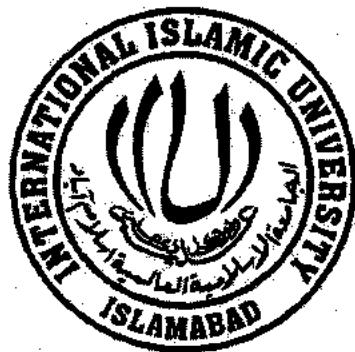


**DEMOCRATIZATION IN PAKISTAN (1999-2009):
QUEST FOR A NEW PARADIGM**

**Thesis for the Award of the Degree of Doctor of Philosophy in Politics
and International Relations (A Partial Fulfillment)**



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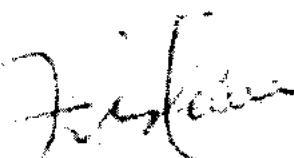
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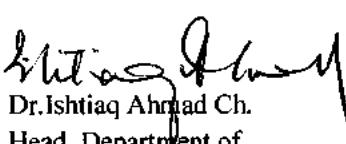

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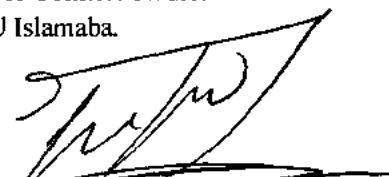
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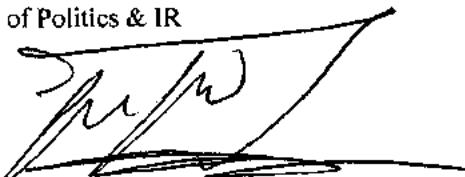
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ABSTRACT

Democratization is a widely addressed area. It refers to transition from authoritarian regime to democracy. Most of the available literature in democratization studies is focused on Eastern Europe and Latin America. This study is first attempt to explore the pattern of transition to democracy during military regimes, in general, and during Musharraf Regime, in particular. Three patterns of movement towards democracy in military regime were identified namely Consolidation of the Regime to Selective Co-option, Rising Discontent leading to Crises and finally stage of Transition to democracy. Every Military Regime tried to consolidate itself right after the military coup. For this purpose it tried to ensure perks and privileges of the military officials. Defense budget was increased considerably. Participation gap was filled by introducing local body elections. Military Regimes allied themselves with United States of America in order to gain support for themselves internationally while pro-regime conservative feudal classes, industrial merchant classes and religious Right were co-opted to consolidate their regime at domestic level. After early successes the discontent against the military regime started to accumulate in the mass population slowly and gradually. The causes of this discontent remained growing disparity between the rich and poor, increasing sense of deprivation in politically marginalized segments of the society, activities of opposition political elites and deteriorating law and order situation. This discontent soon translated into severe crises. Regime's inability to resolve these crises ultimately, led to loss of support for the regime at international level as well as within its primary constituency; the military. Unable to sustain their control on the power structure the military regimes surrendered to the democratic forces and the polity was thus democratized.

Acknowledgement

Writing a PhD thesis is not a morning walk. It is such a painstaking, ambitious and demanding task which remains incomplete unless assisted from many sides. Present work is an illuminating example of such series of inspirations which brought it to its culmination point. It will be sheer ingratitude if I miss to mention few of those who fueled up my desires and potentials to opt the path of objectivity and insightfulness. First of all I deem it necessary to acknowledge kind and fruitful supervision of Dr Nazrul Islam who let me not de-track from my research lines and whose guidance always inspired me for uphill task of PhD. I am highly indebted to my late father who brought me up in an environment of free and unbiased thinking which shaped my mind for such stupendous task. I am grateful to my dear and loving mother who all the time supported me in and outside home. I heartily acknowledge the patience and supportive behavior of my beloved wife Sumaira Adil Khan, and my sons, Bazaid and Mansoor and nieces Hadia Khan and Lalain Khan who sacrificed their due share of love for the sake of this academic child of mine. I am thankful to all my teachers, colleagues, friends and students who every now and then extended their fullest co-operation in an hour of need. I am especially thankful to Head Department of Politics and IR, IIU, Dr Manzoor Afzidi and my affectionate teachers, Dr Muhammad Islam, Dr. Mustafa Bali, Ahsaan ur Rahim and my colleagues Dr Azam, Dr Sagheer Ahmed Khan, Nazakat Awan, my students Rahul Basharat, Siffat Rajpoot and my dearest brother Aamir Khan, Babar Khan, Ghazanfar Ali Khan, Sajjad Akhtar Khan and Muhammad Fiaz Khan whose constant encouragements made this work possible. It will be unfriendly if I don't mention Mr Zahid Ehsas Department of Journalism and Rustam Khan Department of Political Science for helping me in all respects. I am also thankful to Mubashar Bilal Niazi and Basharat ur Rahman for facilitating the interviews with relevant people.

List of Abbreviations and Acronyms

ARD	Alliance for Restoration of Democracy
AWT	Army Welfare Trust
BD	Basic Democracies
COAS	Chief of Army Staff
CoD	Charter of Democracy
COP	Combined Opposition Parties
COP	Combined opposition Parties
CSP	Civil Servant of Pakistan
DAC	Democratic Action Committee
EBDO	Electoral Bodies Disqualification Order
FWO	Frontier Works Organization
LFO	Legal Framework Order
NAB	National Accountability Bureau
NDF	National Democratic Front
NRB	National Reconstruction Bureau
NSC	National Security Council
PCO	Provisional Constitutional Order
PIDC	Pakistan Industrial Development Corporation
PML (N)	Pakistan Muslim League (Noon)
PPO	Press and Publication Ordinance
PPPP	Pakistan Peoples Party Parliamentarian

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CHAPTER I: INTRODUCTION

1: I Statement of the Study (Crux of the problem)

All political thinkers have a particular perception of human nature when they talk about their ideal of social and political setting. These perceptions can broadly be divided into two: positive and negative. There are thinkers who believe that human beings are inherently selfish, self seeking and individualistic. If they are given complete freedom and liberty the outcome would be a state of nature in which human life would become brutish, nasty and intolerable¹. Therefore, there is need of absolute sovereign who could maintain law and order in the society. For this reason they call for absolute sovereignty and authoritarianism.

There is another group of political thinkers, who have a positive perception of human nature. They believe that human beings are rational. They can better understand and serve their individual and collective interests, if they are given equal opportunities, liberty and freedom. Man's competitive and cooperative tendencies, if fully realized together, may result in stability and progress. Therefore there is need of

¹ George H. Sabine, *A History of Political Theory*, New York: Ithala, 1937, pp. 387-403.

popular sovereignty rather than absolute sovereignty. For this purpose they call for democratic rule.²

The originators of the concept of democratic rule may not be accurately identified. The history can only guide to the Greek City-States where democracy, in its limited and crude form, was practiced about 400 B.C to 300 B.C. During medieval ages, this idea got into oblivion as a long episode of imperialism throughout the world was observed in human history. Authoritarian rule remained a norm in much of human history till modern times. Even in the contemporary world democratic rule survives only in small enclaves while majority of the world population lives under authoritarian regimes. According to Erica and Natasha a quarter of world population lives under authoritarianism in China alone.³

In the modern history, the process of democratization started from 12th Century A.D in United Kingdom. There had been a long struggle between Royalist and Democrats, spanned over a period of eight hundred years, finally culminating into the establishment of democratic order in United Kingdom.⁴ Along with United Kingdom, a number of other European countries became democratic during the course of 19th and 20th century. Democratization in the rest of the world passed through many phases as Samuel P Huntington termed them as three waves of democratization. First

² C.B Malpherson (ed.), *John Locke: Second Treatise of the Government*, Cambridge: Hacket Publishing Company, Inc., 1980, pp. 52-124.

³ Erica Frantz, Natasha Ezrow, *The Politics of Dictatorship: Institutions and Outcomes in Authoritarian Regimes*, London: Lynne Rienner Publishers, 2011, p. 5-6.

⁴ Barrington Moore, Jr, *Social Origins of Dictatorship and Democracy: Lord and Peasant in the Making of the Modern World*, Middlesex: Penguin Books Ltd., 1966, pp. 3-29.

wave occurred from 1828 to 1926, second from 1943 to 1962 and the third wave from 1970 to 1980, each followed by reversals.⁵

Democracy has been one of the most talked about concept in the modern world. Western world not only owe its development to democratic model of governance, but it also seek international peace embedded in a democratic world order⁶. As a concept it has been defined in a number of ways by different scholars. The simplest definition of democracy is “rule of the people”, as the word, democracy, is derived from the two Greek words *Demos*; the people, and *Kratein*; to rule⁷. Cohen quoted Aristotle, who after distinguishing various forms of governments commented about democracy as, “We may lay it down generally that a system which does not allow every citizen to share is oligarchical (oligos, few) and that one which does so is democratic (Politics, IV, 6)”.⁸ Some other definitions of democracy are: “Government by consent”, “Rule by majority”, “Government with equal rights for all”, “Sovereignty of the people”, and so on⁹. But these definitions oversimplify the term democracy. Democracy is not only a form of government, but in modern world it has also become a way of living. It has developed its value system which is characteristic of all consolidated democracies of the modern world. Ginsborg

⁵ Samuel P. Huntington, *The Third Wave: Democratization in the Late Twentieth Century*, Norman: University of Oklahoma Press, 1991.

⁶ International peace theory states that democracies never go to war against each other. There is hardly any evidence, in the known history, that a democratic state waged war against another democracy.

⁷ Carl Cohen, *Democracy*, Athens: University of Georgia Press, 1971, p. 3.

⁸ *Ibid.*

⁹ *Ibid.*

categorized individual, family and social behaviors into democratic and despotic. A consolidated democratic form of government can only operate where all the three layers transform from despotic to democratic.¹⁰

As a form of government, democracy refers to a responsible government, elected periodically for a fix term, through a competitive electoral process, run by the representatives of the people, which ensure fundamental human rights and accountability. Its two most important variants are; the Parliamentary form of government as in United Kingdom and the Presidential form of government as in United States. Adam Przeworski defined democracy in a comprehensive way as:

Democracy is a system in which parties lose elections. There are parties: division of interests, values, and opinions. There is competition organized by rules and there are periodic winners and losers. Obviously not all democracies are same; one can list innumerable variations and distinguish several types of democratic institutions. Yet beneath all the institutional diversity one elementary feature is contestation open to all participation (Dhal 1971) is sufficient to identify a political system as democratic.¹¹

Thus, periodic elections, competition and equal opportunity of winning an election are the most important characteristics of all democracies.

The ideal of a democratic order cannot be achieved in a day. It needs a long and evolutionary process. This process of becoming a democracy is called democratization. Przeworski further commented on democratization:

¹⁰ Paul Ginsborg, *Democracy: Crisis and Renewal*, London: Profiles Books Ltd., 2009, pp. 41-49.

¹¹ Adam Przeworski, *Democracy and the market: Political and economic reforms in Eastern Europe and Latin America*, New York: Cambridge University Press, 1991, p. 10.

The crucial moment in any passage from authoritarian to democratic rule is the crossing of the threshold beyond which no one can intervene to reverse the outcomes of the formal political process. Democratization is an act of subjecting all interests to competition, of institutionalizing uncertainty. The decisive step towards democracy is the devolution of power from a group of people to a set of rules.¹²

This devolution of power from a group of people to a set of rules, means supremacy of Constitution, is not a simple and easy task. It has posed a number of challenges to the newly emerging democracies, especially in the post-colonial societies, where most of the times the process is reversed.

Post-colonial societies have deep impact of colonial experiences on their post independence political evolution. On one hand, they idealized Western democratic system as the best model of governance, while on other, most of them, failed to evolve a sustainable democratization process. South Asian countries are not any exception in this respect, excluding India.

Pakistan is one case that has been chosen as a state striving for a sustainable democratic process in South Asia. Although, it shares a number of historic and cultural experiences with India yet it has a totally opposite experience of post-colonial political evolution. Even after its sixty years of independence, it had failed to evolve a smooth and sustainable democratic polity. Its history is filled with military coups. For more than half of its post-independence period, it was ruled by military dictatorships.

¹² *Ibid.* p. 14.

Three times its democratic evolution was overturned by military coups, since its inception, each time lasting for more than ten years¹³.

Although military directly intervened in politics for a number of times yet political dynamics of Pakistan never surrendered to the military rule. Each time massive political movements were launched by political actors, like political parties, for the restoration of democratic institutions. As the military rule prolonged, feelings against military rule intensified, that ultimately resulted into a crisis situation. These crises often led to transition from military to civilian rule. Thus, the one important interceding variable that most dominantly influenced the transition, from a dictatorship to democracy, is crisis. This study is an attempt to understand the causes of emergence of crises in a dictatorship and an analysis of the circumstances that lead to transition to democracy.

I: II Objectives of the Study and Related Questions

The main objective of this study is to highlight the inherent problems of democratization in Pakistan. More particularly it tries:

- To highlight the patterns of transition from dictatorship to democracy in Pakistan.
- To highlight the inherent problems of transition and their implication for the newly elected regime.

¹³ Yahya Khan's military take over was actually a continuity of Ayub Khan's dictatorial regime; a change of faces only.

- To highlight the role of political parties and civil society during and after the transition phase and its implications for the consolidation of democracy in Pakistan.

The important questions that follow the objectives are as under:

Firstly, how military dictators try to consolidate their control on power after a successful coup?

Secondly how early cracks appear in the authoritarian regimes?

Thirdly, why and how a crisis is rooted and matured, in a dictatorial regime?

Fourthly, how political forces take advantage of these crises and force military to transfer power to civilian forces?

I: III Justification of the Study

Since its inception, Pakistan's political system has been oscillating between democracy and authoritarianism. Dream of evolving a consolidated democracy has never been realized in Pakistan. It is almost an impossible task to understand the causes of failure of democracy until and unless an understanding of the various intricacies involved in the transition from authoritarianism to democracy is developed. Therefore this is a very important area waiting for the intellectual pursuit to be explored. Although a number of research projects have been launched in order to understand the different dimensions of transition from authoritarianism to democracy,

yet they dominantly focused upon the experiences of transitions in Latin America and Eastern Europe. Minimal efforts have been made to understand the problems of transition in Pakistan, which ultimately provide a wide room for the researchers to probe into the complications of democratization processes in Pakistan. This study attempts to not only help understand the problems of democratization, but it also suggests the ways for the evolution of consolidated democratic polity in Pakistan; as solutions of the problems dominantly lie in the clearer understanding of the problems. This study is an addition to the broader body of knowledge related to the dilemma of democratization, as well as, it may help the political actors and institutions in Pakistan striving for the consolidation of democracy.

I: IV Hypothesis

This study revolves around the following hypothesis;

Desire for change at mass level coupled with international pressures, compels the authoritarian regime to compromise with political forces for the transition of power from authoritarianism to democracy.

I: V Literature Review

Transition from authoritarianism to democracy is inadequately addressed issue in Pakistan. Most of the available literature is descriptive in its nature and tries to address this issue from historical approach. What makes a Military Regime to open avenue for political participation and how the outcome compels them at the end to

surrender, as well as, various underhand deals and compromises involved in the transition have never been addressed in Pakistan.

Adam Przeworski in his book, *Democracy and the Market; Political and economic reforms in Eastern Europe and Latin America*, addresses the issues of compliance in a democratic setup as well as intricacies involved in the transition process from an authoritarian regime to democracy. He discusses the formation and dissolution of political alliances and its impact on democratization.¹⁴ Lawrence Whitehead in his article in *International Aspect of Democratization* argued that internal forces, like political parties and civil society, play primary role in transition from authoritarianism to democracy while international factors play a secondary role.¹⁵ Adam Przeworski in his article, *Problems in the Study of Transition to Democracy*, analyses the conditions for the breakdown of authoritarian regime. He argued that every transition from an authoritarian to democratic system consists of two autonomous and simultaneous processes; process of disintegration of the authoritarian regime and a process of emergence of democratic institutions. He further argued that the compromises involved, in this two way process, are always uncertain.¹⁶

¹⁴ Adam Przeworski, *Democracy and the market: Political and economic reforms in Eastern Europe and Latin America*, New York: Cambridge University Press, 1991, pp. 10-35.

¹⁵ Lawrence Whitehead (ed.), *Transition from Authoritarian Rule*, Baltimore and London: The John Hopkins University Press, 1986, pp. 3-46.

¹⁶ Adam Przeworski, "Some Problems in the study of the Transition to Democracy" in Guillermo O'Donnell (ed.), *Transition from Authoritarian Rule*, Baltimore and London: The John Hopkins University Press, 1986, pp. 47-63.

Dr. Mubashir Hassan argues that triangle of military, civil bureaucracy and feudal elites played a very dominant role throughout Pakistan's history, never allowing it to become a democratic polity.¹⁷ His work though is quite significant yet it ignores areas like political culture. He primarily applied class model which has its own limitations for understanding a particular society.

Qayum Nizami identifies the dominant role of military and civil bureaucracy responsible for the failure of democratic institutions in Pakistan.¹⁸ Nizami's analyses Pakistan's political history only at regime level ignoring dynamics of social change in Pakistan. According to Ziring authoritarianism due to perpetuation of vice-regal tradition by Jinnah; identity crisis; and weak civil society are the problems faced by Pakistan.¹⁹

Iqbal Ahmad Khan in his article, *Sustaining Democracy*, argued that the immediate threat to democratic order in Pakistan is from radical religious militancy. He further suggests that political parties must utilize their best talent in order to deliver and sustain.²⁰

Iftekhar H. Malik argues that poor performance of Musharraf regime, in controlling militancy and poverty, is responsible for building anti-regime sentiments

¹⁷ Mubashir Hassan, *Pakistan main hakmiyat ka buhran*, (Crises of Governance in Pakistan), Lahore: Muhamzam Publications, 2001, pp. 20-57.

¹⁸ Qayum Nizami, *Jarnail aur Siyasatdan tareekh ki adalat main*, (Generals and Politicians in the Court of History), Lahore: Niaz Jehangir Printers, 2006, pp. 13-20.

¹⁹ Lawrence Ziring, *Pakistan: The Enigma of Political Development*, London: Wm Dawson & Sons, 1980, pp. 10-17.

²⁰ "Sustaining Democracy," *Dawn*, Karachi, 10 August 2009, p. 7.

in the civil society.²¹ Irfan Hussain argues that combination of multiple problems; like political opposition, judicial crisis, economic pressures, and rising insurgency have become a major threat to the legitimacy of Musharraf regime.²² Shaun Gregory writes that United States had played a very important role in concluding agreement between Pakistan Peoples Party and Musharraf regime for the peaceful transition to democracy. He further argues that the agreement between the two is not going to restrict military dominance in the future course of action.²³ Dr Ayesha Siddiqा observes that politics in Pakistan is characterized of over-centralization and over-personalization that is another cause of failure of democracy in Pakistan along with the dominant role of military.²⁴

Sayeed made the point that preservation of 'civil service' as steel frame of the whole structure, though, played stabilizing and unifying role in new-state, Pakistan, but, this role is incompatible with democracy and provincial autonomy.²⁵

A number of scholars have attempted to address political evolution in Pakistan from different angles, but the period selected for this thesis and the framework adopted to analyze the patterns of democratization in Pakistan have never

²¹ Iftekhar Malik, "Musharraf's Predicament, Pakistan's Agony, 5 September 2006, www.opendemocracy.org

²² Irfan Hussain, *Pakistan's Multi-Faceted Crisis*, [article online] accessed 12-11-2007, available from www.opendemocracy.org

²³ Shaun Gregory, *Pakistan: farewell to democracy* [article online] accessed 03-11-2007, available from www.opendemocracy.org

²⁴ Ayesha Siddiqा, *Pakistan after Benazir Bhutto*, [article online] accessed 28-12-2007, available from www.opendemocracy.org.

²⁵ Khalid B. Sayeed, "The Political Role of Pakistan's Civil Service" in *Pacific Affairs*, Vol. 31, No. 2. (Jun. 1958), pp. 25-27.

been focus of the existing studies. This Study is distinct from the existing literature because it is not only an attempt to address Pakistan's move to democracy at regime level but it also incorporate the societal variables that influenced waves of democratization in Pakistan.

I: VI Methodology

This study is based on primary as well as secondary materials which include data collection through elite interviews. Two sets of questionnaires were formulated for this purpose: (a) A specific questionnaire was designed to elicit insight and information that was later analyzed qualitatively; and (b) a general questionnaire was also designed to obtain viewpoints of the academics and intellectuals. Data collected through this questionnaire was helpful to analyze the study in broader picture.

Secondary sources such as articles, books and materials relevant to the topic, including news papers, journals, and periodicals were also utilized to provide background of the study. Finally, insight and understanding obtained through primary sources were juxtaposed with previous academic works which was helpful in drawing conclusion of the study.

I: VII Delimitation

Pakistan has experienced transition, from authoritarianism to democracy, for a number of times. The quest to address all these transitions would ultimately need a lot of data generation and evaluation. Although this study briefly narrates the history of

political process since 1947, its primary focus is an in depth analysis of the most recent of the transition during Musharraf regime as a leading example. This study has been limited to the political history of Pakistan from 1999 to 2009. This study, on one hand, focused upon different dimensions of transition process during Musharraf regime while on the other it analyzed the challenges posed to the newly elected democratic government. References of the earlier transitions in Pakistan as well as relevant data from other parts of the world were also used in order to enrich the argument.

I: VIII Organization of the Thesis

This study is consisted of seven chapters including an introduction and conclusion. In the second chapter theoretical debates about democratization are discussed. It starts with an examination of existing theories in democratization literature and then addressed patterns of democratic transition in Pakistan. The paradigm, thus, developed in this chapter is tested in the subsequent chapters. In the third chapter main focus is upon the patterns of first two democratic transitions, 1958 to 1971 and 1977 to 1988, in Pakistan. In chapters four, five and six democratization in Pakistan, from 1999-2009, is comprehensively analyzed. In chapter four the attempts of authoritarian regime for its consolidation and the early cracks appearing in the regime are discussed in detail. In chapter five the causes of rise of discontent in the society as well as emergence of political crisis are explored, while in chapter six the transition from authoritarianism to democracy in 2008 as well as post transition

challenges to the newly elected democratic government were analyzed. In the last chapter the whole debate was concluded on the basis of findings. At the end appendix and bibliography are given. Bibliography enlists all the consulted documents, books, articles, newspapers, and periodicals.

CHAPTER 2: THEORETICAL FRAMEWORK

Democratization is a widely addressed area of study. It can be analyzed at two levels; at regime level and at societal level. At regime level, it means transformation of regime to democracy. It refers to transfer of power from a monarch, a personal dictator or a military dictator to a body of elected representatives. At societal level it means growing trust of majority of population in democratic institutions, evolution of a participatory political culture and a tolerant society, realization of one's right of governing oneself, and strengthening of the belief that opinion of the mass population can influence the public policy. Democratization at societal level can be termed as movement towards greater legitimacy of democratic institutions. The dream of a consolidated democratic political order can only be materialized when the above mentioned two movements are reconciled.

Most of the studies, in democratization literature, revolve around the following questions:

- Firstly, under what conditions democratization is possible in those states which are experiencing authoritarian rule?
- Secondly, what are the possible modes of democratization in these states?

In order to respond to first question, Adam Prezeworski identified two types of studies in democratization literature; macro oriented studies and micro oriented

studies.¹ Macro oriented studies primarily focus upon the objective conditions like level of economic development, literacy rate, emergence of a reasonable middle class etc.. These studies are deterministic in their nature. They claim that when these pre-conditions are achieved in a society it ultimately finds its way to democracy. Although, the argument carries some weight, it is evident that in many cases objective conditions do not inevitably lead to regime transformation². Katharine Adeney and Andrew Wyat referred to Sri Lanka as a leading case that has been able to consolidate its democracy since independence, irrespective of long running civil war and poor economic performance.³ Similarly these studies fail to explain the correlation between economic growth and democratic consolidation in Pak-India case, if taken in comparative terms, as Pakistan has had higher growth rate than India for most of the time since partition of India.⁴

Micro oriented studies focus upon the political actors and their strategies that may lead to a successful transition from authoritarianism to democracy. These studies identify four kinds of factors that may contribute to regime transformation⁵.

¹ Adam Przeworski, "Some Problems in the Study of the Transition to Democracy" in Guillermo O'Donnell (ed.), *Transition from Authoritarian Rule*, Baltimore and London: The John Hopkins University Press, 1986, pp. 47-48.

² *Ibid.*, p.47.

³ Katharine Adeney, Andrew Wyatt, *Democracy in South Asia: Getting beyond the Structure-Agency Dichotomy*, [Journal online] (Malden, Blackwell Publishing Ltd. 2004, accessed 10-05-2010); available at http://econpapers.repec.org/scripts/redir_plex?u=http%3A%2F%2Fwww.blackwell-synergy.com%2Fdoi%2Fabs%2F10.1111%2Fj.1467-9248.2004.00461.x;h=repec:bla:polstu:v:52:y:2004:i::p:1-18

⁴ *Ibid.* p. 2.

⁵ Adam Przeworski, "Some Problems in the study of the Transition to Democracy" in Guillermo O'Donnell (ed.), *Transition from Authoritarian Rule*, p. 50.

