparing it to an alternative explanation.

This research suffers from two key weaknesses. First, I was unable to analyze sufficient primary sources, as the times of global crisis within which the study was completed meant that my access to the outside world was severely limited. More primary source analysis would have strengthened the research; however, I do not consider it likely that it

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<sup>6</sup> Here it is important to remind ourselves that this finding applies only to the period of 1947-1958. The recent revival of Islamist movements in Pakistan is beyond the scope of this paper.

would have completely changed the conclusion. Second, due to restrictions of time and space, this paper could only focus on the period of 1947-1958.

Future research can proceed in at least three directions from here. First, scholars can continue this analysis into the period beyond 1958, using the same framework to explain the ensuing political rollercoaster in Pakistan. Second, scholars can test the institutional explanation against other possible explanations of democratic divergence between India and Pakistan, such as the role of the British colonial administration, the legacies of the Mughal empire, the effects of the Kashmir dispute, the importance and ideologies of prominent individuals such as Gandhi and Jinnah, etc. Finally, scholars can apply the framework of Acemoglu and Robinson (2013) to more cases of democratic divergence such as North Korea-South Korea, Pakistan-Bangladesh, East Germany-West Germany (1949-1990), etc. This exercise will test the validity of the institutional explanation in a more diverse range of cases.

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