1. A realization within authoritarian regime, that it is no more possible to sustain status quo, may lead to its collapse.
2. The regime due to one reason or other may lose its legitimacy. As no regime can last without legitimacy, therefore it may disintegrate.
3. Emergence of a conflict, due to one reason or other, within the ruling block, particularly within the military, and its failure to resolve it internally may lead to regime transformation.
4. Foreign pressures, particularly through the threats of economic sanctions, may compel the authoritarian regime to go for democratization.

Democratization through the mechanism of (1) and (4) is strongly linked with (2) and (3). There is minimum possibility, of developing a realization in authoritarian regime; to go for regime transformation unless there are serious challenges posed to it through loss of legitimacy or internal conflicts within the regime. More particularly, as Alfred Stepen notes that, the states in which military government is the central base of power, military as an institution when feels that the long term corporate interests of military may be threatened by popular forces, only then, for its own preservation, it opt for the termination of the authoritarian regime.⁶

Similarly, external powers do not come into play in normal situation; as relations among states are dominantly ridden by realism.⁷ It is only when (2) or (3)

⁶ Alfred Stepen, "Paths toward Redemocratization" in Guillermo O'Donnell (ed.), *Transition from Authoritarian Rule*, Baltimore and London: The John Hopkins University Press, 1986, pp. 72-73.

happens and compels the international actors to think that their interests are at stake, in the state suffering from loss of legitimacy or internal conflicts within the holders of power, they pressurize the regime to transform in order to safeguard their long term interests in the said state. Thus, the two; legitimacy crisis and internal conflicts, are the most important factors, in micro oriented studies, influencing regime transformation in a state.

The linkage between loss of legitimacy and regime transformation is, also, not direct and universal. A regime may survive, even after losing legitimacy, with the help of increased oppression. There are a few cases in which authoritarian regimes with sufficient legitimacy transformed into democracy. What is the most crucial point then which plays a very important role in regime transformation? Adam Przeworski noted that it is nothing else but the presence of a preferable alternative⁸. Thus loss of legitimacy, in itself, is not the sole cause of regime transformation, as Przeworski argued, rather absence or presence of preferable alternatives (as figure 1 suggests) play the most crucial part for creating the possibility of democratization.⁹

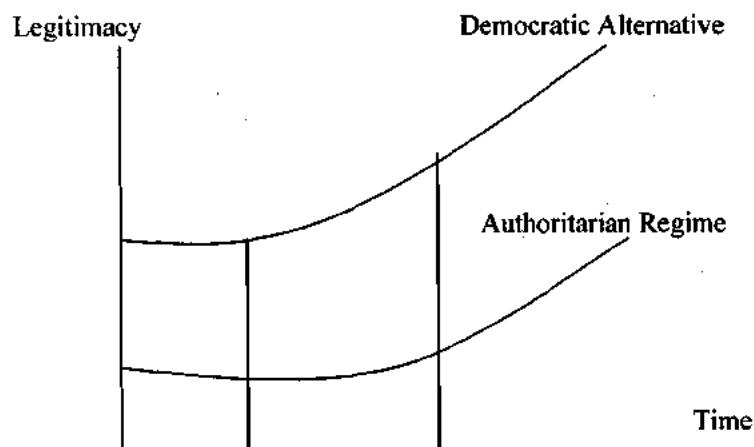
Lastly, emergence of conflict within authoritarian regime and its subsequent collapse also needs some explanation. There may be a number of reasons that may cause a conflict within authoritarian regime. Adam Przeworski termed them as

⁷ International actors give priority to their economic and military interests over the ideals of democratic order. Deep rooted relations of Western Democracies with authoritarian regimes of Middle East explain the case clearly.

⁸ Adam Przeworski, "Some Problems in the study of the Transition to Democracy" in Guillermo O'Donnell (ed.), *Transition from Authoritarian Rule*, pp. 51-53.

⁹ *Ibid.*

'objective signals' towards liberalization¹⁰. These signals may include sudden death of the leading head of the authoritarian regime resulting into a competition among various contenders for succession. If mechanism of succession is not institutionalized then there are dominant chances of emergence of a serious conflict resulting into the collapse of the regime¹¹. Other signals may include a "manifest loss of legitimacy, evidenced by mass protest and noncompliance, another signal may consist of a forthcoming economic crisis, still another may be strong foreign pressures to transform."¹² But all these signals lead to a successful transformation, only when, some members of the ruling block go outside for help. If ruling bloc is cohesive and tightly controlled then there are least chances of a regime transformation.¹³



0 1 (Figure 2.1: As the time passes the legitimacy gap between authoritarian regime and democratic alternative increases which consequently poses serious challenge to the authoritarian regime from a well organized and coherent opposition forces, with a more legitimate democratic alternative in their hands, leading the regime to collapse.)

¹⁰ *Ibid.*, p. 55

¹¹ *Ibid.*

¹² *Ibid.*

¹³ *Ibid.*, p.56

In order to respond to the second question, which refers to the possible modes of democratization, four modes of regime change can be identified in democratization literature; top-down approach, bottom-up approach, transition through transaction and transition through intervention. Samuel P. Huntington termed the first three as transformation, replacement and trans-placement, respectively¹⁴. A brief review of these modes is discussed as under:

In some societies democratization is initiated by the authoritarian regime itself. Those, who are at the top, initiate democratization through reforms. They transfer power, slowly and gradually, to the political and representative forces. Participation base is enlarged gradually. Political parties are allowed to operate in the system. Such constitutional arrangements are made which start from partial transfer of power and, at last, power is completely transferred to the political forces and political system is democratized. A notable example of such democratization process is that of democratization started during colonial rule in India, which was completed in 1947 when power was completely transferred to the local political elite in India and Pakistan. Since independence on 15 August 1947 India succeeded to some extent in the process of democratization of its political system through constitutional means.

When authoritarian regime shows no flexibility for change, political forces organize themselves against it. These forces try to get popular support. Slogans of 'no

¹⁴ Samuel P Huntington, *The Third Wave: Democratization in the Late Twentieth Century*, Norman and London: University of Oklahoma Press, 1991, pp. 34-175.

taxation without representation' and utilitarian views of democracy¹⁵ help them in this respect. With the increasing mass support of political actors, demands for the regime change intensify. Massive protests, general strikes and noncompliance become routine of the day. As a reaction authoritarian regime becomes more repressive. The ultimate outcome is a violent struggle between the authoritarian regime and mass representative forces that may culminate in the throwing away of authoritarian regime and establishment of a democratic order. Notable examples of such democratization are East Germany, Romania and Argentina. Alfred Stepan termed such transitions as "society-led regime termination".¹⁶ He argues that the outcome of society-led transitions is always uncertain. It may result into a newly constituted authoritarian regime or a caretaker military setup promising elections in future¹⁷. Therefore, the role of political parties is very crucial in society-led regime terminations. Political parties have to build constant pressure on the caretaker regime for holding elections. It is only in the presence of such pressures that the soft-liners within the authoritarian regime can convince the hardliners to democratize.¹⁸

Some transitions are the outcome of negotiation between democratizing forces and the authoritarian regime. When a strong opposition to authoritarian regime emerges and it challenges the legitimacy of the authoritarian regime, then there occurs a split within the authoritarian regime. Authoritarian regime is divided into two

¹⁵ Political parties refer to the fruits of democratic order, like progress, liberties and development, enjoyed by the Western consolidated democracies.

¹⁶ Alfred Stepen, "Paths toward Redemocratization" in Guillermo O'Donnell (ed.), *Transition from Authoritarian Rule*, p. 78-80.

¹⁷ *Ibid.*

¹⁸ *Ibid.*

camps; reformers and hardliners. Reformers are those who are in favor of democratic reforms while hardliners want to maintain status quo. Similarly there are two broader groups in the opposition camp; moderates and the radicals. Moderates are in favor of a peaceful transition of power, by allowing room to the authoritarian forces to quit the scene, while radicals want to throw away the old regime. In such a situation reformers from the authoritarian regime and moderates from the opposition camps come forward and negotiate the terms and conditions of transition of power¹⁹. Possibility of regime transformation depends upon the following factors; (1) Moderates and Reformers successfully chart out an agreement for the establishment of institutions under which they will have significant political role in the democratic order, (2) Reformers are successful in convincing Hardliners to democratize, and (3) Moderates are able to control Radicals²⁰. When this threshold is achieved a safe passage is granted to the authoritarian regime, with some guarantees, and political order is democratized. Poland, Nicaragua and Bolivia are the leading examples of democratization through negotiation between authoritarian regime and the opposition parties.

And finally, there is transition through intervention. Such transitions are mostly the outcome of a war. When a democratic power, after defeating an authoritarian regime in war, plays a vital role in the establishment of democratic rule in the occupied territory, then such transformation is said as externally monitored

¹⁹ Adam Przeworski, *Democracy and the market Political and economic reforms in Eastern Europe and Latin America*, New York: Cambridge University Press, 1992, pp. 66-79.

²⁰ *Ibid*, p. 68.

installation of democracy or democratization through intervention²¹. Notable examples of such democratizations are Japan and West Germany.

Pakistan has a unique history of democratization and authoritarian reversals. Military intervention in politics is a constant feature of its political history. Military has started influencing its policy making since inception of the state, as Ayesha Jalal argued that perceived threat from India strengthened Military in Pakistan,²² which consequently helped it to emerge as a strong political actor. Military directly intervened by imposing martial law in 1958. It lasted for twelve years and a regime transformation took place in the fog of a serious crisis that led to the dismemberment of its East Wing in 1971. After a short episode of six years of democratic rule the country faced the second coup in 1977. This time again the Military Regime lasted for another eleven years, and it was terminated when the military dictator died in a plane crash. Pakistan experienced another short period of democratic rule but during less than ten years four times mid term elections were held and none of the political governments completed its term. On 12th October 1999, Pakistan experienced the third coup of its history which lasted till 18th February 2008. On 18th February 2008, general elections were held and regime transformation took place.

The understanding of causes of this cyclical development is very important because ignoring it would leave the analysis of democratization under military

²¹ Alfred Stepen, "Paths toward Redemocratization" in Guillermo O'Donnell (ed.), *Transition from Authoritarian Rule*, p. 71.

²² Ayesha Jalal, *Democracy and Authoritarianism in South Asia*, Cambridge: Cambridge University Press, pp. 3-22.

incomplete. As focus of this study is to analyze the democratization process after a successful military coup, therefore, detailed discussion on the causes of military intervention runs beyond the scope of it. Keeping in view this problem a brief discussion about the rationale of military intervention will be followed by detailed discussion on the process of political liberalization in Pakistan.

A general perception about military intervention in politics refers to these acts as individual acts of the military command, whosoever is in the top position of its hierarchy, either led by lust of power, as perceived by the opponents of the coup, or dissatisfaction by the performance of politicians, as claimed by the authoritarian regime itself. This was the reason that military dictators had, always, overshadowed the role of military institution and as a result the criticism and dissatisfaction had always been directed against the individual personalities of military dictators rather the military as an institution. The adherence to this perception led to terms as "Good Generals" and "Bad Generals". This perception is not only limited to common masses but dominant part of mass media and even political leadership seems to be stuck with such a world view.²³ It can be said in the context of this view that if at the place of Ayub, Zia and Musharraf, there were some "Good Generals" Pakistan's political history would have been a totally different one without having any reference of military intervention in politics.

²³ Z. A Bhutto's choosing General Zia ul Haq as the COAS, believing him to be his reliable choice and Nawaz Sharif's going for General Musharraf ignoring some of the senior Generals reflects the same fact that political leadership also view the cause of military intervention as outcome of individual's political designs. Even Benazir Bhutto's famous book Reconciliation: Islam, Democracy and the West reflect the same point of view.

On the other hand a good number of scholars, experts of Pakistan's politics and civil military relations, like Rizvi, Shafqat, Waseem, Siddiqa etc., stand against this common perception of understanding the primary cause of military intervention in Pakistan. The proponents of this alternative view focus on the role of military as an institution, striving for its institutional interest rather than behaving like a perfect hierachal organization completely dependent on the behavior of its top command.

In order to understand military's institutional role in politics one cannot ignore the core-periphery model of power structure of Pakistan as enunciated by Hussain. Hussain argues that after the independence of Pakistan three elite groups captured the core of Pakistan's political power structure. These include Traditional Elite, Colonial Elite and Emergent Elite. Traditional elite referred to religious and feudal elite. Colonial elite means military and bureaucratic elite which were established by the British colonial power in order to run the business of the empire. While emergent elite were the newly emerging classes in the later period of empire or after the independence of Pakistan. These include the professional elite classes like lawyers and intellectual elites and business-merchant class or industrial elite. All these elite groups strived to protect their respective elite interests and dominate the political structure during the post independence phase of Pakistan's political history.²⁴

Shafqat, running with the same argument and classification of elite, tested the Flanagan's model of crisis and change in Pakistan. He argues that all these elite groups strived to build internal and external alliances in order to dominate the system.

²⁴ Asaf Hussain, *Elite and Political Development in Pakistan*, [article on-line] retrieved from www.ide.go.jp/English/Periodicals/De/pdf/76_03_03.pdf accessed on 12-04-2010

Among these elite groups military had dominated Pakistan's political system throughout its political history with the exception of a brief period after losing war in East Pakistan.²⁵ Its success in building alliance with religious Right, conservative feudal elite and business merchant class at domestic level and with United States of America, in the Asian sub-system at international level, helped it to extend its role and consolidate its position in the power structure of Pakistan. Expansion of military's role ultimately led to the reduction of influence of other classes in the political system. Siddiqa argues that dominant position of military in the power structure encouraged it to go for business adventures in order to further consolidate its position.²⁶ Thus its encroachment in the business and agriculture sectors made it one of the powerful interest groups and a significant stakeholder in the political system. The institutional economic interests had strengthened its internal unity as well as compelled it to play a vital role in the political development of the system. Thus institutional interests led military to interrupt the political process time and again. It intervened directly in situations when political governments started asserting their roles and democratize the system in situations of crisis, though they play indirectly to safeguard their interests, when it realized that its further direct control of the system may hurt its long term institutional interests. This cyclical pattern of transition from and to democracy had on one hand added to the role and position of military in the power structure while led the political institutions to decay and remain weak on the

²⁵ Saeed Shafqat, *Political System of Pakistan and Public Policy*, Lahore: Progressive Publishers, 1989, pp. 23-72.

²⁶ Ayesha Siddiqa, *Military Inc.: Inside Pakistan's Military Economy*, Karachi: Oxford University Press, 2007, p. 173.

other, thus creating chances for another military coup after a short episode of democratic rule.

A very significant study, conducted by Daron Acemoglu, Davide Ticchi and Andrea Vindigni, in military dictatorship identifies that nascent democracies always have the threat of yet another military coup after transition if it inherits a strong military. After a successful transition, with a strong inherited military, the nascent democracies may go for two options either to reform the military or to give it concessions which it had already been enjoying in the previous regime. In both cases the likelihood of yet another military coup increases. If the nascent democracy commits itself to reform, threatening the institutional interests of the military, it serves as an important motivation for military to reverse the process. If the nascent democracy, realizing its vulnerability to the threat of yet another coup, ensures the previous concessions to the military, it may badly affect the economic performance of the government in ensuring utilization of resources for public good, leading to its unpopularity in the masses and encourages military to go for a coup that will be least resisted by the people. Thus the cycle of transition to and from democracy carries on.²⁷ These theoretical considerations may help us in understanding Pakistan's cycle of democratic transitions and subsequent authoritarian reversals.

Pakistan after independence inherited a big military almost forty percent of total colonial military in the United India. Perceived threat of Indian aggression compelled the early managers of Pakistan to keep the size of the military intact as

²⁷ Daron Acemoglu, Davide Ticchi and Andrea Vindigni, *The Theory of Military Dictatorship**, [article on-line] retrieved from <http://www.carloalberto.org/files/no.74.pdf> accessed on 07-12-2008

well as to heavily spend on defense. Military's alignment with United States of America in the context of Cold War, due to Pakistan's geo-strategic importance, helped military to expand its role in the foreign policy of the country. The decay of political institutions and low political culture encouraged military to directly intervene in politics in order to further its institutional interests. Thus the first military dictatorship (1958-1971) served the economic interests of military. After the partial collapse of the state in 1971, for a brief period under Bhutto military accepted a subordinate role, but Bhutto's attempt to reform it, though not radically, to minimize its role in politics threatened the institutional economic interests of the military, which led to the establishment of military dictatorship for the second time, in 1977. The second military rule greatly served the military's economic interests, which not only strengthened the internal unity of the institution but expanded its role further in the power structure of Pakistan. The second transition to democracy occurred in 1988, after the death of General Zia, when military realized, due to external and internal pressures, that its long term direct control of the political scene may threaten its institutional interests. The nascent democracy, weak and vulnerable, was unable to go for abrupt military reform, therefore, it opted for the second option of guaranteeing concessions to military as well as accepting its indirect role in politics. Democratic institutions were not allowed to consolidate from 1988 to 1999, a period in which four democratic governments were terminated in the post transition phase.

It was after the election of 1997, when Muslim League (N) won two third majority, the military felt threatened, after the forced resignation of General Jahangir

Karamat the then COAS, who suggested for a permanent role of military in politics through the establishment of NSC, and termination of 8th amendment, which was successfully used to terminate the previous three governments before completing their terms, thus hampering consolidation of democracy. Military's institutional interests again led it to go for yet another military coup in October 1999 and the cycle entered into its third rotation.

A detailed study of political development in Pakistan leads to the following hypothetical premises:

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1. In spite of long periods of authoritarian rule in Pakistan there has always remained a more preferable democratic alternative.
2. Legitimacy of any regime, in Pakistan, depends more on its performance in resolving economic problems rather than facilitating fundamental liberties. Therefore, Military Regime started with a higher level of legitimacy, as figure (2) suggests, but with the passage of time it suffered a downward trend on legitimacy graph due to its failure in resolving forthcoming economic problems.

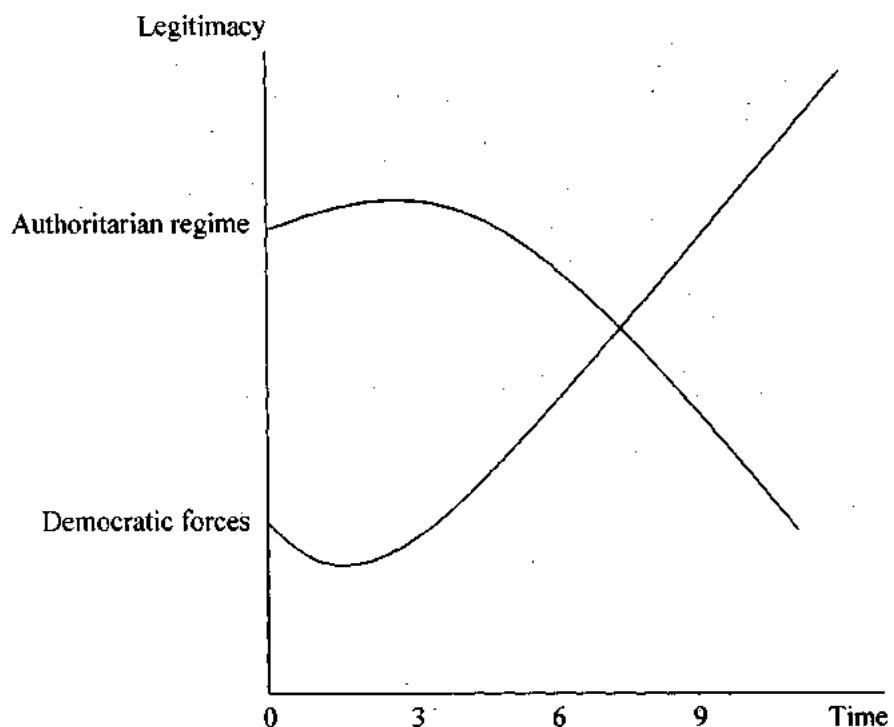


Figure:(2.2) [Military dictators taking advantage of the failure of democratic governments, in resolving the economic problems, start with rather a high degree of legitimacy, but with the passage of time their legitimacy graph fall downward; because of the persistence of the same problems. Parallel to that legitimacy graph of democratic forces moves upward. The juncture where the two lines meet become a decisive moment, because from there onward impetus for democratization gains great strength and cracks start to appear in the authoritarian regime, making the authoritarian regime to collapse.]

3. Military dictators never rejected, for one reason or other, the ideal of democracy out rightly, rather they always claimed that their intervention is for a temporary phase.

4. Democratization in Pakistan never remained an overnight phenomenon instead it started right after the establishment of military dictatorship, starting from the little vacuum given to political forces to play, maturing the political struggle for democracy and culminating in complete democratization of the regime.
5. Pakistan's geo-strategic location and its economic dependence, on international actors, gave external actors a very vital role in its internal political development.
6. Whenever, a transition occurred, it occurred in quagmire of crises that posed serious challenges to the succeeding regime.

Along with the above mentioned premises it is also very important to build a clear understanding of mode of democratization in Pakistan. Saeed Shafqat tested Flanagan's model of crises and structural change in Pakistan²⁸. He argued that every regime transformation, from democracy to authoritarianism and vice versa, in Pakistan is outcome of a crisis that emerges due to interaction of various components²⁹ of the system. He identified four mechanisms of ruling coalition formation. These mechanisms include; Selective Co-option, Collateralization, Containment and Economic Policies and Changes in International Environment.³⁰ He further argued that every regime, whether democratic or dictatorial, employ these

²⁸ Saeed Shafqat, *Political System of Pakistan...*, op.cit., pp. 23-72.

²⁹ *Ibid.*

³⁰ *Ibid.*

mechanisms to shift the balance of ruling coalition towards itself³¹. As focus of this study is regime transformation, from authoritarianism to democracy, therefore, Shafqat's test of authoritarian regimes is also utilized, in order to enrich the argument.

Keeping in view the above discussion, every transition from authoritarianism to democracy, in Pakistan, can broadly be divided into the following set of three stages:

2: I Consolidation to Selective Co-option

Consolidation of any authoritarian regime, particularly in Pakistani context, depends on the following:

1. Its ability to coercively silence the dissent and contain political opposition.
2. To have complete control of administrative structure of the state.
3. Ensuring safeguards to the institutional interests of its primary constituency, the Military.
4. Attaining legitimacy through judiciary.
5. Legitimizing its rule through referendum.
6. The regulation of Media so that it could be used for the image building of the regime.
7. To look for favorable international allies in order to ensure flow of foreign aid to strengthen the economy.
8. To build an alliance with industrial class to foster economic development.

³¹ *Ibid.*

9. To ensure some relief to the people so that a level of legitimacy could be attained at domestic level.
10. To open an avenue for participation like local bodies election that is least challenging to the regime rather supportive to it.

Some of the above mentioned strategies, to consolidate authoritarian rule, need further explanation, which is as under:

Consolidation of all authoritarian regimes heavily depends on its ability to silence opposition. In order to achieve this objective a number of strategies are adopted by the authoritarian regimes that vary from the use of coercive suppression to the division and weakening of the opposition groups. Every authoritarian regime has the strongest realization that presence of a more legitimate alternative will not allow the regime to consolidate its hold on the state of affairs. Therefore all authoritarian regimes try to contain political opposition to the best of their ability.

Strategies to contain political opposition depend on a number of factors. A society wherein there is low political culture and political opposition is either fragmented or does not have roots in society becomes an easy prey to authoritarianism. Authoritarian regime has greater confidence in using the ruthless coercive measures to silence the political opposition and imposing a complete ban on political activities. Political leaders can be arrested without much resistance and political parties can be disbanded quite conveniently. Pakistan's first experience of Military coup in 1958 and its attempt to consolidate itself through this mechanism of

containing political opposition is a good example of this strategy adopted by an authoritarian regime.

There are societies which have experienced a level of popular politics and egalitarian rule. There exist political parties with popular following. The people, being accustomed to some fundamental liberties and loyal to different political associations are difficult to control. A ruthless coercion may have counter effect. Therefore, when authoritarianism is established in such societies, the newly established regime find it very difficult to completely ban all political activities, disband all political parties and destroy all institutions of freedom and liberty. In such a socio-political environment, the authoritarian regimes adopt selective measures of containing political opposition, through intimidation compelling them to support the regime or to vacate the political scene. Being in control of propaganda machinery of the state the image of political opponents is distorted. In the name of accountability political leaders are trialed. The regime tries to divide opposition and weaken it rather than trying to eliminate it completely. Diversion theory may also be implied by engaging in an external conflict, limited war or propagating external challenges to the integrity of the state in order to impose more restrictions on the political opposition.

Among a number of similar patterns, found in the three experiences of military dictatorship in Pakistan, one is the establishment of local government and rhetoric of devolution of power to grass root level. A pertinent question that needs to be addressed here is that why all the Military Regimes, with a sense of urgency, went to

introduce democracy at local level while disbanding it at national level. There may have been a number of explanations. An analysis of the very first speeches of the three military dictators, General Ayub, General Zia ul Haq and General Musharraf, is made by Zaidi, who argued that the content of the three speeches is similar to such an extent that one feels as they had the same speech writer. All three, parallel to cursing politicians for their corruption and incompetence, promised to bring a 'true' democracy.³² Thus, quest of this 'true' democracy led them to democratize the state at grass root level by introducing scheme of local government. But to analyze any development on face value does not help in the true understanding of the complex causal relationships of social and political life. Therefore, it is pertinent to develop a more in depth understanding of the said pattern, followed similarly by the three dictatorships. Shafqat argued that establishment of BD during General Ayub era and local government during General Zia era were motivated by an attempt to build alliance with middle farmers in the rural areas and middle bourgeoisie in the urban areas. This alliance, as a consequence, helped the two Military Regimes to consolidate.³³

Shafqat's argument can further be explained by arguing that, when political participation at national level is disbanded by the military after the imposition of Martial Law it creates a participation vacuum in the society. In order to fill that gap the Military Regimes had always experimented with the introduction of democracy at local level, because it is less challenging and more inclined to support the Regime

³² S Akbar Zaidi, *Military, Civil Society and Democratization in Pakistan*, Lahore: Vanguard Books Pvt Ltd, 2011, p 125.

³³ Saeed Shafqat, *Political system of Pakistan...*, op.cit., pp. 25-26.

because of its economic dependence on the central government. Thus, the Military Regimes had a dual advantage of introducing local governments. A tangible advantage, in the form of a pro-Regime political elites influencing the political process and broadening support base for the Regime, while an intangible advantage, of satisfying the peoples desire to participate and giving them a feeling that their political rights have not been absolutely taken away. But this again partially explains the factors that motivate military dictators to go for introduction of local government as it ignores the international variable.

Being a dependent economy Pakistan heavily relies on the Western democratic world, where a commitment to democratic values is also found. This commitment of the democratic societies had compelled the military rulers to coin words as 'real democracy'³⁴, as in the words of General Ayub Khan, and 'genuine democracy'³⁵, as General Musharraf used the term. In order to gain international legitimacy, military dictators had always gone for the introduction of local bodies, so that they could prove to the Western world that they had not rejected the idea of democracy rather they were trying to socialize the society at grass root level and to evolve it from there so that a consolidated democratic ideal could be achieved. Thus, one of the major motivations behind introduction of local bodies, in urgency, remained to be the utmost desire of the Military Regime to gain international legitimacy as soon as possible.

³⁴ The term was used by General Ayub Khan in his speeches while propagating his idea of Basic Democracy.

³⁵ Pervez Musharraf, *In the Line of Fire: A Memoir*, London: Simon & Schuster UK Ltd, 2006, p. 155

2: I (a) Selective Co-option

After few years, slowly and gradually, pressure starts building upon the authoritarian regime for increasing participation base, both from within the society as well as from international forces. Ghandhi argues that repressive methods to consolidate a dictatorship are not always helpful and sometimes counterproductive, therefore, authoritarian regimes adopt other strategies to neutralize threats to their rule³⁶. One of these strategies is the co-option of pro-Regime elites.

Cooptation of a particular group refers to accommodating it in the political system. It is one of the most under theorized concepts in democratization literature. Although it remained a consistent feature of all Military Regimes in Pakistan, to co-opt different elite groups in order to enhance its support base, yet questions like when and why Military Regimes went for this option and what makes these elite groups to ally themselves with the Military Regimes, lack comprehensive answers in democratization literature.

A partial explanation of the phenomenon by Shafqat suggests that the primary objective of co-opting social, political and economic elite groups, by Military Regimes, helps it to consolidate its position after taking over power. He dealt cooption as a parallel strategy with containment of political opposition and collateralization of civilian bureaucracy.³⁷ This study contested this view on the basis of historical evidence. In all experiences of direct military interventions in Pakistan,

³⁶ Jennifer Ghandhi, *Political Institutions under Dictatorship*, New York: Cambridge University Press, 2008, p.76.

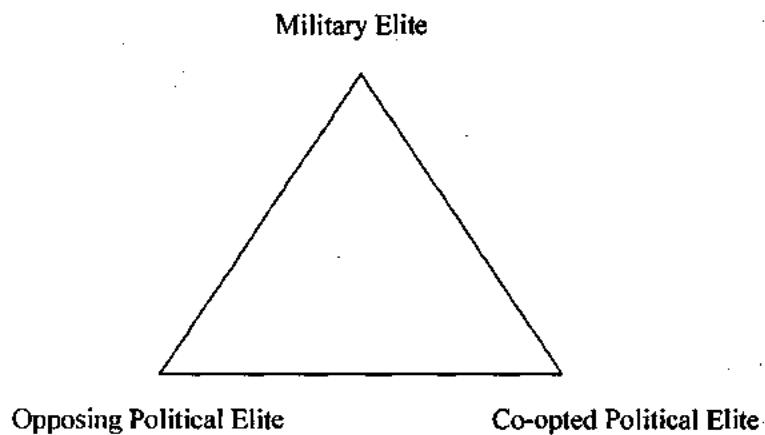
³⁷ Saeed Shafqat, *Political System of Pakistan...*, op.cit., pp. 25-29.

Military Regimes during their early periods tried to contain political opposition rather than co-opting it. The primary reason behind this remained the manifest cause of the military intervention; that was inefficient, incompetent and corrupt politicians who had brought the state at the brink of a collapse.³⁸ Thus, to co-opt them so early would mean losing justification for taking over power from them. Therefore, all Military Regimes during their early periods came hard on almost all political groups and relied heavily on their own primary constituency i.e. the Military. The Military Regimes only went for co-opting political elites when early cracks appeared in the Regime's control of the state. Thus, a comprehensive understanding of the question as why Military Regimes go for selective cooption can have three possible explanations. These three explanations can be made in the context of pressures built by political opposition to democratize, elitist nature of Pakistan's power structure and external pressures built on the Regime by various international organizations and governments.

The first explanation is based on the model suggested by Graziella Bertochhi in her "The Politics of Co-optation". The crux of her argument is that when a group in power feels threatened by other contending elites, pursuing to replace it, the former tries to divide the later by creating a third group and co-opt it in the regime. Thus a triangular power structure is evolved by dividing the opposition in order to prolong

³⁸ All the military dictators in their first speeches, after the military take over, to the nation alleged the political governments of mismanagement, corruption and inefficient governance.

the rule of the group in power.³⁹ An application of her model in Pakistani context reveals that Military Regimes after surviving through the early phase of its consolidation; in which political activities are disbanded and political elites are contained by using tools of accountability, under internal pressures, built by mainstream political parties for democratization, tried to create a pro-regime group of political elites and co-opted it ultimately, which helped it to neutralize the pressures and prolong its rule. The following figure explains the relationship of Military Regime and political elites.



(Figure 2.3)

The figure suggests that military elite remains at the apex of power even after co-opting pro-regime political elites. Waseem noted that the elite groups co-opted by Military Regimes are unaware of their exact role in the power structure as military co-opted them, to present a civilian face to the people at home as well as international

³⁹ Gaziella Bertocchi, "Politics of Cooption" retrieved from http://www.economia.unimore.it/bertocchi_graziella/papers/cooptweb.pdf

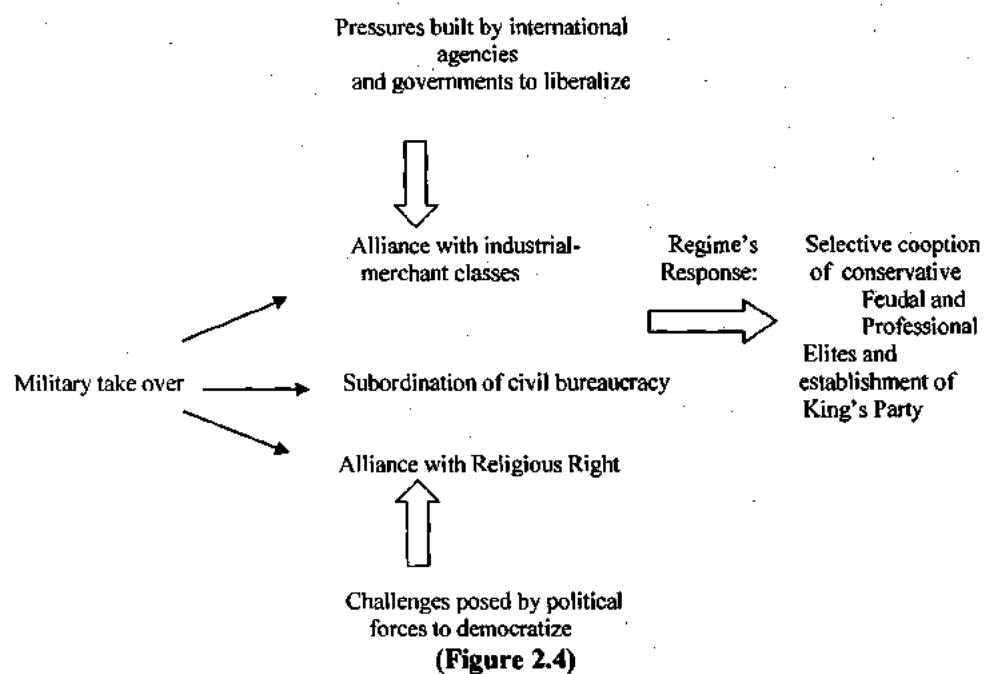
community, without entering into a power sharing formula with these elite groups.⁴⁰ Thus, cooption does not necessarily alter the commanding position of the military elite.

The second explanation of the question as to why Military Regimes go for cooption of political elite can be made in the context of elitist nature of Pakistan's political system. As discussed in the previous chapter that core of Pakistan's power structure is occupied by the six elite groups. It is very difficult for any one of them to solely run the government in a situation where all others develop antagonism against it. Whenever a power shift in the core of the system takes place, the leading elite after consolidating its commanding position tries to selectively co-opt other elites in order to strengthen its position and prolong its rule. In case of military take over, the industrial merchant classes, the conservative feudal elites and religious right are selectively co-opted to build a sustainable alliance where military remains in the commanding position.

Another important factor that influences the Military Regimes to go for cooption is its pursuit to gain legitimacy at international level. In order to neutralize international pressures for liberalization, levied by various governments and institutions working for the promotion of democracy, the Military Regime realizes the need of camouflaging its rule in civilian face, without altering its commanding position. Thus, through selective cooption, and after opening space for the pro-Regime political forces to play freely, the Regime is able to increase its legitimacy at

⁴⁰ Muhammad Waseem, *Democratization in Pakistan: A Study of the 2002 Elections*, Karachi: Oxford University Press, 2006, pp. 56-59.

international level; which helps it in prolonging its rule. Figure (5.2) explains the various factors that compel the Military Regimes to go for selective cooption.



After building an understanding into the question of why Military Regimes go for co-option it is pertinent to address the second part of the question that why political elites are ready to be co-opted in a military set up, where they have to play a subordinate role. The question may also be posed as what make the political elites to support the regime rather than becoming a part of democratization movement. This is an area which lack serious academic pursuits so far. An attempt is made here to identify the causes of disintegration of opposition, into pro-regime and anti-regime groups, and discussed as following:

2: I (b) Personal Grudges

Pakistan is part of developing societies, where tribal values are still, dominantly, existing. Its political life has also influences of these values where personal, family, clan or cast interests overshadows the loyalties with principles, parties or ideologies. The political elites, in a struggle to pursue power, develop personal grudges against those who try to minimize their role or fail to ensure the privileges and status within the party or power structure which is expected by them. These personal grudges find their manifestation whenever an opportunity arises to undermine the party interest at the cost of personal gains. Thus, such political actors become easy prey to the co-option efforts of the Military Regimes. They are picked and regrouped in new parties, ensured some privileges and better chances in the power structure in the absence of mainstream political leadership, whenever a Military Regime feels that there is a need to camouflage itself in civilian face.

2: I (c) Shared Values

Elite consensus theory suggests that agreement among the major elite groups, on the democratic values, is a primary factor in evolving a democratic system. This elite consensus did not evolve in Pakistan since its independence. The Military Regimes after taking over power were able to build alliances with religious elite. One of the main factors behind this readiness on the part of religious elite to join hands with the Military Regimes is the commitment of religious classes to the authoritarian values. Religious elite in Pakistan not only idealize the medieval authoritarianism but also show doubts about modern democratic values. Democracy is often termed as an

alien value to the Muslim cultures and societies. The concept of one man one vote is severely criticized by the religious elites, as according to one of the religious clerics it is a great sin (*Shirk e azeem*) to equate the vote of a religious scholar (*Alim*) with that of a common citizen.⁴¹ Similarly concepts like sovereignty of the people, universal adult franchise, parliamentary supremacy in law making etc are believed to be anti-Islamic by the religious elite. Thus, inherent antagonism among the religious classes against democratic values compels them to join hands with the Military Regimes.

2: I (d) Fear of Losing Constituencies

Like many other third world countries Pakistan has a low political culture. Time and again military interventions have hindered the smooth evolution of political development, where political institutions remained weak and decay. Due to low political culture, most of the major political parties rely heavily on strong candidatures. In most constituencies the personal influence of the candidates overshadows their party affiliations. This ultimately gives confidence to the candidates for shifting their loyalties from one party to other without any fear of electoral accountability. On the other hand those who elect their representatives for national and provincial assemblies expect more than only legislative functions by them. The main concern of the citizens, forming a particular constituency, always remain with the developmental projects, employment opportunities and use of influences in resolving their individual and collective problems by their respective

⁴¹Interview with Refiq ur Rehman, Member Central Legislative body of Jamiat Ulama' Islam (S), at his residence.

representatives. Thus a combination of the people's expectations and low party following on national and international issues compels the people's representatives to always remain in power structure. They cannot afford to give space to their opponents to enter in the power structure and enhance political prospects for them. Once out of power may lead to their opponents in a particular constituency to dominate in the future. All this gives birth to culture of opportunism. The political leaders in order to retain their electoral constituencies always show their readiness to be co-opted by the Military Regimes, whenever such opportunity arises. Thus a good number of politicians prefer to become a partner in the power-structure rather than becoming a part of democratization movement launched by main stream political parties.

2: I (e) Hope to fill Leadership Vacuum

Pakistan is a multi party polity. There are around a hundred political parties in Pakistan established over the years, since its independence. Among the existing political parties there are few that can be termed as mainstream political parties with their popular following in all provinces. There are even fewer who were able to perform in electoral politics. During the last decade of 20th century Pakistan Peoples Party and Pakistan Muslim League (N) emerged as major mainstream political parties while others remained restricted to regional or provincial level.

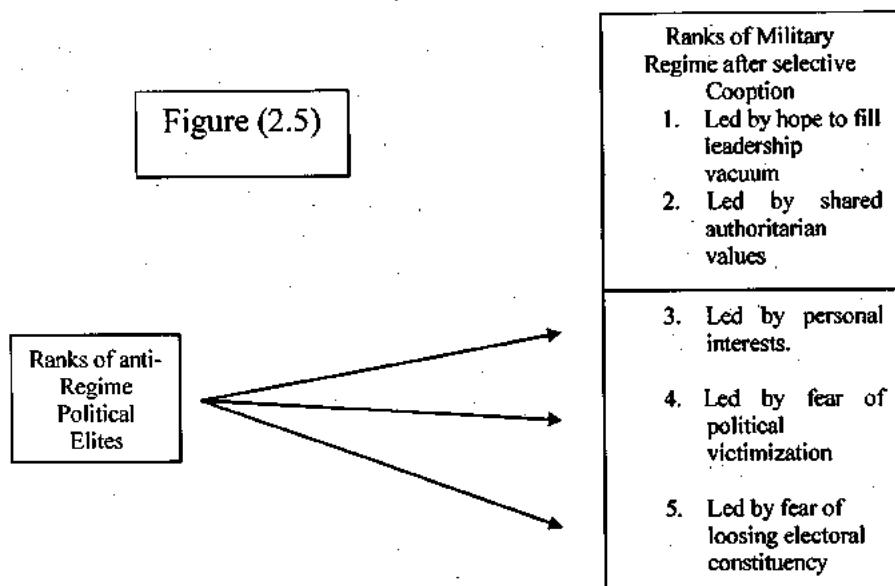
The realization on the part of those political parties, who fail in electoral politics, that in the presence of main stream political parties they would not be able to become a considerable political entity lead them to look for appropriate opportunity for making their place in the power structure. Military coups serve as one of such

opportunities. When Military Regimes contain political elites from mainstream political parties such parties quickly join hands with the Military Regimes believing it as an opportunity to fill the leadership vacuum.

2: I (f) To Avoid Political Containment by the Regime

The post coup period is characterized with the containment of political elites. As one of the major excuses for all military interventions remained to be alleged corruption and looting of public money by the political governments, therefore, politicians have to face various cases in courts or in newly established institutions of accountability. Fear of persecution by the Military Regime to anti-Regime political forces serve as a major source of influencing the political elites to look for the option of supporting the Regime rather than offending it.

Thus, a combination of the above mentioned factors helped the Military Regimes to swallow the ranks of its supporters on the political chessboard, while anti-Regime forces struggled to survive in the said scenario. Figure (5.3) show that why political elites flock in the ranks of the Military Regime. The figure suggests a movement of political elites from the ranks of opposition to ranks of the Regime due to a combination of three factors.



2: II Rising Discontent to Crisis

Pakistan is one of the developing countries with endemic poverty, widespread sense of deprivation, growing centrifugal tendencies and ethno-nationalist and sectarian conflicts. Since its independence its political structure has been dominated by the nexus of civil and military bureaucracy. In order to keep its dominance intact the civil-military bureaucracy turns the country into a centralized polity. Prolonged military dictatorships further contribute to the centralization of the political system. This centralization of power has a multitude of implications for the polity. It not only contributes in strengthening of centrifugal tendencies but it also restricts the equal opportunities for competition. Like many other developing societies, Pakistan has also become a core-periphery society with inequitable resource distribution. Growing

poverty in the rural areas and quest for better job opportunities motivate bulk of rural population to move towards big cities which consequently overburdened these urban centers. Huge budgetary allocations for defense at the expense of development has squeezed job opportunities and increased unemployment. Persisting economic problems, growing disparities and exclusion of peripheral communities from mainstream politics causes deep rooted discontent in the bulk of population especially during the periods of direct military rules. This deep rooted discontent found its manifestation during the Ayub period in East Pakistan, during Zia period in Sind and in Baluchistan during Musharraf regime.

After passing through the earlier stages of regime consolidation and selective cooption Military Regimes face severe challenges due to above mentioned persisting problems. Criticism increases gradually against government policies and political opposition starts reorganizing it. Early hopes, of accountability and eradication of corruption, with military revolution, die slowly and a desire for change mounts gradually. Economic problems persist to challenge the regime's legitimacy. All such developments help the cause of opposition parties striving for transition of power. Anti-regime forces through different channels of communication actively motivate people to come out and protest. This breeds unrest and dissatisfaction at mass population level. As the government's popularity graph falls downwards international actors find it hard to support such an unpopular regime. Therefore pressure, for liberalization, from external actors also starts mounting on the regime.

2: II (a) Period of Crisis

Sustainability of any regime depends on the equilibrium of input, rising demands, and out put, policy decisions to fulfill these demands. If the equilibrium between the input and output is disturbed in a way that majority of demands do not convert into policy decisions it ultimately leads to growing discontent. When the causes of this discontent are not addressed at appropriate time a major section of the society feels that a better alternative to the regime is in hand that may address their persisting problems, the desire for change reaches at its climax. Situation ripens towards a major political change as Military Regime is challenged from more organized and a popular political force, as well as its support at international level is lost. These crises may take many forms like social political, and economic. The growing discontent evolved over the period finds its manifestation in protests, strikes anti-regime rallies and gatherings, paralyzing the smooth functioning of the government. All these crises severely hamper the efficiency of the government which further aggravates the situation. At the same time opposition democratizing alliances are strengthened and demands of regime change intensify. In such a situation where a bulk of society is obsessed with the desire of change while the existing regime strictly adheres to power and coercively tries to suppress the opposition, the ultimate outcome is crisis. If the crisis is not managed properly in time it may lead to collapse of the regime or sometimes even the collapse of the state.

2: III Stage of Transition from Authoritarian Regime to Democracy

Finally, there comes the stage of transitions from authoritarianism to democracy. This transition may take any of the above mentioned modes; transformation, replacement or trans-placement. In Pakistani context the earlier two transitions were tragic as in the first case state collapsed partially while in the second the transition took place after the death of the military dictator in a plane crash. The third transition in 2008 was the first peaceful transition in Pakistan's political history. In this transition terms of transitions were decided between the surrendering Military Regime and political forces. International forces also played their part. Power was transferred from Military Regime to the popular forces after the elections of 18th February 2008. Newly elected government inherited the high hopes as well as all crises that emerged during the transition phase. This inheritance, ultimately, negatively affected the performance of the government during the first year of transition.

CHAPTER 3: DEMOCRATIZATION IN PAKISTAN:

A BACKGROUND HISTORY

The main focus of this chapter is to answer the questions as when military took over power, during its first and second direct interventions from 1958-1970 and 1977 to 1988 respectively, how it consolidated its power? How cracks in the Military Regimes started to begin? Why and how it lost legitimacy at domestic as well as international level? And, finally, how transition occurred? In order to respond these questions every transition from authoritarianism to democracy in Pakistan is divided into three stages;

1. Regime Consolidation to Selective Cooption

2. Rising Discontent to Crisis

3. Transition to Democracy.

3: I Democratic Transition during the First Military Regime

(1958-70)

Although military influenced Politics in Pakistan since 1947 yet its direct penetration in Pakistani politics started from 1954, when General Ayub Khan took the charge of Defense Ministry in the “cabinet of talent”¹ under the premiership of Muhammad Ali Bogra. During this period Ayub Khan started dreaming about having

¹ Hamid Yusuf, *Pakistan: A Study of Political Developments 1947-97*, Lahore: Sang e Meel Publications, 1999, p. 60.

complete control of Pakistani polity.² At last, in the fall of 1958 he materialized his dream by launching a coup, abrogating the constitution of 1956 and imposing Martial Law. After forcing Iskandar Mirza to go for exile within few weeks of capturing power President Ayub Khan turned to consolidate his authoritarian regime.

3: I (a) Regime Consolidation to Selective Cooption

Ayub Khan after capturing power ruthlessly went for crushing the opposition. He declared political parties as divisive forces and politicians as corrupt, selfish and incompetent; who were responsible for instability in Pakistan during the first decade of its independence.³ He imposed a complete ban on political parties, sealed their offices in all major cities, confiscated their records and freeze bank accounts of major political parties like Pakistan Muslim League, Jama't e Islami, Kirshak Sirmak Party, Awami League etc.⁴ Along with already existing tool, PARODA (1949), of punishing political opposition, he issued Electoral Bodies Disqualification Order (EBDO) in 1959, that was frequently used to detain political leadership. Hamid Yusuf observes that about 7000 persons, 3000 from West Pakistan and 4000 from East Pakistan, became victim of EBDO.⁵ Among the most prominent names who were victimized by EBDO were, Hussain Shaheed Suhrawardy, Mian Mumtaz Muhammad Khan Doltana, Nawab Mushtaq Ahmad Gurmani, G. M. Syed, Abdul Ghafar Khan, Abdul Wali Khan and many others who could challenge the regime. The political leaders

² Khalid B. Sayeed, *Politics in Pakistan*, New York: Praeger Publishers, 1980, p. 54.

³ Genral Ayub Khan in his first broadcast to the nation, on 8th October 1958, justified the imposition of Martial Law by declaring the politicians as corrupt, selfish and self seekers who were responsible for all the ills of the country. The text of the broadcast can be seen in the appendix of Hasan Askari Rizvi's "The Military and Politics in Pakistan: 1947-86", on pages 275 to 278.

⁴ M. Rafique Afzal, *Political Parties in Pakistan 1958-1969*, Islamabad: National Institute of Historical and Cultural Research, 1987, p. 10.

⁵ Hamid Yusuf, *Pakistan: ... op.cit.*, p. 73.

were given two options; either to face the trial or to accept disqualification from political life for seven years.⁶

Ayub deemed it necessary to depoliticize the society in order to consolidate his regime. For this purpose section 144 of the CPC and Defense of Pakistan rules were frequently used to ban the political activities of the students and for detaining the political activists.⁷

Parallel to dealing with the forces of political defiance, Ayub tried to regulate and reform the administrative structure of Pakistan. Purgung of bureaucracy started and a number of CSP officials were trialed and terminated. Saeed Shafqat argues that the purpose of this purging was to bring the civil bureaucracy from a co-equal to subordinate status.⁸ While, Waseem disagreed on the point and claimed that the whole of the Martial law regime was actually a joint venture of civil and military bureaucracy. No institutional reforms were introduced to weaken the civil bureaucracy rather it was strengthened during the regime. He noted that the enquiry commissions established during Martial Law years were dominated by civil bureaucracy. There were 280 members in 33 commissions while the percentage of civil servants was 42.1% in these commissions as compared to 6.4% of military officials. Thus Ayub promoted the civil-military bureaucratic partnership during the Martial Law period.⁹ The purging of the CSP officers can best be explained as an effort of getting rid of unwanted officials in the guise of showing Regime's

⁶ M. Rafique Afzal, *Political Parties...*, op.cit. , p. 11.

⁷ Muhammad Waseem, *Politics and the State in Pakistan*, Islamabad: National Institute of Historical and Cultural Research, 1994, p. 164.

⁸ Saeed Shafqat, *Political System of Pakistan...*, Op.cit., pp. 23-72.

⁹ Muhammad Waseem, *Politics and the State in Pakistan...*, op.cit., pp. 143-144.

commitment to eradicate corruption and misuse of power. While Rizvi agreeing with shafqat noted that military captured the leading role in the military- civil bureaucracy partnership. He further argued that military was well aware of its limitations in administering the country without the support of civil bureaucracy, similarly, there was a strong feeling in the civil bureaucracy too that it would not be able to retain its privileged status if it did not cooperate with the new ruling class. Thus the mutual interests of both institutions lead them to enter into a more intimate partnership, where civil bureaucracy accepted to serve as a subordinate partner.¹⁰

Media is a very important tool of influencing public opinion; therefore, in almost all authoritarian states it is strictly regulated. Ayub Khan also came hard on media after the imposition of Martial Law. Some of the notable journalists of high repute who were sympathetic to Left were arrested and sent into imprisonment like Syed Sibte Hassan, Ahmad Nadeem Qasmi and Faiz Ahmad Faiz editors of *Lail o Nihaar*, *Imroz*, and *Pakistan Times* respectively.¹¹

In April 1960 Press and Publications Ordinance (PPO) was issued to regulate Media. The regime showed zero tolerance for anti regime comments or reports in media.¹² Press was used to project the image of the regime. Different types of pressures were used to regulate the newspapers in both wings of Pakistan. For example in 1961 Associated Press of Pakistan, the largest and the most dominant news agency, was taken over by the government through an ordinance, Associated

¹⁰ Hasan Askari Rizvi, *The Military and Politics in Pakistan 1947-86*, Lahore: Progressive Publishers, 1987, p. 78.

¹¹ M. Rafique Afzal, *Political Parties...*, op.cit., p.11.

¹² *Ibid*, p. 41-46.

Press of Pakistan (Taking over) Ordinance, which gave the regime a significant opportunity to control the main source of news coverage.¹³ Official advertisements were also used to put pressure on newspapers. If a newspaper failed to give expected coverage to the projection of government policies, or it gave undue coverage to the opposition parties was ultimately punished by blacklisting it. Black listing of a newspaper meant withdrawal of all official advertisements from it.¹⁴ Publication of academic works critical of the government was also summarily banned, public-sector university employees were fired at the slightest sign of dissent, and many civic organizations, including the All-Pakistan Women's Association (APWA), were either disbanded or co-opted into supporting General Ayub's professed "modernist reform" agenda.¹⁵

In absence of legitimacy at domestic level authoritarian regimes in Pakistan have always looked outward. They tried to ally themselves with USA in order to get international legitimacy and henceforth international recognition. Pakistan was getting closer to United States from the period when Ayub Khan became defense minister of Pakistan but after his seizure of power as Chief Martial Administrator the relations between the two countries became more intimate. Volume of military aid increased rapidly while number of projects in technical, commercial, health and educational assistance multiplied.¹⁶ Thus generous flow of aid from United States of America

¹³ *Ibid*, p.47.

¹⁴ *Ibid*.

¹⁵ Aqil Shah, "Pakistan: Civil Society in the Service of Authoritarian Regimes" in Muthiah Alagappa (ed.), *Civil Society and Political Change in Asia: Expanding and Contracting Democratic Space*, Stanford: Stanford University Press, 2004, pp. 360-361.

helped Pakistan's economy to improve its efficiency during the early years of Ayub regime. Hamid Yusuf noted that Pakistan's growth rate reached to 6.7% per annum leaving almost whole of the third world behind.¹⁷ The flow of foreign aid increased the foreign exchange reserves of the country. These reserves were utilized to build another alliance within the state with industrial-merchant classes. As Ayub regime's focus remained on the capitalist road to development, therefore, he introduced such economic reforms that helped the industrial-merchant classes to grow and develop. Two of the most significant instants of government's efforts to help industrial development in Pakistan were establishment of Pakistan Industrial Development Corporation (PIDC) and introduction of Bonus Voucher scheme. PIDC was a semi government organization established with the purpose of assisting industrial development in the country. It was established in 1951 and it cooperated in establishment of textile, paper and sugar mills as well as jute and fertilizer factories.¹⁸ Similarly Bonus Voucher Scheme was introduced to help the exporters and importers of goods in the accumulation of capital and obtaining of foreign exchange for the purpose of importing those goods which were given in the bonus list.¹⁹ Qaiser observed that this breakthrough in the economy of Pakistan was made possible only because of uninterrupted flow of foreign aid and loans provided by United States of America, Germany and United Kingdom.²⁰ Thus the regime's alliance with the

¹⁶ Lawrence Ziring, *Pakistan: The Enigma of Political Development*, London: Dawson & Sons Ltd, 1980, pp. 93-94.

¹⁷ Hamid Yusuf, *Pakistan: ... op.cit.*, p. 77.

¹⁸ Nadeem Qaiser, *Pakistan Studies: An Investigation into the Political Economy 1948-1988*, Karachi: Oxford University Press, 1991, pp. 40.

¹⁹ Khalid B. Sayeed, *Politics in Pakistan...*, *op.cit.*, p. 58.

Western World helped it to consolidate its position in the domestic context by getting the support of rising industrial-merchant classes.

Industrial development also depends largely on the availability of cheap labor. In order to supply cheap labor it is pertinent to keep the prices, of items of daily use, at lower level. Otherwise price hike ultimately leads to demands of more wages. Therefore, the measures taken by Ayub's regime to control prices, of all the commodities of daily use, had dual impacts. On one hand it ensured cheap labor for newly emerging industries while on the other it relieved the people a bit which ultimately helped in building good image of the government among common citizens. These measures included fixing the prices of items of daily use, declaring sale or resale of these commodities above fixed price as black-marketing for which a maximum of fourteen years of imprisonment could be given as punishment. Hoarding of food stuffs might bring huge penalties. Thus a 25% fall in the prices of consumer goods was observed within four days and the trend continued in the following days touching many luxury items too.²¹ Waseem noted that the Martial Law government presented a social welfare posture of it and established a number of commissions for social, economic and political reforms. These commissions included Reform Commissions on land holding, administration, police, agriculture, law, education and finance etc.²² Daily newspapers reported government's efforts to eradicate corruption, screening committees for government officials, imposition of price control, increase in foreign exchange reserves of the government, promulgation of laws against teasing

²⁰ Nadeem Qaiser, *Pakistan Studies*..., *op.cit.*, p. 41.

²¹ M. Rafique Afzal, *Political Parties*..., *op.cit.*, p. 4.

²² Muhammad Waseem, *Politics and the State in Pakistan*..., *op.cit.*, p. 145.

women and provision of facilities for working classes.²³ All this helped in increasing popularity of the regime. This is why the marginalized political elite failed to launch a popular movement during the initial three to four years of Ayub's regime.

In 1959 the military regime decided to expand its influence to mass population level for two purposes. Firstly to give the people a chance of participation at local level, whereas, they were refrained from participating in politics at national level, and secondly, to use the local bodies as a tool for legitimizing the regime. Therefore on October 27, 1959, Basic Democracy ordinance was promulgated. 80,000 B.D members were to be elected from the two wings of Pakistan. The system was structured in a way that these Basic Democrats were heavily dependent on the local bureaucracy; therefore they could be very easily influenced and controlled by the regime.²⁴ After the election of B.D members on January 23 1960, President Ayub Khan got vote of confidence from these Basic Democrats in a referendum that was held on February 14, 1960. Ayub Khan celebrated the event and took oath from the chief Justice of the highest court as the first elected President of Pakistan.

Thus Ayub Khan successfully consolidated his authoritarian regime during the initial few years of capturing power by introducing various reforms and ensuring economic development with the help of foreign aid coming from the Western World. But early cracks, though tiny, started to appear in the regime after the promulgation of 1962 constitution and with the revival of political parties. As the political activities started Ayub Khan was compelled to co-opt pro regime political elites in order to

²³ *Ibid.*

²⁴ Lawrence Ziring, *Pakistan in the Twentieth Century: A Political History*, Karachi: Oxford University Press, 1997, p. 255.

prolong his rule and respond on the same pitch where the opposition political parties had started their campaign against his authoritarian regime.

3: I (b) Selective Co-option

Ayub Khan after taking over power tried to co-opt the industrial bourgeoisie, through economic reforms, in urban areas and middle farmers through Basic Democracies system in rural areas in order to build a strong alliance to consolidate his regime.²⁵ As politics always poses serious challenges to status-quo therefore he tried his best to depoliticize the society by imposing complete ban on political parties till 1962. Yusuf observed that Ayub ignored a very fundamental fact of political behavior that economic improvement can never substitute share in political authority.²⁶ But the realization came in the fall of 1962 after the promulgation of constitution and with the start of political activities by National Democratic Front (NDF). It is pertinent here to give a brief narration of the activities of NDF in order to comprehend the situation that led Ayub Regime to go for selective co-option at national level of politics.

On June 6, 1962 National Assembly's inaugural session was held and Martial law was lifted on the same date. As political parties were banned therefore the session of National Assembly failed to bring any organized opinion about the new constitution on the floor of the assembly.²⁷ The first attempt in mobilizing an organized opinion about the constitution was made by a group of nine politicians of East Pakistan belonging to different defunct parties on June 24, 1962 in Dacca.²⁸ The Group of

²⁵ Saeed Shafqat, *Political System of Pakistan...*, op.cit., pp. 23-72.

²⁶ Ihamid Yusuf, *Pakistan:...*, op.cit., p. 82.

²⁷ M. Rafique Afzal, *Political Parties...*, op.cit., p. 120.

“Dacca Nine”²⁹ openly discarded the constitution and called for its abrogation. They demanded for parliamentary democracy through adult franchise and based on federal principles. Thus the first major challenge threatening the legitimacy of Ayub Regime appeared. A wave of anti-regime statements followed in the upcoming days by individual politicians. The sequence carried on by holding public meetings in almost all the major cities of East Pakistan. In these meetings the politicians of defunct political parties addressed huge gatherings, openly criticized the regime and the new constitution as well as the policies of the regime which benefited few at the cost of many. Anti-regime movement, initiated by individual politicians, at last culminated in the formation of National Democratic Front with the release of Hussain Shaheed Suharwardi and his taking up charge of the movement.³⁰ Thus situation became alarming for Ayub government as early cracks had started to appear in the regime. Alliance with the urban bourgeoisie and rural middle farmers was not sufficient to consolidate the regime. There was no alternative for the vacuum created at national level political activities. The situation that had been created in the wake of time might pose a disastrous challenge in the future. It was, therefore, pertinent to respond in time. The regime, therefore, decided to pick up bulk of pro-regime political leadership under the umbrella of a political party that could mobilize pro-regime opinion in the mass population. The Political Parties Act had already encouraged many political

²⁸ Among these nine politicians three former chief ministers, Nur Al-Amin (Pakistan Muslim League), Abu Hussain Sarkar (Kirshak Siramak Party) and Ata al-Rehman (Awami League) were the most notable.

²⁹ M. Rafique Afzal, *Political Parties...*, *op.cit.*, p. 121.

³⁰ *Ibid*, p. 121-123.

leaders to revive their defunct parties.³¹ Two options were considered in the meetings of Ayub's cabinet, either to launch a totally new political party or to revive Pakistan Muslim League.³² The later was opted because it was argued by the supporters of the idea that Muslim League had a special appeal for common masses as a party that created Pakistan.³³ The next challenge was to organize the party and get support of the prominent leaguers. A convention was called under the chairmanship of Choudhury Khaliq al-Zaman on September 4-5, 1962. About 800 delegates took part in the sessions³⁴. With reference to this convention it was named as Convention Muslim League. Despite all efforts of the government to attract prominent leaguers and the mass population towards Convention Muslim League it failed to bear the status of legitimate heir of former Muslim League; the founder party of Pakistan. Parallel to it emerged Council Muslim League with a number of prominent leaders of Pakistan movement under the leadership of Khwaja Nazim al-Din. Attempts to unify the two leagues also failed bitterly. The situation was changing rapidly. Especially after the presidential elections in 1964 and the following series of crises in the post 1965 war period the ConML showed little ability to mobilize people in favor of the regime. Thus Ayub Khan's attempt to co-opt political elite for the consolidation of his regime failed to fill the cracks that had emerged in his authoritarian regime.

3: I (c) Rising Discontent Leading to Crisis

Domestic politics of the developing nations is largely influenced by the combination of internal and external factors. Change in global environment effect the

³¹ Hamid Yusuf, *Pakistan*..., *op.cit.*, p. 75.

³² M. Rafique Afzal, *Political Parties*..., *op.cit.*, p. 54.

³³ Hamid Yusuf, *Pakistan*..., *op.cit.*, p. 75.

³⁴ M. Rafique Afzal, *Political Parties*..., *op.cit.*, p. 57.

flow of foreign aid either negatively or positively. As the performance of domestic economies depends heavily on the flow of this aid therefore frequent flow of foreign aid may help in consolidating the domestic economies and vice versa. Prior to Indo-China war of 1962, Pakistan enjoyed the privileged status of most allied ally of United States in the South Asian sub system. But China's superiority in the said war obsessed the Western World with China's perceived expansionist fear. This obsession lead United States to incline towards India more in the post war period in order to check China. During the same period Pakistan's inclination towards China in order to check perceived Indian aggression annoyed the United States of America.³⁵ Thus American indifference to Ayub Regime started creating problems for the Regime. In a situation where Ayub Regime was losing its international support, it turned towards the domestic allies to consolidate its position. After the promulgation of 1962 constitution, it was compelled to enforce Political Parties Act that lifted the ban from political parties and allowed the defunct political parties to revive. As the political activities started Anti-Ayub sentiments appeared to surface. Cooption of pro-regime politicians under the umbrella cover of ConML was not of much help in connecting the common people with the regime, as ConML lacked popular mass following.³⁶ Persisting economic problems, growing disparity between the two wings as well as between the rich and the poor were breeding a deep sense of deprivation among the common masses in general and East Pakistanis in particular.³⁷ Yusuf noted that the disparity between the two wings had reached to such an extent that the Finance

³⁵ Mushahid Hussain, Akmal Hussain, *Pakistan: Problems of Governance*, Lahore: Vanguard Books Pvt Ltd, 1993, pp.34-35.

³⁶ Hamid Yusuf, *Pakistan: ... op.cit.*, pp. 82.

³⁷ *Ibid*, pp. 80-81.

Commission in 1963 confessed that the only way of bringing the two wings at par with each other was to decelerate the growth in Western Wing.³⁸ Thus, rising discontent with Ayub's policies in East Pakistan helped the cause of NDF first and later the demands of provincial autonomy.

Ziring on the economic problems of Pakistan during Ayub period claimed that the Second Five Year Plan (1960-65) was a success story as far as statistics were concerned, but it had little improved the living standards of common masses.³⁹ Growing poverty, mounting expectations with little sense of political participation were breeding unrest in the majority of the society. Sayeed observed that the percentage of the people living below poverty line during 1963-70 were 60% if the poverty line is set at Rs. 300 per capita income.⁴⁰ See table 3.1.

Table 3.1

(Approximate rural population living below poverty line)

Year	Percentage of population	Number in millions
1963-1964	60.5%,	23.46
1966-1967	59.7%	24.80
1968-1969	61.5%	26.72

Source: S.M Naseem, "Mass Poverty in Pakistan: Some Preliminary findings",

Pakistan Development Review 12, no.4 (Winter 1973): 322.

³⁸ *Ibid*, p. 81.

³⁹ Lawrence Ziring, *Pakistan*..., *op.cit.*, p.92.

⁴⁰ Khalid B. Sayeed, *Politics in Pakistan*..., *op.cit.*, p. 60.

As, Ayub government adopted capitalist road to development therefore it inevitably led to broaden the disparity gap between few rich and majority of the poor with the passage of time. According to an economist of high repute, Mahbub ul Haq, only twenty-two (22) families held the ownership of 80% of industries, 79% of insurance assets and 80% of the banking assets.⁴¹ As a result a deep sense of social injustice leading to breeding of discontent evolved over the period. This found its expression in the public gatherings of Combined Opposition Parties (COP) during the presidential election campaign of Miss Fatima Jinnah. She addressed huge gatherings in urban cities of both wings. Although, Ayub's self structured institution of Basic Democracy helped him in winning the elections, yet the post election scenario resulted in a never ending series of mass protests and criticism on the government.

Another shock that pushed Ayub Regime into a vulnerable situation was breaking out of war between India and Pakistan. The War further engulfed Pak-U.S relations because of United States' China obsession.⁴² In the post war period when President Ayub concluded a treaty with India at Tashkent, it was neither accepted by the people of Pakistan nor the hawkish elements within the regime. The war had dual implications at domestic level. On one hand it further intensified the growing grievances of East Pakistan⁴³ while on the other hand it was followed by anti-Tashkent Agreement protests in West Pakistan. Thus with the passage of time

⁴¹ Mahbub al Haq, *The Strategy of Economic Planning*, Karachi: Oxford University Press, 1963, p. 113.

⁴² Mushahid Hussain, Akmal Hussain, *Pakistan*..., *op.cit.*, p. 36.

⁴³ A feeling grew in East Pakistan that they were not properly guarded during the war and West Pakistan's obsession of Kashmir has placed their security at stake.

frequency of anti-regime feelings and mass protests intensified and discontent reached at its peak. The causes of this growing discontent can be summarized as under:

1. Change in international environment.
2. Indo-Pak war of 1965.
3. Anti Tashkent Declaration movement.
4. Worsening conditions of industrial labor and rural tenants.
5. Growing sense of social injustice against the economic hold of 22 rich families.
6. Growing sense of deprivation in East Pakistan leading to rise in centrifugal tendency.
7. Formation of democratization alliances and their success in mobilizing the people.
8. The shortage of sugar and scarcity of wheat and vegetables in small towns.
9. The alleged progress of Ayub family after coming in power.
10. Opposition to Family Laws Ordinance and Population Planning programs.⁴⁴

Now the situation had ripened for political change but the regime was not ready to allow such change. A political deadlock resulted into a series of crises that ultimately led to the breakdown of the regime.

3: I (d) Period of Crises

The early cracks that started to appear after the promulgation of 1962 Constitution and revival of political parties began to widen up in the post 1965 war period. Sheikh Mujeeb's taking over of Awami League's leadership and Bhutto's

⁴⁴ Muhammad Waseen, *Politics and the State in Pakistan...*, op.cit., p. 223

parting ways with Ayub Regime and establishment of his own political party (Pakistan Peoples Party) were the turning points in the political history of Pakistan. The ground was ready for Bhutto's socialist slogans of food, clothing and shelter and Mujeeb's demand of provincial autonomy, which was reflected in his famous six points, in the presence of growing disparity, inequality and relative sense of deprivation which marked the later period of Ayub rule. Both enjoyed popular following in Western and Eastern wings of Pakistan, respectively. Both were able to mobilize the people in favor of the alternative offered by them in the two wings.

A few days after the tenth anniversary of Ayub's rise to power the major incident took place which was followed by a series of unending crises. It happened in Rawalpindi when students of Polytechnic Institute, who were protesting against Ayub regime, clashed with police. As a result of police firing some students were killed and army was called upon to handle the situation.⁴⁵ The said incident proved to be explosive as mass protest started against it throughout Pakistan. After few days Ayub Khan was fired at in a public gathering. Though he survived yet anti-regime movement gained momentum.⁴⁶ Bhutto and Wali Khan were arrested which further added fuel to the fire. Huge demonstrations started in both wings of Pakistan. Waseem identified four pillars of support for anti-regime movement, 1) laborers, 2) radical students, 3) trade union leaders, and 4) middle merchant classes.⁴⁷ Along with these four pillars of anti-Ayub movement, Waseem cited Burki who referred to role of middle classes, especially urban middle classes, intelligentsia and the middle farmers

⁴⁵ *Ibid*, p. 220.

⁴⁶ *Ibid*.

⁴⁷ *Ibid*, p.221.

in the rural areas as a major opposition force in West Pakistan. According to him these middle classes initially served as the constituency of Ayub Khan and were able to enjoy some economic benefits. But as the time passed by Ayub started relying heavily on the feudal classes and industrial bourgeoisie which led to the exclusion of these middle classes from political power. The sense of alienation forced these classes to move towards Bhutto.⁴⁸ Waseem objected this view on the ground that middle classes never supported Bhutto which ultimately led him to mobilize the poor classes; peasants and laborers.⁴⁹

In East Pakistan, Sheikh Mujeeb was able to mobilize people in favor of his demand for greater provincial autonomy. A Student Action Committee in collaboration with Awami League ran the anti-regime mass campaign in a very coordinated manner as compared to West Pakistan where the student campaign was largely fragmented and localized.⁵⁰ As the crisis lingered on its intensity increased and opposition camp swallowed. The inclusion of Air Marshal (Retd) Asghar Khan, Justice Murshad of Dhaka and General Azam Khan, the former Governor of East Pakistan further strengthened opposition to the regime.⁵¹ Similarly in January 1969 a major break through, in the political party alliances for the restoration of democracy, was the formation of Democratic Action Committee, with the inclusion of 3 non-PDM parties, on the ashes of Pakistan Democratic Movement; as the latter had passed through many ups and downs but unable to pose a major threat to the regime while the

⁴⁸ *Ibid*, p. 223.

⁴⁹ *Ibid*

⁵⁰ *Ibid*, 220.

⁵¹ Hamid Yusuf, *Pakistan: ...*, *op.cit.*, p. 106.

former took a leading role in anti-Ayub movement and virtually emerged as a major threat to it.⁵²

The situation in both wings of Pakistan was getting worse by each passing day from the start of 1969. Each passing day was marked with protests, strikes, mass gatherings addressed by political leaders, clash between state agencies and the rioting students and workers of industries. Sheikh Mujeeb's arrest in Agartalla Conspiracy Case, in which he was alleged of conspiring against the unity of state in collaboration with India, spread and intensified the discontent and mass demonstration in East Pakistan Waseem noted that whereas labor militancy has taken up new form of protest like encircle and burn (*Ghero jalao*) under the leadership of Bhashani the situation in East Pakistan was even worse where murders, attacks on police stations and members of Basic Democracy have become a routine.⁵³ As a last effort to manage the crisis Ayub tried to engage the leadership of DAC in dialogue but in absence of Bhutto, Mujeeb and Bhashani this effort also met with failure. Having lost the popular support and the confidence of armed forces Ayub Khan was left with no option than to quit the power corridor.⁵⁴ Thus on 25th March 1969 Ayub Khan resigned and handed over power to General Yahya Khan.

General Yahya abrogated the constitution of 1962 and a Legal Framework Order was promulgated with immediate effect. Elections were promised on the basis of adult franchise. Sheikh Mujeeb was released and election campaign started. Ziring is doubtful of military's intention for transition of power. He noted that this election

⁵² M. Rafique Afzal, *Political Parties...*, op.cit., p. 141.

⁵³ Muhammad Waseem, *Politics and the State in Pakistan...*, op.cit., pp. 223-225.

⁵⁴ Lawrence Ziring, *Pakistan:...*, op.cit., p. 97

was a gamble on the part of Military Junta. It was a strong feeling within the junta that by replacing Ayub and his system the intensity of anti-regime feelings could be reduced. The election on one hand would help in reducing discontent in East Pakistan while on the other, after the election, National Assembly would have to write a new constitution within four months otherwise it would have to face dissolution. It was expected that no political party would be able to win majority in the elections which would ultimately help the relevance of military junta in the future political set up.⁵⁵ But election results were against the hopes of military junta. Awami League in East Pakistan and Pakistan Peoples Party in West Pakistan emerged as the two major parties whereas Awami League winning overall majority in the elections of 1970.⁵⁶ This unexpected result made the options scarce for the Military Regime. Military's unwillingness to transfer power to Awami League, as it was perceived by them as secessionist party, gave birth to a new crisis.⁵⁷ The dialogue between the regime, Bhutto and Mujeeb failed to settle issues on six points. As the deadlock prolonged and crisis intensified, General Yahya Khan decided to take military action in East Pakistan. The decision proved to be devastating. Civil war broke out in Eastern wing. International pressure increased on alleged violation of human rights and genocide of Bengalis. India, claiming that the influx of refugees in its territory from East Pakistan had made this issue beyond Pakistan's internal issue, intervened in East Pakistan. Pakistan military junta faced a humiliating defeat and the crisis led Pakistani state to collapse in 1971.

⁵⁵ *Ibid*, pp. 101-102.

⁵⁶ Awami League won 167 seats while Pakistan Peoples Party won 81 seats. Total number of seats was 300 in two wings, 169 for East Pakistan and 131 for West Pakistan.

⁵⁷ Lawrence Ziring, *Pakistan*..., *op.cit.*, p. 102.

3: I (e) Transition to Democracy

Existing literature on democratic transitions is least helpful in addressing the nature of transition that may take place after the collapse of a state, as a result of movement for transition to democracy. Pakistan faced this unique experience which can neither be explained by Huntington's modes of transformation, replacement and trans-placement nor through the game theory of Prezeworski. An attempt to explain possibilities of transition in such a situation, especially where military serve as authoritarian regime, may lead to the following set of assumptions:

1. Partial collapse of a state, after losing war in a part of it, damages the image and shakes the morale of armed forces heavily.
2. In presence of a popular alternative it is left with no option than to transfer power to it immediately.
3. If there is no such alternative available, there are chances of further divisions as the local and regional identities encouraged by the secession of one region may struggle for their independence and the chances of complete dissolution and emergence of many new states are always there.

It is relevant especially in the third world heterogeneous societies which are facing the problems of nation building right from their independence.

After the collapse of Pakistan in December 1971, (1) and (2) occurred sequentially. In order to get rid of crisis of legitimacy, power was immediately transferred to Mr Z. A. Bhutto, the leader of majority party in West Pakistan, who emerged as the first civilian Martial Law administrator of new Pakistan. Martial Law

was lifted soon and with the promulgation of constitution of 1973 the journey of transition to democracy achieved its major milestone.

Z. A. Bhutto's radical approach for the distribution of resources, like nationalization, land reforms, labor reforms and such other policies annoyed a good number of elite stake holders in Pakistani polity. Thus after the elections of 1977, when Bhutto government was charged of rigging in the election and PNA started agitation for re-election, this segment of society, large industrial-merchant community and professional middle classes, funded the PNA movement as second term of Bhutto would be intolerable for them.⁵⁸ As the PNA agitation intensified and a crisis emerged, it gave the military, which was already looking for an opportunity to come out of the subordinate role and dominate the system, an excuse to intervene again. Thus on July 5, 1977 the third Martial Law was imposed by General Zia ul Haq the then COAS. Assemblies were dissolved and constitution held in abeyance. In the following section struggle for democracy during the Zia Regime will be discussed and analyzed.

3: II Democratic Transition during the Second Military Regime (1977-88)

General Zia's rise to power was different from that of Ayub in many respects. When Ayub entered the power corridor he was silently welcomed and his action was tacitly approved by major section of the society as the political leadership before him had lost popular support and mass following due to in-fighting and failure to deliver during the first decade of Pakistan's independence. There was no coherent and well organized opposition that could pose a major challenge to the regime. That was the

⁵⁸ Muhammad Waseem, *Politics and the State in Pakistan...*, op.cit., p. 364.

reason that when he captured power he did not give any impression of leaving it earlier. It was with the passage of time when his capitalist model of development back lashed and changes in international environment occurred, giving political opponents a leverage to organize themselves and challenge him later, he started facing problems and early cracks appeared in the regime. These cracks widened up gradually and at last he was compelled to surrender his power. Zia's case was absolutely the reverse during the early days of his imposition of Martial Law. Bhutto's five years of 'populist regime'⁵⁹ and egalitarian politics had transformed Pakistan's political culture to a greater extent. Bhutto's roots in the lower classes and his ability to mobilize people were a great challenge for the Martial Law regime from the very first day. This was the reason that throughout his rule General Zia-ul-Haq kept fighting with the fear of Bhutto factor.⁶⁰ This abstract fight actually determined Zia's strategies to consolidate his power and the mode of democratization during Zia regime.

3: II (a) Regime Consolidation to Selective Co-option

As discussed earlier that the consolidation of any regime in Pakistan depends both on internal and external factors, therefore, General Zia after taking power exploited both factors to consolidate his regime. The first important source of consolidating an authoritarian regime is the use of coercion to crush its opponents. Zia used coercive power of the state ruthlessly to eliminate his major adversary i.e. Pakistan Peoples Party. Just after the imposition of Martial Law, in July 1977, Z. A

⁵⁹ Khalid B. Sayeed, *Politics in Pakistan...*, op.cit., p. 84.

⁶⁰ Mushahid Hussain, *Pakistan's Politics: The Zia Years*, Lahore: Progressive Publishers, 1990, p. 266.

Bhutto along with the top leadership of PPP was arrested. The Regime suspended fundamental rights, banned labor and student unions, imposed media censorship and came hard on all kinds of public protest.⁶¹

General Zia pretended as a reluctant coup maker who was compelled by the situation to intervene. In his first appearance before the people as a Chief Martial Administrator he claimed that he had come to resolve the conflict and will hand over power to the elected representatives after holding elections in ninety (90) days.⁶² Through this claim he tried to pacify the discontent that had emerged in the society after the imposition of Martial Law. This remained one of the successful strategies of Zia, to pacify the spontaneous reaction by showing agreement to demands and allowing sentiments to exhaust with the passage of time, to handle issues throughout his regime.⁶³

The main pillars of support for Zia regime, during his early days, were PNA, business-merchant classes and some feudal elites; all of whom were with Zia just because of the fear of Bhutto's possible re-entry, in the power corridor, as result of general elections.⁶⁴ Zia exploited this fear in his favor quite skillfully to delay elections. In order to consolidate his power Zia tried to appease business classes by introducing limited de-nationalization, liberal import-export policies and reduction of taxes. Being conscious of the Bhutto's appeal in labor and other poor classes he did not go for radical capitalist reforms in the economy that might lead these classes to

⁶¹ Ayesha Siddiqa, *Military Inc: Inside Pakistan's Military Economy*, Karachi: Oxford University Press, 2007, p. 84.

⁶² Hamid Yusuf, *Pakistan: ...*, *op.cit.*, p. 175.

⁶³ Mushahid Hussain, *Pakistan's Politics: ...*, *op.cit.*, p. 113.

⁶⁴ The demand of first accountability then election from some of the leaders of PNA, like Wali Khan, was a clear manifestation of this inherent fear among anti-Bhutto forces.

respond violently and threat the stability of the regime. For example large scale industry remained in governmental control as well as labor laws were kept intact. Similarly education and health sectors enjoyed healthy budgetary allocations.⁶⁵

Despite all this Bhutto factor was still a major source of threat for the regime, therefore, elimination of this factor was taken seriously by the regime. A two way strategy was adopted for this purpose. Firstly, an attempt was made to give an alternative for Bhutto's socialism for attaining mass support. For this purpose the regime relied on a very old tool, Divine Right Theory of state, of attaining legitimacy by aligning itself with the religious elite. The regime tried to seek legitimacy in Islamic ideology. It started *Islamization* of the state. This, ultimately, helped the regime to get support of the conservative right; which includes religious elite and segments of middle class.⁶⁶ Secondly, a media campaign begun against Bhutto. White papers were issued by the government highlighting the alleged brutalities of Bhutto period as well as propaganda program on Pakistan Television was broadcasted named *Zulm ki Dastaan* (Story of Oppression) against the previous regime of Bhutto. Despite this anti-Bhutto propaganda the political atmosphere remained volatile during the early years of the Martial Law, which gave a strong signal to the regime, that in presence of Bhutto it would be impossible for the regime to consolidate and prolong its rule.⁶⁷ Therefore, the regime decided to get rid of this problem permanently. Bhutto was charged with the murder of one of his political opponents Ahmad Raza Kasuri and ultimately hanged in one of the most controversial cases of Pakistan

⁶⁵ Muhammad Waseem, *Politics and the State in Pakistan...*, op.cit., p. 368.

⁶⁶ Mushahid Hussain, *Pakistan's Politics: ...*, op.cit., p. 267.

⁶⁷ Bhutto's reception by the people, after the announcement of election date, shocked the regime, which ultimately led to his re-arrest.

judicial history. With the elimination of Bhutto the regime banned political parties in 1979 and attained a sort of relative stability from 1979 to 1983.⁶⁸

In 1979, Soviet intervention in Afghanistan gave Pakistan a great leverage, in its relations with United States, due to its geo-strategic location. Pakistan emerged as frontline state of United States of America in the region. This frontline status had dual implications for Pakistan. On one hand it diverted huge flow of foreign aid to Pakistan while on the other it helped the Military Regime to get support of Western bloc. Choudhry observed that the aid package announced for Pakistan by United States was \$3.2 billion in 1979 for the period of seven years. Apart from this direct aid United States also helped Pakistan in getting loans from IMF, World Bank and Asian Development Bank.⁶⁹ This flow of aid and loans from international agencies helped the regime to consolidate its economy.

Along with foreign aid another important factor that helped the economy during the early years was the inflow of foreign exchange in the form of remittance. It was during the Bhutto period that Middle East was opened for the workers from Pakistan. Huge number of laborers and skilled workers flew to the countries of Middle East in search of better job opportunities. After settling in there, these working classes started sending back foreign exchange to their homes. The amount of remittance rose from \$577.77 million in 1976-77 to \$2885.50 million in 1982-83, contributing heavily to foreign exchange reserves of the country.⁷⁰ Another very important factor that contributed the regime to consolidate its economy was the

⁶⁸ Muhammad Waseem, *Politics and the State in Pakistan...*, op.cit., p. 365.

⁶⁹ Golam W Choudhury, *Pakistan: Transition from Military to Civilian Rule*, Essex: Scorpion Publishing Ltd, 1988, pp. 43-45.

⁷⁰ Muhammad Waseem, *Politics and the State in Pakistan...*, op.cit., p. 368.

successive good harvest of wheat for three years. Mushahid identified triple "A" factors which were responsible for the early consolidation of the regime, Agriculture, Afghanistan and American connection.⁷¹

Although Zia Regime tried to broaden its support base by establishing links with religious right yet its primary constituency remained the Military itself. Unlike Ayub khan, Zia ul Haq relied heavily on its primary constituency in administering the state during Martial Law period. Military courts were established as well as authority of civil courts was restricted in granting bail to those who were convicted or trialed in military courts.⁷²

It seemed that Zia was well aware of the fact that even a partial loss of support in military might create such problems that could ultimately lead to collapse of the Regime. Therefore he tried his best to attain full-fledged support of his primary constituency i.e. the Military. It was during this period when military started penetrating in the civil sector and superior services. Serving military officials and ex-military officials were appointed as heads of a number of semi governmental and autonomous corporations. They were also inducted in District Management Services, Police and Foreign services of Pakistan. For example in 1982, eighteen out of forty two ambassadors working in different countries abroad came from military.⁷³ Along with this some other privileges were also given to the serving and ex-military officials like 10% quota in civilian jobs after retirement, assignments in Middle East, allocation of agricultural land and residential and commercial plots and a remarkable

⁷¹ Mushahid Hussain, *Pakistan's Politics*..., op.cit, p. 117.

⁷² Muhammad Waseem, *Politics and the State in Pakistan*..., op.cit., p. 376.

⁷³ Hasan Askari Rizvi, *The Military and Politics in Pakistan*..., op.cit., p. 243.

increase in defense budget from 9674.5 million rupees in 1977-78 to 38,619 million rupees in 1986-87 that is 399% increase in nine years.⁷⁴ Thus, all this helped in ensuring full-fledged support from the military to the Regime which helped as a significant factor in consolidating the Regime.

Lastly political vacuum created due to ban on political activities was tried to be filled by introducing local bodies, for which elections were held in 1979, and establishing *Majlis e Shura* (Consultative Assembly) at center, which was to be appointed by the President for running the business of the state, and it was given legal cover under the Provisional Constitutional Order of 1981, that also empowered president to be the most powerful office. Judges of all courts were asked to take new oath under PCO and unregistered political parties were declared dissolved. Thus, through the mixture of above mentioned strategies and historical circumstances Zia Regime was able to consolidate itself during the early years of its taking over power.

3: II (b) Selective Co-option

As discussed earlier that due to the radical reforms of Z. A. Bhutto, there were a good number of elite interest groups who suffered and as a result they supported the PNA movement. With military take over in 1977, where, on one hand PNA ensured its support to the Military Regime for the elimination of Bhutto's second chance of coming into power, at the same time, these interest groups also aligned themselves with the Regime to support the same cause. After assassination of Bhutto, when political activities were banned by the regime, due to demands of some of the member parties of PNA to hold elections and transfer power, the Military Regime responded

⁷⁴ *Ibid*, p. 244.

by co-opting pro-regime parties like Jama't Islami (JI), Jami'at 'Ulama e Pakistan (JUP) and Pakistan Democratic Party (PDP), the former two representatives of religious right while the later one representative of the feudal elite, while sidelining the rest of PNA parties.⁷⁵ The industrial-merchant classes and landed aristocracy who suffered from Bhutto's radical reforms developed direct links with the Regime and were able to reverse some of these reforms in their favor. The shift of these interest groups from PNA to the Military Regime further added to the impotency of PNA. Imitating Ayub Khan, Zia Regime tried to build an alliance with middle farmers and urban middle classes by introducing local bodies' reforms. These local bodies' reforms were aimed to achieve two goals. First to extend reach of the government to gross root level by developing direct links with the members of local bodies and secondly to fill the vacuum, created by banning political activities at national level, by broadening participation base.

In 1981, *Majlis e Shura* was formed under PCO, which was composed of 350 members. Religious leaders, industrial workers, farmers, feudal elites and individuals from professional classes were picked for the membership of this assembly. Some of the politicians even left their parties to join it.⁷⁶ Thus, this *Majlis* served as a tool of co-opting influential individuals from various segments of the society.

In 1983, when the belief had started to strengthen that it had consolidated itself to an extent that it can go ahead with *Majlis e Shura* and its Islamization, for longer period of time, the Zia Regime met with the first major shock, by MRD, that shattered

⁷⁵ Muhammad Waseem, *Politics and the State in Pakistan...*, op.cit., p. 357.

⁷⁶ Lawrence Ziring, *Pakistan: At the Crosscurrent of History*, Oxford: One world Publications, 2005, pp. 183-184.

its confidence on its allied forces and it was compelled to go for general elections, and seek new alliance, later on. In 1983, the intensity of mass agitation, particularly in Sind, launched under the leadership of MRD, threatened Zia Regime. MRD demanded for lifting of Martial Law and holding of Elections.⁷⁷ Although this mass protest was crushed coercively but the cracks in the Regime appeared. The later developments proved that, a realization might have entered in the ranks of the Regime that *Majlis e Shura* had failed to fill the vacuum created at national level. This realization ultimately led the Regime to go for national election. In order to legitimize his position Zia declared referendum before holding general elections. Despite severe criticism from the opposition political parties, presidential referendum was held in the fall of 1984. The turn out in the referendum was very low which further intensified the realization in the regime that its existing alliance was not enough to consolidate and prolong its rule. After referendum the time of general elections approached. General Zia declared that elections would be on non-party basis. MRD declared boycott of non-party elections. Despite MRD's boycott general elections in 1985 were held on non-party basis. The religious right which was co-opted by Zia Regime as an alternative to Bhutto's charisma bitterly failed in elections. Thus, the emergence of a new body of representatives compelled the regime to look for the cooption of new elites in order to tackle the challenge posed by MRD. Similarly to Ayub Khan, political parties were allowed to function first and Muslim League was supported and co-opted by the regime to give an organized response to the political activities of

⁷⁷ Lawrence Ziring, *Pakistan in the Twentieth Century: A Political History*, New York: Oxford University Press, 1997, p. 476.

MRD.⁷⁸ Mr. Muhammad Khan Junejo was appointed as prime minister of the new set up with a leading role in the Muslim League. After presenting a civilianized face of the Regime, Martial Law was lifted on 30 December, 1985. The newly elected National Assembly passed the constitutional amendments legalizing all the reforms including *Islamization* and presidential referendum.⁷⁹ Muslim League soon as a ruling party absorbed the two third majority members of National Assembly. In order to present it as the only legitimate heir of the party which created Pakistan all other factions of Muslim League were barred from using this name.⁸⁰

But the honeymoon period of this new alliance was soon over. Repeated demands of lifting Martial from Zia's own King's party and emerging differences over domestic and international issues between the President and the Prime Minister led to a situation where President lost his trust on Muslim league. The party that was co-opted to consolidate the regime started asserting its role. The cracks in the regime widened to an extent that they had passed beyond the stage of revamping.

3: II (c) Rising Discontent to Crisis

After assassination of Bhutto, when all opposition to the regime was coercively silenced, political leadership arrested, exiled or co-opted, the regime appeared to be on much stronger footings than during the volatile early two years after imposition of Martial Law. Afghan war served the regime's consolidation attempts in two ways. On one hand it was helpful in diverting the attention of the people from domestic politics while on the other it opened inflow of huge financial aid to Pakistan.

⁷⁸ Muhammad Waseem, *Politics and the State in Pakistan...*, op.cit., pp. 397-401.

⁷⁹ Lawrence Ziring, *Pakistan in the Twentieth Century:...*, op.cit. , p. 482.

⁸⁰ *Ibid*, p. 483.

Despite all this there was discontent growing over time in the society, but as the Regime was ruthlessly using coercive power of the state to crush all sort of organized opposition to it, therefore, this growing discontent failed to express itself till 1983. For the first time after assassination of Bhutto, this growing discontent was expressed in the anti-Regime agitation movement of MRD.⁸¹

When MRD declared to launch a nation wide protest against the Regime from 14th of August 1983, it threatened the Regime. Going with its tradition the government decided to coercively silence the opposition. Some of the main leaders of MRD were arrested while others went underground in order to appear on the day of agitation at Karachi. Government realizing the severity of the situation declared a few days before 14th of August that it was ready to restore parliamentary democracy and elections for National and Provincial Assemblies were promised on 23rd March 1985. Waseem commenting on the Regime's response to the agitation of MRD argued that the government tried to pacify the expected agitation by declaring elections in 1985. But it was too little and too late. Mass agitation started throughout the country. Mass protest in rural Sind got more violent than any other part of the country. Various government installations like banks, police stations, railway stations etc were attacked by uncontrolled mobs. President Zia's motorcade was stoned in Sind by the mob during his visit to the province. The events were followed by hunger strike of lawyers in Lahore and Karachi and nationwide protests. The government coercively tried to suppress the movement. The people involved in the agitations were dealt with tear

⁸¹ MRD was a democratization alliance of nine political parties, established in Feb. 6, 1981. The signatories of the MRD include, PDP, PPP, TIP, JUI, PML, AJKMC, QMA, PMKO and NDP. The number of member parties later rose to eleven.

gas, *lathi* charge and arrests. Prisoners were trialed in the Military courts and were given severe punishments. The merciless response of the government at last silenced the agitation in the month of December, 1983.⁸²

Waseem while identifying the causes of intensive and violent agitation in Sind argued that there was a general growing sense of deprivation in Sind more than any other part of the country. Absence of any such business class that would get benefit from Zia's reforms, their poor representation in Pakistan Armed Forces and civil bureaucracy, inflow of migrants from India first and later from the upcountry changing the demographic structure of the urban Sind, distribution of land in Sind to army officials and Punjabi farmers after the construction of Kotri and Guddu Barrages and implementation of doctrinaire Islam as against the Sufi version of Islam popularly observed in Sind, were the main cause of breeding discontent in Sind.⁸³

Along with intense discontent in the province of Sind, dissatisfaction with the Regime had taken roots all over Pakistan. One of the important sources of this dissatisfaction was implementation of *Hudood* Ordinance among the secular segments of the society. Parallel to MRD some organizations working for human rights were also engaged in the anti-*Hudood* Ordinance protests. Kennedy observed that WAF and Women Lawyers Association launched anti-*Hudood* Ordinance protests declaring the punishments incorporated in the ordinance as brutal, unnecessary, and violation of International Declaration of Human Rights (IDHR).⁸⁴ It seemed that the Regime had been caught in a complex situation where from one side it was criticized for its

⁸² Muhammad Waseem, *Politics and the State in Pakistan...*, *op.cit.*, p. 393.

⁸³ *Ibid.*, pp. 394-396.

⁸⁴ Charles Kennedy, "Islamization under Zia", in *Islam & Democracy in Pakistan*, ed. Muhammad Aslam Syed (Islamabad: National Institute of Historical and Cultural Research, 1995), p. 135-143.

Islamization while on the other its close allies were still not satisfied with its efforts to Islamize the polity.

Ziring referred to economic factor as another very important variable that was responsible for growing discontent in the society. According to him Pakistan's economy was a successful story if seen in statistical terms but growing number of population below poverty line, least opportunities for the poor to education and health as well as disappointment towards the Regime, among poor masses, had sown a deep sense of deprivation and discontent.⁸⁵

The growing discontent in the society found its expression in the mass agitation of MRD, which compelled the Regime to go for elections in 1985. After the elections when brief honeymoon period of the newly elected government passed over, a conflict emerged within the ranks of government. The differences between Prime Minister and President, Benazir's return to Pakistan with the dead body of her brother Shah Nawaz Bhutto, her mass appeal and warm welcome plus departing of some of the close allies of Zia as well as growing division within military were the factors that in combination with the external change in International Environment pushed Pakistan to another situation of political dead lock. The following sections will discuss all these factors in the context of growing crisis ultimately leading to the democratic transition in 1988.

⁸⁵ Lawrence Ziring, *Pakistan: At the Crosscurrent...*, op.cit., p. 198.

3: II (d) Crisis

During the second half of 1980's Pakistan was entrapped in severe crises. Its involvement in long fought Afghan war, neglect to political participation and patronizing of religious Right had encouraged militancy through out Pakistan. Sectarian violence, bomb blast, Kalashnikov culture and ethnic and lingual strife had taken roots in the society. Mushahid Hussain argued that "political parties organize people on such issues that cut across ethnic or sectarian lines." Thus vacuum created by barring and penalizing political parties was filled by sectarian and ethnic politics. With the introduction of Kalashnikov culture the struggle of these sectarian and ethnic parties had become more violent.⁸⁶ Where as the whole society was passing through a stage characterized with violence and fear. A severe confrontation was carrying through at regime level also.

After the formation of Junjo government in the center, it was expected that Muslim League would serve as a major player to defend MRD's onslaught against the Regime. But these expectations soon met with disappointment. Junjo after taking the leadership of Muslim League started asserting his role. Maya Chadda had identified the following sources of growing confrontation between the President and the Prime Minister:⁸⁷

1. Struggle to have greater control over policy making process
2. Differences over Afghan policy. Prime Minister was in favor of getting rid of Afghan war as early as possible while the President wanted to prolong it as well

⁸⁶ Mushahid Hussain, *Pakistan's Politics*..., op., pp. 218-219.

⁸⁷ Maya Chadda, *Building Democracy in South Asia: India, Nepal, Pakistan*, London: Lynne Reinner Publishers, 2000, pp. 72-73.

as to have such a solution to the conflict in Afghanistan, in which his supported groups of Afghan war get a dominant status. Therefore President was not in favor of Geneva Accord while Prime Minister rushed to sign it. Alvi noted that Junejo was favored by some of the high rank army officials who were in favor of Geneva Accord, which shows that the divisions within the core constituency of General Zia had started to appear as well.⁸⁸

3. Junejo after taking charge of premiership started demanding for lifting of Martial Law while President wanted to prolong it. Later on, Junjo's expressed aspirations to consult MRD on the issues of full-fledged transition to democracy further added fuel to the fire.
4. Junejo purged some of the close affiliates of General Zia from his government like Finance Minister Dr. Mahbub-ul-Haq. Similarly he removed the Information Secretary and Head of Intelligence Bureau etc.
5. On occasions Junejo criticized General Zia for holding two offices that of COAS and the President.
6. On April 10, 1988, tragic incident of explosions at Ojrihi Camp occurred. Prime Minister Junejo formed an enquiry commission on it which alleged some of the army officers for the tragedy. These reports further created gulf between the President and the Prime Minister.

At last these differences pushed the Regime to a real complex situation. On May 29, 1988, the President dissolved National and Provincial legislatures. With the

⁸⁸ Hamza Alvi, "Politics of Ethnicity in India and Pakistan" in *Sociology of Developing Societies: South Asia*, Macmillan, London, 1984, p. 162-163.

dissolution of the assemblies the crisis of transition to democracy had become more complex. Although, the President had announced that next elections would again be on non-party basis, yet he had very weak cards if he would opt for elections. His major allies had parted their ways with him. Law and order situation was worse while his major opponent Benazir Bhutto was the most probable winner in the next elections. A political deadlock was ahead while international pressure for earlier elections was mounting.⁸⁹ With the settling of Afghan dispute between Soviets and United States, Zia had lost his support at international front too. Thus the crisis had ripened for a transition but the chances for the transition were very dim.

3: II (e) Transition to Democracy

It was in the wake of this political deadlock that on August 17, 1988, General Zia was killed in a plane crash near Bhawalpur. The then Chairman senate Ghulam Ishaq Khan replaced him as president. The care taker regime declared that the next elections would be held on party basis. The military refrained itself from direct intervention, as neither the international nor domestic environment was favorable for it, and a civilian set up was established to hold elections. The office of COAS was separated from that of the President. The new COAS declared that the Army would keep itself away from politics and it would only assure that the next elections be held peacefully.⁹⁰ Emergency was declared without suspending the fundamental rights. After forty days of Zia's death Lahore High Court gave its verdict against the dissolution of National and Provincial Assemblies on May 29, 1988, declaring it as

⁸⁹ Mushahid Hussain, *Pakistan's Politics: ...*, *op.cit.*, pp. 260-261.

⁹⁰ Muhammad Waseem, *Politics and the State in Pakistan...*, *op.cit.*, p. 422.

unconstitutional. However, the court asserted that the assemblies would not be restored and the next elections would be held on party basis.

After the announcement of elections date and decision of Lahore High Court which provided for a party based elections, the political forces started to realign themselves. Pakistan Peoples Party initially tried to build an electoral alliance with MRD but later decided to go all alone. The reasons for this decision were, demand of a greater number of seats from MRD as well as PPP's confidence in its expected win. On the other side the society had again got divided into pro-PPP and anti-PPP segments. Anti-PPP forces started to realign themselves. The Muslim League after passing through early confrontation between pro-Junejo and pro-Zia factions was again united under the banner of IJI (Islami Jamhoori Ittehad). Waseem observes that the formation of IJI was the result of the fear of PPP's growing popularity. It was soon realized by anti-PPP forces that by going alone they would not be able to defeat PPP in the electoral politics. Therefore, JI, the PML, the JUI (Darkhwasti), The NPP, the Markaz e Jamiat e Ahal Hadith, the Jama't al-Mushaikh, the Hizb e Jihad and Fakhar Imam's Azad Group entered into an electoral alliance under the umbrella cover of IJI in order to confront PPP in elections.⁹¹

The election was held on 16, November, 1988. The turn out in the elections was 40%. PPP won 92 National Assembly seats as compared to 54 seats of IJI. PPP emerged as the largest party in the center and majority party in Sind, despite its

⁹¹ *Ibid*, p. 424.

winning seats in almost all provinces. The major shock to the party was in Punjab where IJI had appeared as the largest party.⁹²

After the elections President Ghulam Ishaq khan nominated Benazir Bhutto as Prime Minister, being leader of the largest party in National Assembly. The emergency was lifted and Emergency Council was dissolved. With Benazir Bhutto's ascend to the office of Prime Minister; the second democratic transition was completed. Despite this democratic transition democracy was not allowed to consolidate during the next decade. Although people enjoyed their right of voting-in a government four times within a short span of time yet they were not allowed to vote-out a government. Eighth constitutional amendment was used thrice to premature dissolution of assemblies. Indirect involvement of military through secret agencies remained a constant feature of this period.⁹³ On 12th October 1999 Pakistan experienced third military coup of its brief history. The following chapters will discuss the democratic transition in the post October coup period in Pakistan.

⁹² *Ibid*, p. 429.

⁹³ Hamid Gul interview in *Jawab deh* telecasted on Geo TV on 24-07-2011.

CHAPTER 4: PAKISTAN'S 3RD MILITARY ADVENTURE: REGIME CONSOLIDATION TO SELECTIVE CO-OPTION

On October 12, 1999 Pakistan experienced third direct military intervention after a confrontation that developed over the period between military and the civilian government. It was after the election of 1997, when Muslim League (N) won two third majority, the military felt threatened, after the forced resignation of General Jahangir Karamat, the then COAS who suggested for a permanent role of military in politics through establishment of NSC, and termination of 8th amendment, which was successfully used to dismiss the previous three governments before completing their terms, thus hampering consolidation of democracy.

The focus of this chapter is to explore answers of the questions like how Military Regime consolidated its power in the post coup period, what led it to go for cooption of political elite? How did co-opted political elite help the regime in legitimizing its hold on power? The chapter is broadly divided into two parts. The first part addresses the efforts of Regime Consolidation while the second part tries to explore the Regime's efforts at Selective Cooption of political elite.

4: I Regime Consolidation

As discussed earlier that the main cause of military interventions had been to protect the institutional economic interests, therefore, after every coup the newly established regime focus primarily on consolidation of its position by guaranteeing

the institutional interests of its primary constituency, the Military, that ultimately helps in strengthening the internal unity of the institution

4: I (a) Institutional Concessions

After successful coup in October 1999, General Pervez Musharraf focused on consolidation of the institutional economic interests of the military. This process was carried on through the mechanism of facilitating the penetration of military in civil sector, a constant increase in the budgetary allocation of the military, expanding the process of land distribution among military officials, establishment of institutional supremacy through NSC, and helping the business adventures of military. All these mechanisms are discussed in detail as under:

Penetration in the Civil Sector

The penetration of military in the civil sector that started during Zia Regime in the 1980's faced a reverse trend during the next decade of democratic governance. Although quota for the military in civil service remained intact yet the presence of military officials, working in the key positions of major civilian institutions, decreased gradually. The coup of October 1999 opened yet another chance of serving and retired military officials to penetrate in the civil sector. An expert on civil-military relations, Ayesha Siddiq, noted that a number of military, serving as well as retired, officials were inducted in the key positions of civil institutions during the early years of General Musharraf, and the act was justified by claiming that military had a greater capability of resolving problems, managing the institutions and enhancing efficiency of these institutions than the civilian sector. She referred to the inductions of a dozen

of retired military officials in Punjab University at key positions.¹ But Punjab University was not the only exception, such inductions were made in almost all universities as well as other civilian institutions. Some of the newly established institutions like NAB, NRB, and ERRA were dominated by military officials, both serving and retired. Zaidi cited a report from the daily Dawn which suggested that one thousand and twenty seven (1027) military officers were inducted in different civilian ministries, divisions and Pakistani embassies abroad after October 1999 coup till March, 2003.²

As far as induction of military in the educational sector was concerned, Siddiqa noted that this development negatively affected the performance of these institutions. She pointed to a wide spread discontent in the teaching faculty of Punjab University against these inductions. The military officials were charged with allegations of nepotism, favoritism, and undue interference in the academic activities of the institution.³ Although the penetration of military in civil sector had not improved their performance, sometimes even negatively affecting it, yet it helped the Military Regime to gain confidence of its primary constituency by opening greater job opportunities for its retired officials.

Along with expansion of military in civil sector, through direct appointments of military officials in different civilian institutions, Maluka identified another mode of military's penetration in the civil sector that was used by the Military Regime in order to establish its supremacy over civilian institutions. He referred to the formation

¹ Ayesha Siddiqa, *Military Inc.* : ..., *op.cit*, p. 169.

² S Akbar Zaidi, *Military, Civil Society and Democratization...*, *op.cit.*, p. 27.

³ Ayesha Siddiqa Agha, , *Military Inc.* : ..., *op.cit.*, p. 169.

of monitoring teams of military officials who were given responsibility of visiting different civilian institutions and submit reports about their performance to the military's top brass. These monitoring teams had their great say in the issues of departmental appointments and transfers. They were given authority to launch enquiries and investigation about the conduct and performance of civilian officials. According to Baxter during the first year of Military rule, twenty five thousand (25000) enquiries were launched against civil servants of different ranks, and one thousand (1000) officials of CBR were suspended on charges of corruption.⁴ Thus, the task assigned to military officials to monitor the civilian sector further established their supremacy on the civilian institution as well as it helped to satisfy the lust of power in the lower ranks of military. While, on the other hand reports published about the activities, of these monitoring teams, communicated to the people the commitment of the Military Regime to eradicate corruption and malpractice in public offices which helped in building the image of the regime among common masses.

Budgetary Allocations

Perceived threat of Indian aggression since Pakistan's independence had diverted major part of budgetary allocations for defense purpose. Each budget, with very few exceptions, witnessed an upward trend in the defense allocations since 1947. Military's emergence as dominant elite in the political power structure, as well as its previous two direct involvements in politics, had ensured the flow of resources to it. Military's alliance with Religious and Nationalist Right had successfully been utilized

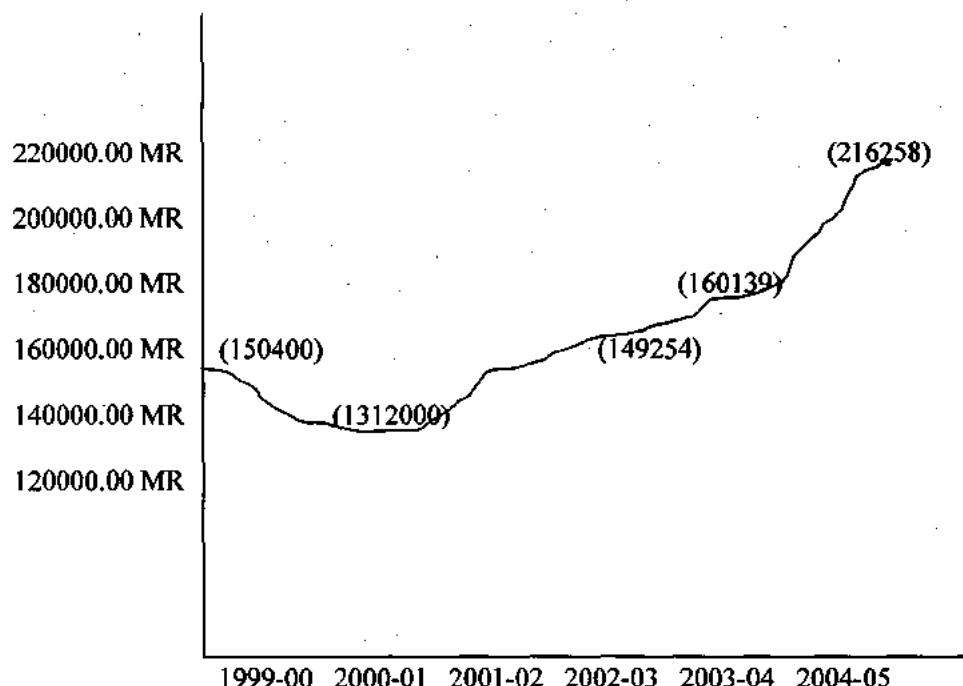
⁴ Zulfikar Khalid Maluka, , "Reconstructing the Constitution for a COAS President" in Craig Baxter, *Pakistan on the Brink: Politics Economics and Society*, Karachi: Oxford University Press, 2004, pp. 64-65.

in evolving a culture of insecurity among dominant urban classes. This culture of insecurity, always believing that anti-Islam and anti-Pakistan forces like India and Israel and sometimes troika of India, Israel and America are conspiring to sabotage integrity of Pakistan, had made it almost impossible for any government to propose any major cuts in budgetary allocations of military. Similarly, increase in defense budget had never faced severe criticism from the bulk of population in Pakistan. This diversion of resources to Military had helped military to dominate in the power structure of Pakistan. Air Martial (retired) Asghar Khan, while describing this internal external links of Pakistan's defense economy and its implications for the weakening of other institutions of the state, argued that key to consolidation of democracy in Pakistan lies in India. As long as there would exist perceived threat of Indian aggression, huge flow of resources to armed forces could not be stopped, which had consolidated the military institution at the expense of others.⁵ The consequent imbalance created between more developed military and weak and decaying political institutions was responsible for hampering the smooth evolution of political process and consolidation of democracy in Pakistan.

The Military Regime established in October 1999, carried on with the same tradition of increasing budgetary allocations for its primary constituency, thus consolidating its position in the power structure. Although, in the post coup scenario Pakistan was facing severe economic problems, due to economic sanctions levied as a consequence of disbanding democratic government till 9/11, 2001, yet the regime showed unwillingness to sacrifice its defense expenditures.

⁵ Asghar Khan, *We have Learnt Nothing from History*, Karachi: Oxford University Press, 2005, p. 252.

An analysis of the budgetary allocations to military from the year 1999 to 2005 is presented in the graph (4.1). These defense expenditures do not include amount paid as pension to the retired military officials, which is paid from civilian's budgetary allocations.



Graph (4.1)

Source: All figures of defense budgets are taken from Ayesha Siddiqा's book Military Inc. MR refers to Pakistani Rupee in million.

The upward trend in the graph clearly manifests the constant and consistent increase in the budgetary allocation for military during early years of General Musharraf. During the year 2000-2001 there had been a slight decrease in the defense budget due to international sanctions, levied by United States and Common Wealth,

against Pakistan, but in the post 9/11 scenario Pakistan's emergence as a frontline state in war against terrorism diverted huge flow of foreign aid to Pakistan, that ensured a consistent increase in the defense budget. The details of the foreign aid flow to Pakistan in the post 9/11 scenario will be discussed separately, later.

Land Distribution

As discussed in the previous chapter that, in order to ensure internal unity of the institution, one of the mechanisms adopted to benefit military officials was distribution of agricultural and commercial lands to military personnel during Zia years. Like his predecessor General Musharraf also went for the distribution of land among military officials in order to secure support for his regime. Siddiqa noted that the process of land distribution was going on throughout 1980's and 1990's, but it multiplied significantly in the post coup period of October 1999.⁶

According to a report, published in a daily newspaper, during the early period of Musharraf, one hundred and eleven serving and retired military officials were sold thousands of kanals of agricultural land for only 47.56 PKR per kanal in Bhawalpur and Rahim Yar Khan, while the market value of this land was 15000 to 20,000 PKR. General Pervez Musharraf, General (R) Mueen o Din Haider, General (R) Aziz Ahmad Lt. General Khalid Maqbool, Lt. General Usmani, and Lt. General Afzal Janjhooa got 400 kanals of land, each. The report further stated that ten (10) Generals, four (4) Lt. Generals, Admiral and Air Chief, 18 Brigadiers, three Colonels, and five Lt. Colonels got 400 kanals each.⁷ According to Siddiqa 568 acres of Lahore Cant

⁶ Ayesha Siddiqa, *Military Inc.*..., *op.cit.*, pp. 174-176.

was used for housing project, where retired military officials were allotted plots for very cheap rates, below the market price.⁸ According to another report presented in the Senate in 2003, one hundred and thirty (130) plots which covered 16.3 acres of land were distributed among military officials of various ranks, from Generals to Captain, in different cities like Karachi, Lahore, Rawalpindi, Jehlum and Khariyan from 1999 to 2003.⁹

Thus Military as an institution consolidated its economic interests by acquiring thousands of acres of agricultural and commercial lands. The mechanism of land distribution among military officials was, thus, successfully utilized to strengthen the internal unity of the institution that helped the regime, consequently, to consolidate itself.

Establishment of Institutional Supremacy through NSC

It was since the coup of 1977 that military had been looking for establishing a formal role in the running of the polity. General Zia ul Haq in March 1985, through addition of Article 152-A in the constitution went for the establishment of NSC. Through the said article the military tried to establish a formal role of military in policy making process in the future course of action. But it was severely criticized by political circles and even his self structured legislature refused to accept it. As a result the idea had to be dropped in a bargain for giving legal sanctity to the revised version of RCO as 8th amendment in October the same year.¹⁰ During the whole decade of

⁷ Daily *The News*, October 7, 2002

⁸ *The Friday Times*, January 25, 2002

⁹ Aesha Siddiqa, *Military Inc.*..., *op.cit.*, p. 188.

1990's the military indirectly had its influence in the political process, but it lacked a formal legal role in the policy making.

When General Jahangir Karamt proposed for the establishment of permanent political role for military in politics through NSC, it was actually reflection of will of the Military to establish its supremacy through this institution on parliament. Believing it to be the personal desire of General Karamat, he was forced by the government of PML (N) to resign. His replacement with General Musharraf did not improve relations between the Military and Nawaz government as military's desire for the supremacy was now reflected through the new COAS. The conflict, ultimately, led to the coup of October 1999.

After successful coup the Military Regime decided to materialize its desire of establishing a constitutional role in politics. On the fifth day of the coup the Chief Executive and COAS announced for establishment of NSC. The NSC was established on 30th of October 1999. Its members included Chiefs of the three forces, Navy, Army and Air Force, and others appointed by the Chief Executive and responsible to him.¹¹ After getting mandate from judiciary, to amend constitution, the Regime decided to incorporate NSC in LFO. Later on, when LFO was incorporated in the constitution through 17th amendment, NSC also got legal sanctity through the National Security Council Bill 2004.¹² General Musharraf, being the Army Chief as well as the President and having power of dissolving the legislature through another amendment in the constitution, emerged as the most powerful person in NSC. General Musharraf

¹⁰ PILDAT, *National Security Council: A Comparative Study of Pakistan and Other Selected Countries*, Lahore: 2005, p. 13.

¹¹ *Ibid*, 14.

¹² *Ibid*, 15.

justified establishment of NSC by arguing that it was established to bar military from launching another coup.¹³ But the act was severely criticized by the political activists and political parties on the ground that it would not only ensure the permanent formal role of military in policy making but also convert parliament into an impotent body.¹⁴ The supremacy of the NSC can be judged by the mandate given to it, which included security related issues as well as matters of governance, inter provincial harmony and "monitoring of parliamentary performance, judiciary and free press."¹⁵

Rizvi argues that the institution of NSC is not an exception for Pakistan as such institutions exist in other parts of world, like Turkey, India, Iran and United States, as well. But the role of such institutions in democratically consolidated states is very limited, for example in India and United States such institutions are dominated by civilians and have a very restricted role.¹⁶ Siddiqa noted that the establishment of NSC was aimed to broaden the scope of authority to other services chiefs as well as to share responsibility with them.¹⁷ Thus inclusion of other services chiefs helped in strengthening the internal bonds among the three services.

Expanding "Mil-bus"¹⁸

The political dominance of military had helped it to pursue its economic interests throughout Pakistan's history. Military's expansion in business activities had made political analysts like Ayesha Siddiqa, Hamza Alvi and Mubashir Hassan to

¹³ International Crisis Group, *Pakistan Transition to Democracy*, 3 October 2002, ICG, Asia report No 40, Islamabad Brussels, p. 23.

¹⁴ *Ibid.* 24.

¹⁵ *Ibid.*

¹⁶ PILDAT, *National Security Council*: ..., *op.cit.*, pp. 9-11.

¹⁷ Ayesha Siddiqa, *Military Inc.*: ..., *op.cit.*, p. 167.

¹⁸ The term Mil-bus refers to military's involvement in business activities. It is used by Ayesha Siddiqa Agha in her famous book *Military Inc.: Inside Pakistan's Military Economy*.

deal it as a capitalist class. As stated earlier that its business interests had increased its stakes in the polity, which was one of the main reasons for its continuous intervention in politics. Every direct intervention resulted in the consolidation and expansion of its business interests. Military coup, of October 1999, also created greater chances for the military to expand its business activities as well as to consolidate its economic interests. As detailed discussion on the business activities of military under Musharraf is beyond the scope of this study, therefore, a brief overview of these activities is given here.

After the coup of October 1999, military's business adventures expanded to build partnerships with private business classes, both at domestic and international level. The notable examples of building partnerships at domestic level was LAFCO; a partnership built between FWO and some private construction companies like Sachal Construction and Habib Rafique Group for the construction of 115.5 km Lahore-Sheikhupura-Faisalabad road. Siddiqा argued that private business companies ambitiously run for such partnerships with military business institutions in order to get benefits of the latter's influence in getting contracts and earn more profits.¹⁹ The business adventures of military went beyond the territorial borders in building partnerships during Musharraf regime. The examples included partnerships built between NLC and Qatari Company and DHA's joint ventures with various construction companies in Middle East.²⁰

¹⁹ Ayesha Siddiqा, *Military Inc.*..., op.cit., p. 171.

²⁰ *Ibid*, pp 171-172.

Along with expanding business activities of Mil-bus, the Regime also helped some of the business organizations to pull them out of deficit. The leading example is that of AWT. It was given 5.4 billion rupees of financial assistance from public money to overcome its deficit of 15 billion rupees in 2001.²¹ Along with these business concessions to its primary constituency, Musharraf regime facilitated the military to invest in CNG pumps, petrol pumps, commercial plazas, and education like establishment of AEB and Beharia University as well as various naval colleges in different cities, and expand its activities in manufacturing and service sectors of economy.²² A striking departure from the tradition, during Musharraf regime, was co-option of Navy and Air force in the business adventures of military and allowing them more room to operate in business activities. This cooption helped in eliminating feeling of alienation among the other two parts and strengthened the internal unity of all three parts of the Military.

4: I (b) Constitutional Maneuvering

After the successful coup of October 1999, the main issue before the newly established regime was to tackle with the constitutional problems that had emerged as a consequence of the coup, as according to the constitution of 1973, the act fall under the category of treason. Like his predecessors, General Musharraf also issued Provisional Constitutional Order on 14th of October 1999. The PCO declared that the constitution of 1973 would remain held in abeyance, all the national and provincial legislatures would stand suspended, the presiding and deputy presiding officers of all

²¹ *Ibid*, p 172.

²² *Ibid*, pp 167-173.

legislative bodies as well as all federal and provincial ministries including Prime Minister, Governors of provinces and Chief Ministers would cease to hold offices. The president was allowed to hold office in the meanwhile.²³ When Zafar Ali Shah a parliamentarian of Muslim League (N) challenged the legality of the October coup, the newly established regime asked the judges of Supreme Court and High Courts to take a fresh oath under PCO. On this matter judiciary was divided and almost half of the judges including the Chief Justice of Supreme Court refused to take fresh oath under PCO, which ultimately led to the resignation of these judges.²⁴ In this way judiciary was purged of the anti-regime elements. The president of Supreme Bar Council, in an interview with International Crisis Group, claimed that the main purpose of the newly established regime was to get rid of the strong judges and then to seek legitimacy through the pro-regime judges.²⁵ The left over judicial set up after taking a fresh oath under PCO on 26th of January 2000, gave verdict on Zafar Ali Shah case on 30th of May 2000. The outcome was more than expectations. Supreme Court in its judgment not only conferred legitimacy on the action of General Musharraf through the Doctrine of Necessity, but also empowered him to make any amendment in the constitution of 1973 as well. Supreme Court, in its decision, gave a three (3) year time to the Military Regime for holding of next election.²⁶ Encouraged by the verdict of Supreme Court, the Military Regime assigned NRB to prepare a

²³ The original text of PCO retrieved from http://www.pakistani.org/pakistan/constitution/post_12oct99/pc01_1999.orig.html

²⁴ Khaled Ahmed, *Political Development in Pakistan: 1999 to 2008*, Lahore: Vanguard Books Pvt Ltd, 2010, p. 41.

²⁵ International Crisis Group, *Pakistan Transition to Democracy*, 3 October 2002, ICG, Asia report No 40, Islamabad Brussels, p. 12-13.

²⁶ *Ibid*, pp. 12-14.

draft for the proposed amendments in the constitution of 1973. As a consequence, on 26th of July 2002, NRB issued proposed amendments in the constitution which was later, on 21st of August 2002, validated by General Musharraf as Legal Frame Work Order.

Legal Framework Order

LFO proposed fundamental changes in the constitution of 1973. The parliamentary spirit of the constitution was lost tilting the balance in favor of the President. It validated all the actions and orders of the Military Regime after the October 1999 coup. Twenty nine (29) articles of the constitution were amended. In an interview with ICG the president of ARD Nawabzada Nasarullah Khan argued that these amendments have altered the parliamentary federal spirit of the original constitution. He stated that, after these amendments, the constitution had empowered president infinitely.²⁷

LFO empowered the President to a great extent. He was given supremacy over the Parliament. He could dismiss the Prime Minister along with his cabinet without dissolving National Assembly. Nomination of any National Assembly member could be made for the Premiership by the President and similar course would be followed by Governors in the provinces. As authority of appointment of the provincial Governors rested with the President, therefore, he could effectively use his influence in the formation of provincial governments. NSC was set up and the President was to be the chairman of this body that was only responsible to the President. National and Provincial legislatures could be dissolved by the joint action of NSC. All the

²⁷ *Ibid*, p. 21.

important appointments of Joint Chief of Staff Committee, the Chiefs of the three Armed Services were to be made by the President as well as he had the power to veto appointments of judges in provincial High Courts and Supreme Court.²⁸ Thus the elected Prime Minister was made responsible to the military, represented by the President, in the future course of action. It also determined the nature of civil-military relations wherein the military would enjoy a dominant formal role in the political system.

Along with tremendous increase in presidential powers other significant amendments included increase in the number of seats in national and provincial legislatures. Number of seats, in National Assembly was increased from 207 to 357 and in Senate from 87 to 100. In Punjab Assembly membership rose from 240 to 390, in Sindh from 100 to 171, in NWFP from 80 to 130 while in Balochistan from 40 to 67. The educational qualification for becoming a member of the national and provincial legislatures was set to minimum of bachelor's degree. Reserved seats for *Ulema*, women and technocrats in the national legislatures were also increased. Independent candidates were barred from taking part in the elections of Senate, while, loan defaulters were barred from taking part in any legislature's election. Voter's age was decreased from 21 years to 18 years. Election commission was made autonomous institution while the term of Chief Election Commissioner was increased from 3 to five years. LFO validated the presidential referendum, wherein General Musharraf

²⁸ Original Text of LFO retrieved from www.pakistans.org/pakistan/constitution/musharraf_const_revival/info.html

became the President for next five years, as well as the local bodies were given constitutional cover.²⁹

The constitutional maneuvering by the Military Regime was severely criticized by mainstream political parties like PPP and PML (N), Sindh based MQM and regional parties in NWFP and Balochistan.³⁰ Maluka argued that LFO had converted a parliamentary constitution into a “quasi-presidential-cum-quasi-military” constitution wherein the supremacy of the parliament was lost and COAS had become all powerful.³¹

In December 2003, 17th amendment was passed by assemblies elected in the October 2002 elections. Through this amendment, LFO was incorporated in the constitution. MMA, despite its strong anti Musharraf rhetoric, supported the regime for this amendment, thus validating all the actions of the Military Regime in the post October 1999 coup period.

4: I (c) Containment of Political Opposition

After taking over power in October 1999, the newly established Military Regime went for containing political opposition in order to consolidate its position. To the good fortunes of it political leader of Pakistan Peoples Party, Benazir Bhutto, was already living in exile due to political victimization of the previous government. The Prime Minister Nawaz Sharif, along with some others of his party members, was arrested. He was trialed in a number of cases including Plane Conspiracy Case, treason and engaging in criminal conspiracy. Nawaz Sharif was declared guilty of the

²⁹ *Ibid.*

³⁰ International Crisis Group, *Pakistan Transition to Democracy...*, *op.cit.*, p 24.

³¹ Zulfiqar Khalid Maluka, “Reconstructing the Constitution for a COAS President” in Craig Baxter, *Pakistan on the Brink: Politics Economics and Society*”, p. 71.

alleged charges, levied against him, by the court and was given a twenty five years of life imprisonment. But later on as a result of an agreement Nawaz Sharif was exiled to Jeddah on the condition that he would not take part in politics for ten years.³² Absence of the leadership of PPP and PML (N) greatly relieved the Military Regime.

In order to contain political opposition on 16th of November 1999, National Accountability Bureau was established through an Ordinance. It was headed by a serving Lieutenant General Syed Amjad Ali. It was claimed that NAB was established to eradicate corruption, punish defaulters of public loans and recover public money. NAB was allowed to detain the accused for ninety days. Military officials were excluded from the jurisdiction of NAB. The establishment of NAB was challenged in Supreme Court by a number of political figures. Supreme Court decided in favor of the ordinance suggesting few changes in it regarding the term of chairman of NAB, consultation with judiciary in his appointment, special treatment to women accused and auditing of NAB's accounts by the Auditor General of Pakistan.³³

NAB was used as a very effective tool of containing political opposition. A number of political leaders belonging to opposition camps were alleged of corruption charges and trialed while those who showed their willingness to join hands with the Military Regime were either not touched or bailed out. Politicians of PPP and PML (N) were especially targeted while turning a blind eye to the leadership of PML (Q).³⁴ Waseem noted that in the month of August 2002 there were about fifty seven (57)

³² Lawrence Ziring, *Pakistan: At the Crosscurrent...*, op.cit., pp. 267-269.

³³ Zulfiqar Khalid Maluka, "Reconstructing the Constitution for a COAS President" in Craig Baxter, *Pakistan on the Brink: Politics Economics and Society*", pp. 62-63.

³⁴ *Ibid*, pp. 63-64.

politicians, twenty four (24) of PPPP and thirty three (33) of PML (N), charged with different cases of corruption and subsequently tried by NAB, while not a single case was initiated against PML (Q). He referred to a White Paper published by PPPP that claimed that till 2003 out of 117 politicians tried by NAB sixty five (65) belonged to PPPP and thirty six (36) to PML (N). The White Paper accused that NAB was engaged in harassing families of those opposition leaders who openly denounce rule of the Military.³⁵ Table (3.1) shows the number and status of cases filed against politicians from different provinces of Pakistan till 2002.

Province	Total cases	Decisions	Conviction	Acquitted	Abandoned	In Progress
	Initiated					
Punjab	226	95	82	9	4	131
Sind	135	88	66	22	0	47
N.W.F.P	75	41	32	9	0	34
Baluchistan	103	89	85	0	4	14
Grand total	539	313	265	40	8	226

Table (4.1): All data is collected from National Accountability Bureau:

Annual Report 2002

Another effective tool employed by the Military Regime was the condition of bachelor degree for contesting elections, which barred a number of seasoned politicians to participate in the 2002 election, while, facilitating members of religious

³⁵ Muhammad Waseem, *Democratization in Pakistan...*, op.cit., p. 58.

parties to contest election by accepting their Madrasah's degrees equivalent to bachelor and master. The gap thus created, due to absence of mainstream political parties' leadership and trial of some of the second rank leadership of PML (N) and PPP, was partially filled by the alliance of religious parties, which won considerable number of seats in 2002 elections.

4: I (d) Media Regulation

In modern day life media plays a very significant role. It is a very important tool of interest articulation, public opinion formation and pressure building on state institutions. Freedom of media is directly linked with democratic norms and culture. Conducive environment for authoritarianism, always, rests in closed societies; therefore like other institutions of freedom and liberty, free media is also undesirable for authoritarian regimes. Therefore every Military dictatorship tried to regulate media in order to control the channels of propaganda and silence voices of dissent in Pakistan.

After establishment of Military Regime in October 1999, electronic media fell under the strict control of the regime. It was quite natural also because the only television channel PTV was run by the state itself. It was used quite effectively in distorting the images of political elites and communicating pro-Regime propaganda. Fischer and Fischer argued that the influence of electronic media had a greater influence on Pakistani society, as for the majority of the illiterate people it is a great source of entertainment and information. They further argued that though electronic media was in strict control of the Military Regime during its early days, yet print

media enjoyed a greater liberty, especially English newspapers.³⁶ But Fischer and Fischer's view is strongly contested by Maluka. He referred to four ordinances regarding press which were used by the Military Regime for restricting freedom of Press. These ordinances included Press Council of Pakistan Ordinance, 2002, Freedom of Information Ordinance, 2002, the Defamation Ordinance, 2002, and The Press, Newspapers, News Agencies, and Books Registration Ordinance, 2002. These ordinances were declared as black laws, by All Pakistan Newspaper Society, The Pakistan Federal Union of Journalists and the Council of Pakistan Newspapers Editors.³⁷

4: I (e) Economic Reforms

The consolidation of any regime heavily depends on its economic performance. Especially in the poor countries like Pakistan, economic relief works as an alternative to political participation. Therefore every Military Regime tried to consolidate its position by introducing a variety of economic reforms. In post October 1999 period, the Military Regime, tried to address the economic challenges posed to it.

In the post nuclear test scenario, Pakistan was facing economic sanctions from international community. There was a continuous pressure from international agencies for the repayment of loans and Pakistan's foreign exchange reserves had reduced considerably that led the previous regime to confiscate \$11 billion held by Pakistani public. It had on one hand imposed restrictions on the conversion of foreign exchange

³⁶ Maria Madalena L. Carvalho-Fischer and Mathias Fischer, *Pakistan under Siege: Pakistan after September 11th 2001*, Lahore: Vanguard Books Pvt Ltd, 2004, pp. 164-165.

³⁷ Zulifkar Khalid Maluka, "Reconstructing the Constitution for a COAS President" in Craig Baxter, *Pakistan on the Brink: Politics Economics and Society*", p. 94.

while on the other it was negotiating for rescheduling of loans with international lenders.³⁸ The overall economic situation was very discouraging and the economy was at the brink of a default.³⁹ In order to tackle these grave problems of economy, the Military Regime went for some economic reforms which met with a level of success during the early years of Military Regime. The primary concern of the Regime remained to fulfill the conditions of International Financial Institutions so that rescheduling of loans could be made possible.

In order to increase the tax base a process of tax survey and documentation of tax payers was started in 1999-2000, which considerably increased the number of tax payers in the country. According to Ishrat Hussain, the Governor of State Bank of Pakistan at that time, these surveys and documentation drive were successfully able to add 134,000 tax payers along with 30,000 new sales tax payers.⁴⁰ The Military Regime's commitment to increase tax base helped it in building its image before IMF and other IFI's.

In the same drive, the Military Regime went for liberalizing trade, reducing tariffs on international trade unilaterally and eradication of quantitative import restrictions. New laws were promulgated to conform to the WTO's regulations, like anti-dumping and countervailing measures and intellectual property rights. Privatization of some key public sector corporations like United Bank Limited,

³⁸ Bashir Ahmad and Faisal Bari, "Economic Challenges for a New Millennium", in Craig Baxter, *Pakistan on the Brink: Politics Economics and Society*, Karachi: Oxford University Press, 2004, pp. 132-133.

³⁹ *Ibid*, p. 136.

⁴⁰ Ishrat Hussain, *Economic Management in Pakistan: 1999-2002*, Karachi: Oxford University Press, 2003, p. 25.

Pakistan Tele Communication, and 20% sale of National Bank of Pakistan, deregulation of petroleum products and removal of all restrictions on import and export of agricultural products greatly helped the Regime to negotiate with international monetary agencies and survive during the early years of its taking over power.⁴¹

Whereas the above mentioned reforms helped the Regime to consolidate its economy and enter into a better dialogue position with international monetary agencies, the Regime went for some other reforms in order to improve the living conditions of the poor as well as to control inflation; which might intensify the relative sense of deprivation as well as anti-Regime feelings, if not addressed. Two of the most important steps in this regard were initiation of Khushal Pakistan Program and establishment of Khushali Bank to lend loans to micro enterprise. According to Hussain from January 2000 to December 2001, Khushal Pakistan was able to produce 0.5 Million job opportunities.⁴² Inflation remained at 3% to 6% during the first three years of the Military Regime.⁴³ It kept the prices of items of daily use in control avoiding the breeding of intense discontent among the masses.

After surviving through the difficult early times the major break through in the economy took place after the disastrous events of September 11, 2001. The Military Regime after accepting role of a front line state in war against terrorism got not only international legitimacy but it was able to divert huge flow of foreign aid to Pakistan.

⁴¹ *Ibid*, pp. 26-28.

⁴² *Ibid*, pp. 36-37.

⁴³ Bashir Ahmad and Faisal Bari, "Economic Challenges for a New Millennium", in Craig Baxter, *Pakistan on the Brink: Politics, Economics and Society*, p. 136.

There were three paths of inflow of foreign exchange in Pakistan. Firstly, a tremendous increase in the United States' aid to Pakistan, Secondly, remittance and lastly, release of foreign aid from international donor agencies. Bilateral aid from US jumped up from \$3.5 million to \$1061 million, from the financial year 2001 to 2002, and it remained at an average of \$560 million for the next four years.⁴⁴

In the post September 11, period Pakistanis working in United States of America and elsewhere in the Western World were compelled to remit foreign exchange through official channels because of the crack down against money laundering and informal money markets. Thus remittance through official channels allowed the government to buy 3 to 4 billion dollars from market.⁴⁵ It consequently helped to increase foreign exchange reserves of the state. Parallel to these two sources of foreign exchange flow to Pakistan, it was able to reschedule its loans as well as US influence in International Monetary agencies had helped Pakistan to go for new loans on good conditions from IMF, WB, and ADB⁴⁶. For example in December 2001, Pakistan got a reschedule of \$12.5 billion in repayments from the Paris Club of creditor countries.⁴⁷ Thus, post September 11, scenario helped the economy to observe a short boom, where exports exceeded to \$9 billion and inflation reduced to

⁴⁴ K Alan Kronstadt, *Pakistan Domestic Political Development* [article online] retrieved from <http://www.fpc.state.gov/documents/organization/29970.pdf>, accessed on 01-08-2011

⁴⁵ Bashir Ahmad and Faisal Bari, Economic Challenges for a New Millennium, in Craig Baxter, *Pakistan on the Brink: Politics Economics and Society*, 2004., p. 137.

⁴⁶ *Ibid*, 136.

⁴⁷ K Alan Kronstadt, *Pakistan-US Relations* [article online], retrieved from www.fas.org/sgp/ers/row/ib94041.pdf, accessed on 01-08-2011

the lowest level of the past thirty years at 3%.⁴⁸ Pakistan was able to service its debts and the total debt burden reduced from \$38 billion to \$36 billion.

4: I (f) Filling Participation Gap

When General Musharraf took over the charge of government, as a result of October 1999 coup, it was severely criticized by the Western world. As discussed earlier, Pakistan faced economic sanctions for some time also. Perceiving the response of West, General Musharraf, while announcing his seven point agenda, on October 16, 1999, placed the introduction of genuine democracy through devolution of power at sixth number.⁴⁹ Later NRB was established to chart out a plan for the introduction of local bodies and devolution of power to grass root level. The Local Government Plan, as proposed by NRB, was, thus promulgated in the year 2000. The LGP 2000, claimed to achieve the following 5 D's:⁵⁰

1. Devolution of political power.
2. Decentralization of administrative authority.
3. De-concentration of management functions.
4. Diffusion of the power-authority nexus
5. Distribution of resources to district level.

For the achievement of these objectives a three tier structure was proposed; Union Council, Tehsil Council and District Council. Union Council was the lowest of the three levels which was to be elected directly by a grouping of small villages with total

⁴⁸ *Ibid*, p. 13.

⁴⁹ Robert LaPorte Jr, "Implementing Devolution: The New Local Government Scheme" in, Craig Baxter, *Pakistan on the Brink: Politics Economics and Society*, Karachi: Oxford University Press, 2004, p. 156.

⁵⁰ *Ibid*, p. 158.

electorates of around 25000. The total membership of a Union Council was set to be 21 members. It was to be headed by a *Union Nazim* and *Naib Nazim*. The elections for the local government were to be held on non-party basis. Tehsil Council was the second tier of the local government falling in between the District Council and Union Council. The *Naib Nazims* of all Union Councils, within the administrative boundary of that Tehsil, were to form membership of Tehsil Council. It again had its own *Nazim* and *Naib Nazim*. It also had reserved seats for women, minorities and peasants/laborers. At the highest level of the three tiers scheme was the District Council. All the *Nazims* of the Union Council were the members of the District Council. One third seats of the District Council were reserved for women, minorities and peasants/laborers. The four capitals of the provinces were declared as City Districts. The major sectors devolved to district level were education and health.⁵¹ For the financial needs of the local government, they were authorized to levy taxes as well as seek financial support from the provincial government. For the distribution of resources to District Councils Provincial Finance Commission was set up in each province.⁵² In December 2000, elections for the local bodies were held in five phases on non-party basis.

Devolution of Power Plan was criticized from different circles of intellectuals and political parties on different grounds. Khan argued that there were inherent flaws between the rhetoric of devolution of power and structure of local government. According to him power was devolved to District level, where it shifted again in the

⁵¹ S Akbar Zaidi, *Military, Civil Society and Democratization...*, op.cit., pp. 128-131.

⁵² *Ibid*, p. 133-141.

hands of elite classes, instead of grass root level that was Union Council. He further asserted that no local body reform could bring radical change in the society until it was accompanied by the radical land reforms. Without land reforms the power would circulate among the feudal classes in rural areas, without bringing any change in the socio-economic status of the poor classes.⁵³ Iqbal saw the issue of devolution in the context of center-province relationship. He pointed to a long existing feeling among the federating units that they were being deprived of their autonomy by the nexus of civil-military bureaucracy. Since local government was introduced by a Military Regime therefore it had enhanced the tension between Center and Provinces.⁵⁴

Despite these criticisms levied against Devolution of Power Plan, the Military Regime quite successfully entered into an alliance with the newly emerging leadership at District level of local bodies. District *Nazims*, during the Presidential Referendum in 2002, were reported to be arranging rallies for General Musharraf and later in the election same year running the election campaigns of PML (Q), which was formed by General Musharraf.⁵⁵ At the same time it helped Military Regime to build a better image in international community. Thus, introduction of local bodies filled the participation gap created due to disbanding of political activities at national level, helped the regime in broadening its support base and softened its image in international community.

⁵³ Shahrukh Rafi Khan, *Pakistan under Musharraf (1999-2002): Economic Reform and Political Change*, Lahore: Vanguard Books Pvt Ltd, 2004, pp. 12-20.

⁵⁴ Nadeem Iqbal, *Devolution Questioned*, The News, April 11, 2004, p. 5.

⁵⁵ *Ibid.*

4: I (g) Legitimacy through Referendum

The quest to seek legitimacy at international level, and to give an impression that they enjoyed the support of majority of the people, had motivated the three military dictators, General Ayub, General Zia and General Musharraf, to hold Presidential referendums. In all three referendums the self structured institutions of local bodies of the Military Regimes were effectively utilized. Following the foot steps of his predecessors General Musharraf announced holding of referendum before General Elections in 2002. Soon after the announcement, it was challenged in the Supreme Court of Pakistan by Zafar Ali Shah, a leader of Muslim League (N), and Qazi Hussain Ahmad, leader of *Jama 't e Islami*. The court also followed its tradition and validated holding of the referendum. General Musharraf addressed huge rallies arranged for him by the District *Nazims* and PML (Q).⁵⁶ The question asked in the referendum was:

For the Survival of the local government system, establishment of democracy, continuity of reforms, end to sectarianism and extremism, and to fulfill the vision of Quaid e Azam, would you like to elect President General Pervez Musharraf as President of Pakistan for five years?⁵⁷

The regime claimed for high turnout but according to independent sources the turn out remained very low. Maluka referred to HRCP report which suggested that total voluntary turnout was not more than three to five percent. Musharraf himself

⁵⁶ Zulfikar Khalid Maluka, "Reconstructing the Constitution for a COAS President" in Craig Baxter, *Pakistan on the Brink: Politics Economics and Society*, pp. 67-68.

⁵⁷ Pervez Musharraf, *In The Line of Fire: A Memoir*, London: Simon & Schuster UK Ltd., 2006, p.167.

confessed, in his book, *In the Line of Fire*, that some incidents were observed where people were compelled forcefully to cast their votes in his favor. But he blamed opposition parties for it, who wanted to make the whole process doubtful.⁵⁸ When the result was announced Musharraf got 98% support of the voters. After the declaration of results the Election Commission disposed off all record related to the Presidential referendum.⁵⁹

Despite all criticism at home and reports challenging validity of the process Musharraf was able to convince the United States of America and other Western powers that he enjoyed the support of majority of the people in Pakistan. He received congratulations from the heads of different states. American official statement on this occasion termed the Referendum as free and fair. Thus, General Musharraf, successfully maneuvered the situation in his favor and the Military Regime was able to consolidate during the early years of coup.

4: II Selective Co-option

The Military Regime after passing through the early phase of its consolidation under internal and external pressures to democratize went for co-opting political elites. As the duration, given to it by the Supreme Court, for holding next parliamentary elections drew nearer, the Military Regime's pursuit, to co-opt pro-Regime political elites in order to sideline the mainstream political parties and fill the vacuum thus created, intensified. This section addresses the major political actors who were co-opted by the Military Regime. This section is divided in two parts. The first

⁵⁸ Ibid, 168.

⁵⁹ Zulfikar Khalid Maluka, "Reconstructing the Constitution for a COAS President" in Craig Baxter, *Pakistan on the Brink: Politics Economics and Society*, p. 69.

part discusses the early partners of the regime, Pakistan Tehreek e Insaf, Pakistan Awami Tehreek, Millat Party and National Alliance, and Muhatida Qaumi Movement. The second part discusses the King's Party and its role during Musharraf era.

4: II (a) Selective Co-option: the Early Partners

Right after October 1999 coup, some of the political parties stretched their support for the newly established regime. The commonality among these parties was that they entered in the electoral politics during late 1980's and 1990's with high expectations but bitterly failed in elections. Military coup in 1999 was perceived to be an opportunity to enter in the power corridor in a situation where mainstream political parties were the main victim of the Regime's accountability drive. A detailed discussion on these earlier partners is as under:

4: II (b) Pakistan Tehreek e Insaf (PTI)

Pakistan Tehreek e Insaf was established by a cricketing legend and philanthropist Imran Khan in 1996. Imran Khan, whose team won the Cricket World Cup for Pakistan in 1992, was a popular figure among youth. His popularity further increased when he started a campaign for the establishment of Shoukat Khanam Memorial Hospital and was able to achieve his goal.⁶⁰ After completion of this project Imran Khan decided to launch a political party. In a television interview, Imran Khan said that it was during the charity campaign for his hospital when he felt that people trust him. This feeling ultimately led him to enter in politics. He further asserted that

⁶⁰ Shoukat Khanam Memorial Hospital was the first hospital of international standards, in Pakistan, for the treatment of cancer.

the confidence gained during charity campaign and the success in establishing a hospital of international standards inspired him to start a political party and struggle for the transformation of the polity.⁶¹ Thus, Pakistan Tehreek e Insaf (Pakistan Movement for Justice) was established in 1996 under the leadership of Imran Khan.

Within a year of the establishment of party it was compelled to enter into electoral politics when government of Benazir Bhutto was sacked by President Farooq Leghari on the charges of corruption and mismanagement in 1997. Thus newly born party started its election campaign for the next parliamentary elections. Imran Khan's election campaign remained focused on the condemnation of the leadership of two major parties, PPP and PML (N). Elimination of corruption and hanging of corrupt politicians remained major slogans of his electoral campaign. He was able to gather huge crowds in urban areas of Punjab and N.W.F.P (now Khyber Pakhtunkhwa). Days before the elections he was seen on television channels appealing people to come to polling booths on their own to cast vote in his favor as he didn't have resources to arrange transportation for them. Despite all hopes, to emerge as a major political actor, the eve of election results was disappointing one for him. He was unable to win a single seat in the parliament.

A clear message that he received from the election results was that in presence of the leadership of two mainstream parties his chances of becoming a significant political actor are minimal. It was this feeling that made him harsher towards the leadership of two mainstream parties. When in October 1999 the government of

⁶¹ Imran Khan interview in *Frontline* telecasted on Express TV on 04-05-2011.

Nawaz Sharif was sacked by General Musharraf after a military coup and the newly established Military Regime started accountability drive against the leadership of both mainstream political parties, Imran Khan came forward to support the Regime in this cause. It was taken up as an opportunity to sideline his major rivals and make a space for him in the power structure. Imran Khan himself confessed in a television interview that it was promised to him by General Musharraf that he would be the next Prime Minister of Pakistan.⁶² Thus, Imran Khan under high expectations of winning the next parliamentary elections gave full support to the Military Regime during its early period. He appeared on television channels supporting the accountability drive of the Regime and later supporting Musharraf's Afghan policy in the post 9/11 scenario. During the referendum campaign he proved to be among the frontline supporters of General Musharraf, rallying for him and defending him and his policies on media as well as in mass gatherings. His influence on the urban youth contributed to motivate them to cast a vote in favor of General Musharraf in the referendum.

After the referendum, as the date for next parliamentary elections drew nearer, PTI started its election campaign. This time it came with more preparation and confidence of reaping the fruits of the support it had rendered to General Musharraf during the past three years. The party announced its manifesto that covered a lengthy list of proposed social, political, economic, agricultural and educational reforms.⁶³ But this time again election results were discouraging. PTI was able to attract only 0.62% of the total vote cast. It won only one seat in National Assembly that of its

⁶² *Ibid.*

⁶³ PILDAT, *Who Voted for Whom: Findings from an Exit Poll Survey*, Lahore: 2002.

chairman Imran Khan from NA-71 (Mianwali-I). Failure in electoral politics determined the fate of PTI's alliance with the Regime. Imran Khan who was once promised to be the Prime Minister of General Musharraf failed to fill the leadership vacuum created by the absence of Benazir Bhutto and Nawaz Sharif. For the regime he proved to be a weak card. Therefore, in the post election scenario there actually occurred a separation between the Regime and PTI, where the later preferred to sit on opposition benches rather entering into a governing alliance with PML (Q).

4: II (c) Pakistan Awami Tehreek (PAT)

Pakistan Awami Tehrik was established in 1989 by a religious scholar and missionary Allama Tahir ul Qadri. He was able to influence a particular segment of society during General Zia's era when he got an opportunity to appear on the screen of Pakistan Television in a religious program *Faham-al-Quran*. He had close relations with Sharif family but when he decided to enter in politics he went for establishing his own political party⁶⁴. His religious seminary *Minhaj-al Quran* served as the central point of PAT's political activities. The party failed in making any impact in electoral politics. Failure in electoral politics led Tahir-ul-Qadri to isolate himself from politics for a while and focus on educational activities. A number of educational institutes were established in Pakistan as well as other parts of the world with a particular sectarian outlook. According to one of the close companions of Tahir-ul-Qadri, failure in electoral politics revealed to their leader that without bringing an educational

⁶⁴ Mufti Maqsood ur Rehman Inqabi, Member District Shura Tehreek Minhaj ul Quran, interviewed at his residence.

revolution it is impossible to bring a political change.⁶⁵ After a short period of indifference to politics, PAT again revived its political activities during the second term of Nawaz Sharif government. It entered into an opposition alliance, *Pakistan Awami Ittehaad*, with Pakistan Peoples Party and some of its other allies.⁶⁶

After the October Coup of General Musharraf, like Imran Khan and his PTI, it was an opportunity for Tahir-ul-Qadri to try to fill the vacuum created due to absence of the leaderships of PPP and PML (N). Tahir-ul-Qadri appeared as the frontline supporter of General Musharraf and his Military Regime. Like Imran Khan he used to appear on television screen and in public gatherings to defend the Regime's accountability drive and later its Afghan policy in the post September 11, 2001 scenario.

During the presidential referendum of General Musharraf, Tahir-ul-Qadri emerged as a staunch supporter of the former. PAT distributed posters containing General Musharraf's and Tahir-ul-Qadri's photos and Musharraf's repeated slogan, in the post 9/11 period, "Sab Se Pehlay Pakistan" (Pakistan First). Thus influence of Tahir-ul-Qadri played as a motivational force for PAT's workers and sympathizers to cast vote in favor of General Musharraf in the presidential referendum of 2002.

PAT launched an extensive membership program throughout Pakistan as the date for elections in 2002 drew nearer. In his public appearances in mass gatherings as well as on television screen Tahir-ul-Qadri claimed to clean sweep the upcoming

⁶⁵ *Ibid*.

⁶⁶ Alama Tahir ul Qadri, interview available on Minhaj ul Quran official website.

parliamentary elections.⁶⁷ The party manifesto covered a long list of educational, economic and constitutional reforms.⁶⁸ The main focus of PAT's election campaign remained on transformation of the polity according to Islamic principles. During the election campaign where Tahir-ul-Qadri was ensuring the regime to support its policies in the parliament while at the same time his monthly magazine *Minhajul Quran* was continuously criticizing the regime for its selective accountability drive. As one of the editorials that appeared in the *Minhajul Quran* asserted that the regime had failed in punishing the corrupt elements in politics and corrupt politicians were again allowed to participate in the upcoming elections.⁶⁹ This clearly explains the dissatisfaction of PAT with the Regime's major ally PML (Q) which had a number of seasoned politicians in its ranks. The dream of PAT, to dominate the political scene, could only be realized until majority of the political elites belonging to mainstream political parties were barred from electoral politics. The regrouping of political elites under the umbrella cover of PML (Q) and its patronization by the Regime were major sources of disappointment for PAT.

The eve of election results for PAT was quite similar to that of PTI. It was able to win only one seat in National Assembly. The party leader Allama Tahir-ul-Qadri was the sole winner among one hundred and twenty five (125) candidates who contested elections for different National Assembly seats from the platform of PAT.

⁶⁷ *Ibid.*

⁶⁸ Manifesto of Pakistan Awami Tehrik retrieved from <http://www.minhaj.org/english/tid/13660/Manifesto-of-PAT.html>

⁶⁹ Editorial, Monthly *Minhaj ul Quran*, December 2002.

The party was able to attract only 0.76% of the voters in total.⁷⁰ The only seat that went to PAT was NA-127 (Lahore). The disappointing performance of the party determined its significance in the future power structure. Being insignificant and sidelined Tahir-ul-Qadri resigned from the membership of National Assembly in 2005.

4: II (d) Millat Party and its Allies

Millat Party was established by Farooq Ahmad Khan Leghari in 1998. Farooq Leghari, once most trusted member of Pakistan Peoples Party, rose to presidency during the second term of Benazir Bhutto. He parted ways with PPP and dismissed its government in 1996. When Nawaz Shareef succeeded Benazir Bhutto as Prime Minister the confrontation between the PM and the Presidency led to the resignation of Farooq Leghari. After resignation from presidency Farooq Leghari started a new political career by establishing his own political party. After the Military Coup of General Musharraf in October 1999, Millat Party welcomed the coup. Previous grudges against the two parties, PPP and PML (N), found their manifestation in the form of supporting the Regime to minimize role of the two mainstream political parties in domestic politics.

In the post coup period Millat Party supported the newly established Regime on all fronts, from domestic reforms to foreign policy issues. It supported the Presidential referendum. Prior to 2002 elections Millat party entered into an alliance with six other political parties named as National Alliance. One of the important

⁷⁰ Altaf Ullah Qasmi, "The 2002 National Elections in Pakistan: An Analysis", (MPhil Dissertation, Quaid e Azam University), p. 110.

members of National alliance was Sindh Democratic Alliance (SDA) which represented anti-PPP political elites from Sindh. Wilder argued that the purpose of fomenting SDA was to divide PPP vote in Sindh. He referred to the assistance provided by Military for uniting anti-PPP political elites in Sindh in 2002 under the banner of SDA.⁷¹ SDA was led by a former bureaucrat Imtiaz Sheikh. Support from the Regime helped SDA to attract Arbabs of Tharparker, Sherazis of Thata and Z.A Bhutto's cousin Mumtaz Bhutto. It was expected to give tough time to PPPP in Sindh.⁷² Other notable parties included in National Alliance were former care taker Prime Minister Mustafa Jatoi's National Peoples Party and Sindh National Front,

National Alliance further entered into electoral alliance with King's party PML (Q) in 2002. This alliance of pro-Regime political parties was named as Grand National Alliance.⁷³ Under the leadership of Millat Party, National Alliance was able to win thirteen (13) National Assembly seats in the 2002 parliamentary elections.⁷⁴ In 2004 National Alliance merged into PML (Q).

4: II (e) Mutahida Qaumi Movement (MQM)

MQM was established by Altaf Hussain, once a student leader belonging to *Muhajir* (Immigrant) community, on 18 March, 1984. The party had huge mass following in the urban areas of Sindh, among Urdu speaking *Muhajir* community, especially in Karachi. MQM was patronized by the Military Regime of General Zia in

⁷¹ Andrew R. Wilder, "Elections 2002: Legitimizing the Status Quo" in *Pakistan on the Brink*, p. 114.

⁷² The Herald, October, 2002, p. 33.

⁷³ Andrew R. Wilder, "Elections 2002: Legitimizing the Status Quo" in *Pakistan on the Brink*, p. 114.

⁷⁴ *Ibid*, p. 116.

order to neutralize PPP's influence in urban Sindh.⁷⁵ During the decade of democracy, from 1988 to 1999, MQM proved itself to be a vital political force in urban Sindh. It remained a part of Islami Jamhoori Ittehad in 1990's election but later it was charged of terrorist activities in Karachi and was victimized during Nawaz Shareef and Benazir Bhutto's governments. The leader of the party, Altaf Hussain, got political asylum in England and controlled his party from there. He was able to keep a close contact with his party workers and supporters via telephone. He addressed huge crowds in urban Sindh via telephone which was a unique way of political communication in Pakistan. A continuous victimization of the party during PPP's and PML (N)'s governments bred deep seeds of contempt against the two parties. When military took over in October 1999, it was a moment of relief for the party. MQM welcomed the coup and supported Military Regime's agenda to sideline the two mainstream political parties. MQM participated in 2002 elections and was able to win seventeen (17) National Assembly seats. After elections MQM entered into ruling alliance with PML (Q) in center and Sindh. The party played its part in supporting the Military Regime and validating General Musharraf's post-coup constitutional maneuverings.

4: IV (f) Selective Co-option: the King's Party

Pakistan Muslim League (Quaid e Azam) remained the top beneficiary of the Military Regime. General Musharraf wrote in his memoirs that initially he thought of launching a new political party but then decided to revive Pakistan Muslim League,

⁷⁵ Interview, Professor Dr. Ghulam Mustafa, Chairman, Department of Pakistan Studies, Hazara University, Mansehra in his Office.

the party to which belong the founder of Pakistan. He appreciated the political acumen of Choudry Shuja't and Choudry Parvez Illahi and gave them the responsibility to fill the ranks of the party with strong pro-Regime candidates.⁷⁶ Choudry Shuja't and Choudry Pervez Illahi, who were once significant figures in PML (N), had developed their personal grudges with Shareef family when Choudry Pervez was avoided of becoming Chief Minister of Punjab in 1997. Khalid Ahmad noted that the differences between Nawaz Shareef and Choudry Shuja't intensified with the passage of time as Shuja't challenged Nawaz's decisions on number of occasions in party meetings and also cabinet meetings, during the second term of Nawaz Shareef.⁷⁷ There were a number of other members of PML (N) who had developed grievances against Nawaz's way of ruling and dominating role of his family members in party matters. All this provided a fertile ground for the Military Regime to construct a King's Party from among the ranks of a party from whom the right of governing was snatched away by it. Thus PML (Q) was established under the leadership of Mian Azhar, who belonged to an *Arain* family of Lahore and had grievances and grudges against Shareef Family. Although Mian Azhar led the party till elections but the real power remained in the hands of Choudry Shuja't and Choudry Pervez Illahi of Gujrat.⁷⁸

Along with personal grudges, accountability drive of the Regime also led many politicians to move towards the King's Party. Wilder cited a news report which

⁷⁶ Pervez Musharraf, *In the Line of Fire: ...*, op.cit., pp. 166-167.

⁷⁷ Khalid Ahmad, *Political Development in Pakistan-1999-2008*, Lahore: Vanguard Books, 2008, pp. 294-296.

⁷⁸ Andrew R. Wilder, "Elections 2002: Legitimizing the Status Quo" in *Pakistan on the Brink*, p. 112.

suggested that almost two third of the PML (Q) candidates in 2002 elections were formerly part of PML (N) or PPPP.⁷⁹ Thus PML (Q) also served as a safe heaven for many who might be victimized due to their past party affiliations.

General Musharraf's victory in referendum had given enough clues for the future set up. It had not only determined the preferences of a number of individual politicians, it had also influenced the voter's choice. Thus in the run up to election PML (Q) was able to place strong candidates in majority of electoral constituencies. The pre-electoral manipulations by the Regime and absence of Nawaz Shareef and Benazir Bhutto as well as uncertainty about the two leaders' return to Pakistan helped PML (Q) to win highest number of seats in National Assembly.⁸⁰ It secured seventy seven seats in National Assembly and was able to attract the second largest number of voters toward it i.e. 25.65% of voters after PPPP's 25.9%.⁸¹

Although PML (Q) won highest number of seats in the center yet it did not had required number of National Assembly seats to form a simple majority. This deficiency was fulfilled by post election manipulations. A ruling alliance was thus formed with MQM, PPP (S), National Alliance and forward block of PPPP named as Pakistan Peoples Party Patriot. Out of ten members of PPP (Patriot) six were awarded key ministries including ministries of defense, petroleum and interior.⁸² Thus, the Military Regime was able to form a pro-Regime government in the center under the

⁷⁹ *Ibid.*

⁸⁰ *Ibid.* 114-116.

⁸¹ *Ibid.* 116.

⁸² *Ibid.* 124.

premiership of Mir Zafarullah Khan Jamali. In provincial legislature PML (Q) was able to form government in Punjab while in Sindh and Baluchistan it formed governments by entering into alliance with MQM and MMA respectively. In N.W.F.P (now Khyber Pakhtunkhwa) it sat on the opposition benches while MMA formed the government.

Although the Regime was able to successfully erect a government with simple majority in the center yet the major task before new governing alliance was to validate the past actions of the Military Regime. The job could not be done without having a two third majority in the central legislature. The major break through in this respect occurred when the Regime was able to enter into an agreement with MMA to get the LFO passed by National Assembly. Incorporation of LFO into the constitution as 17th constitutional amendment validated all actions of the Military Regime in the post October 1999 coup period.

Learning from the experiences of his predecessor, General Zia, that a political figure as Prime Minister might pose a serious challenge to Regime by asserting himself, General Musharraf made another political move in 2004. An in-house change was facilitated by replacing Jamali with Shoukat Aziz as PM. Shoukat Aziz, often termed as imported PM, was an employee of the City Bank and one of the close affiliates of General Musharraf. This move revealed many things to political observers. On one hand it manifested the impotency of the ruling alliance, as the rise of Shoukat Aziz to premiership was sole decision of General Musharraf and PML (Q) accepted it reluctantly being left with no choice, while on the other it showed how the Military used different tactics to keep the ruling alliance intact. Monthly Herald

reported in its July 2004 edition that PM Jamali was called by general Musharraf and was shown a file containing documentary proofs of his son's involvement in financial irregularities.⁸³ The price for ignoring these proofs was fixed and Jamali sacrificed his premiership without showing any resentment towards the Regime and remained supportive to it till the next parliamentary elections. Thus cooption of PML (Q) helped the Military Regime to a greater extent to consolidate itself and prolong its rule.

⁸³ The Herald, July 2004, pp.55-57.

Chapter 5: Rising Discontent Leading to Crisis

As discussed in the previous chapter that after taking over power General Pervez Musharraf started consolidating his hold on power. For this purpose the newly installed regime needed to ensure its internal and external legitimacy. In order to neutralize external pressures for the restoration of democracy the regime came up with a reform agenda. The regime claimed to bring 'real' democracy and purge the system of corrupt politicians by ensuring a cross the board accountability drive. It was therefore necessary to present a civilianize face of the regime as soon as possible. Therefore, along with other steps for the consolidation of the regime a process of selective cooption started. After the national parliamentary elections of 2002, an alliance of selectively co-opted political parties formed the government while anti-regime political forces were sidelined to a greater extent by using NAB as an effective tool as well as through the introduction of minimum qualification condition for contesting a national or provincial assembly seat. Selective cooption of the pro-regime political elites developed a general perception in the society that the regime was least interested in ensuring cross the board accountability rather its main concern was to silence opposition and consolidate its hold on the power. This feeling ultimately bred the early seeds of discontent against the regime. As the time passed by discontent against the Military Regime increased gradually till the time when it was expressed in the form of severe protests throughout country. The regime faced crises after crises. The main focus of this chapter is on the causes and implications of discontent against the Military Regime at societal level. It also discusses the different crisis emerged

during the regime and were responsible for the deepening of the desire, in society, for restoration of democracy.

This chapter is divided into two sections. The first part analyzes causes of the discontent that emerged during the Military Regime while the second part gives a description of various crises that shook control of the Military Regime and compelled it to look for possible routes of transition to democracy.

5: I Rising Discontent

The causes of rising discontent against Military Regime are discussed under the following heads:

5: I (a) U-turn on Afghan Policy

After the second military coup of General Zia, Pakistan accepted the role of frontline ally of United States of America in the American proxy war in Afghanistan. In order to ensure supply of human resource to fight in Afghanistan the Military Regime adopted slogan of Jihad (Holy War) against the infidel Soviet Union. For the successful operation of this *Jihadi* policy the regime attempted to Islamize the society. A number of reforms were introduced for the *Islamization* of state and society. This policy ultimately had its implications. It gave strength to the conservative religious segment of society. As the number of Madrassahs (religious educational institutes) increased rapidly throughout the country, the ranks of religious classes swelled. Liberal and moderate segments of the society were marginalized to a great extent. Soviet withdrawal from Afghanistan and its disintegration allowed the religious classes to claim and propagate that they had defeated a super power. It further elevated the feelings of superiority in the religious classes. *Jihadi* legacy of Zia period

influenced post Zia political development in Pakistan. The society was divided into Progressive and Islamists. Islamists remained close to the military establishment. After Afghanistan the military establishment started using these *Jihadis* in Indian occupied Kashmir. It was believed that similar results, like that of Afghan war, could be achieved in Kashmir also. At the same time when signals came from Afghanistan that a pro-India regime is going to threaten Pakistan's long term perceived notions of strategic depth it started to support Taliban who could be helpful in establishing a pro-Pakistan Pashtun Regime in Afghanistan.¹ These cross-border engagements of Pakistan continuously required it to patronize religious classes and uphold slogans of Jihad and pan-Islamic ideology.

After the tragic event of 9/11, Pakistan was at crossroad. It was compelled, under international pressures, to take a U-turn on its afghan policy. It was very difficult now to carry on with the past legacy of pro-*Jihadi* policy in the changed international scenario. Pakistan became a frontline ally of United States of America again, but this time against its own brainchild the Taliban Regime. "Pakistan First" replaced the *Jihadi* and pan-Islamic slogans and "Enlightened Moderation" alternated *Islamization* drive of 1980's and 1990's.²

This shift in state posture and foreign policy shocked the religious right. It was unacceptable for the religious classes, which were patronized by the state, during Zia period, and expanded over the years numerically. According to a Gallup Poll of urban Pakistani society 83% had sympathy with Taliban while 82% believed Osama bin

¹ Owen Bannet Jones, *Pakistan: Eye of the Storm*, New Heaven and London: Yale University Press, 2002, p.2.

² Nawaz Sharif from 1990 to 1993 and 1997 to 1999 claimed to be a legitimate successor of General Zia and used political rhetoric to complete the unfinished agenda of Islamization in Pakistan.

Laden as hero of Islam and a Holy Warrior.³ This reflected the results of a two decade old socialization of religious extremism in Pakistan.

Malik argues that American invasion of Afghanistan and General Musharraf's subsequent decision to join hands with United States infuriated vast section of Pakistani society because a general perception has developed that war on terror is directed against Muslims generally and Pakistan in particular.⁴ Therefore, when the Military Regime decided against the popular feelings it had to face severe challenges. The discontent against Musharraf regime was manifested in various forms from protests to assassination attempts at his convoys. Religious political parties gathered on the forum of Defense of Afghanistan Council and started protests against US attack on Afghanistan and shift in Pakistan's foreign policy. Farwell noted that this discontent, against policy shift, was not only limited to the parts of society but it was also present in the state secret agencies and the military itself, as the mindset that had evolved since Afghan war was still present within military and Inter Service Intelligence (ISI). He argued that assassination attempts at Musharraf and the technology as well as the explosives used showed that it could not be executed unless they were facilitated by the inside elements of military or intelligence agencies. He referred to purging of military by Musharraf as an evidence of Musharraf's awareness of the same fact.⁵

³ Daily *Asas*, October 22, 2001.

⁴ Iftikhar Malik, *Pakistan: Democracy, Terror and the Building of a Nation*, London: New Holland Publishers, 2010, pp- 85-85.

⁵ James P. Farwel, *The Pakistan Cauldron: Conspiracy, Assassination and Instability*, New Delhi: Pentagon Press, 2012, pp. 101-103.

With the passage of time the discontent against the regime intensified. Interestingly, both the modernists and conservatives were dissatisfied with the Regime. The conservatives were alleging it for promoting Western Agenda and squeezing life for Muslim Militants or *Jihadis* while the modernists claimed that the government was not doing as much as it ought to do. They believed that the government was using slogan of "Enlightened Moderation" only to gain legitimacy at international level while it still was patronizing religious classes and was not sincere in its claims. In the course of 2002 elections the Military Regime was alleged by the modernists as patronizing the alliance of religious parties *Mutahida Majlis e Amal* (MMA) that was spelled out by modernist circles as Mullah Military Alliance (alliance of clergy and military). The way this alliance helped the regime in legalizing all its acts after coup and accommodating Legal Framework Order (LFO) in the constitution were the acts presented by the modernists as evidence of their claim. They believed that until the regime stopped patronizing religious clergy the slogan of "Enlightened Moderation" would only remain a political rhetoric to prolong the military rule. Thus, these early seeds of dissatisfaction nurtured with the passage of time in both segments of society, conservatives as well as modernists, and later on exploded in the form of huge protests against the regime when they got an opportunity to express themselves in the times of judicial crises.

5: I (b) Operations in Tribal Areas

After United States of America attacked Afghanistan, to hunt top leadership of Al-Qaida and punish Taliban Regime who had given refuge to Osama bin Laden, the

unguarded long Pak-Afghan border allowed a number of Taliban guerillas to escape from Afghanistan and penetrate in the tribal area of Pakistan along the border.

Tribal areas consist of seven political agencies, where six of them are directly controlled by the central government through political agents while one by provincial government of Khyber Pakhtoon Khwa (KPK). These include Bajaur Mohmand, North and South Waziristan, Malakand, Aurakzai and Kurram agencies. Malakand Agency falls under the control of provincial government. Except Aurakzai Agency all Federally Administered Tribal Areas (FATA) are located along the Pak-Afghan border popularly known as Durand Line. FATA has a population of 31, 76, 331 people scattered over an area of 27,220 square kilometer in 2,559 villages according to 1998 census. Ethnically the people of tribal areas are Pakhtoons. Tribal areas are also called as *ilaqa ghair* (alien territory) due to absence of civil authorities.⁶ Prior to Wana Operation there had always been least interference of the government in these areas and local conflicts were decided by Pakhtoon customs and traditions. Hospitality and giving asylum to anyone who seeks so is one of the famous characteristics of *Pakhtoonwali* (Pakhtoon Code). Being outside of settled areas and run by tribal norms and customs these tribal areas became safe heavens for Taliban who were initially received by the tribal people as their guests according to Pakhtoon values but later these Taliban started dominating the area and established their control over North Waziristan Agency.

⁶ Syed Minhaj ul Hassan, "Tribal Areas of NWFP: Politics of Survival", in Syed Farooq Hasnat, Ahmad Faruqui, (ed.) *Pakistan Unresolved Issues of State and Society*, Lahore: Vanguard Books Pvt Ltd., 2008, pp. 209-214.

After capturing control of Afghanistan the United States of America alleged that the remnants of Al-Qaida and Taliban, who had taken refuge in tribal areas of Pakistan, were involved in cross border terrorism in Afghanistan and targeting NATO forces there. Pakistan was pressurized to launch operation in the tribal areas and clean up this area from militants. Thus, Pakistan Armed forces entered in tribal areas and operation was launched in South Waziristan.

As the operation prolonged huge mass mobilization occurred and a number of tribal people belonging to Waziristan moved to settled areas of Pakistan. According to Human Rights Commission of Pakistan report about 30,000 people became homeless during Wana Operation who fled to the settled areas.⁷

The behavior of military with local tribesmen often remained insulting which infuriated the tribal people and discontent against military presence in these areas intensified with the passage of time.⁸ The internally displaced people from tribal areas became a source of information, of the massacre in the tribal areas in the wake of military operation, for the areas where they settled. On one hand American drones were targeting the area while on the other Pakistan Armed forces had launched operations in these areas while a number of Pakistanis believed this operation as illegitimate and a war against one's own people. Media reports about killings in tribal areas in military operations and drone attacks bred discontent in the religious classes who still believed Taliban as *Mujahideen* (the Holly Warriors).

⁷The daily *Dawn*, March 23, 2004

⁸ Imran Sani Mehsood Interviewed in his office.

As the presence of Armed Forces prolonged in tribal areas, Pakistani society saw a backlash. Terrorist activities inside Pakistan increased in number. Almost all the four provincial capitals were exposed to wave of suicide attacks and particularly Peshawar, the capital of Khyber Pakhtunkhwa which was most easily accessible from tribal areas. Bomb explosions became a routine in Peshawar killing thousands of citizens. The common masses believed all this as a reaction to Military Operation against its own people. The pro-US policies of the government were held responsible for increased terrorism in Pakistan. Poor law and order situation and government's failure to provide security to the common masses bred a deep sense of dissatisfaction against the regime and a desire for change intensified with the passage of time.

5: I (c) Over Centralization of the State

Since its independence like other third world societies Pakistan faced problems of nation building. The two schools of thought about how to build a new Pakistani nation gave contrasting arguments. They could be categorized into federalists and centralists. Federalists argued that a strong nation could only be built by devolving power to the provinces, ensuring provincial autonomy, accommodating local identities and cultures and seeking harmony in diversity. While the centralists believed that a strong nation could only be built by centralizing power in the center, sacrificing local identities for the sake of national unity and strengthening centripetal tendencies in the provinces. The centralist feared that if provinces were empowered they would ultimately go for separation. Therefore federalists had always been alleged of working on disintegrative and anti-Pakistan agenda. The civil-military bureaucratic elite, right wing religious and conservative elites had been the supporters of centralists' ideas while nationalist

parties in the smaller provinces of Sind, Baluchistan and Khyber Pakhtoonkhwa (KPK) had always supported the argument of federalists. As the state apparatus had been dominated by the civil-military bureaucratic elite, therefore, Pakistan remained a centralized polity since its inception. The centralists-federalists controversy led to the dismemberment of Pakistan in 1971.

During Musharraf Regime the political system was over centralized like his predecessors General Ayub and General Zia periods. Although, he claimed that he stood for devolution of power and distribution of resources at gross rout level through Devolution of Power Plan 2000, yet the federalists argued that he had tried to minimize the role of provinces, by directly linking the districts with center. Asfandyar Wali Khan, leader of Awami National Party, while addressing a press conference argued that through 17th constitutional amendment the system was over centralized as sixth schedule of the constitution had detached all districts from the provinces and attached with the center. How the concept of a province could be conceived without districts? He stressed that strong Pakistan and strong center were contradictory to each other.⁹ Similar reservations about Musharraf's Devolution of Power Plan and 17th Constitutional Amendment were found in other nationalist parties of Sind and Baluchistan and progressive circles of the society as well. Thus, over centralization of the political system bred the seeds of dissatisfaction among the federalist circles of the society, in some cases even strengthening of centrifugal tendencies in smaller provinces as was observed in Baluchistan.

⁹ The daily *Dawn*, March 6, 2004.

Looney summed up arguments of three schools of thought in his analysis about the economic performance of the Musharraf Regime: the take-off school, the failed take-off school and structuralist school. The take-off school contends that the Military Regime had reformed the economy to an extent that it was now in a position to move towards high sustained growth rates. The failed take-off school argued that the regime had not introduced enough institutional reforms as well as governance did not improve. In absence of these institutional improvements this growth was of temporary nature and it would not be carried over to the next stage of development. The structuralist argued that increase in economic growth was the cause of foreign aid flow, good weather and remittance from workers in booming Gulf States. Therefore, neither economic reforms nor performance of the Regime could be held responsible for the economic development.¹¹

Despite all these statistics of growth success stories life for common citizens squeezed. The prices of basic necessities of life increased to a considerable extent while distribution of resources remained limited to few. Poverty and unemployment increased considerably. Regime's claims of economic successes failed to satiate the growing hunger in the society at large. Like his first predecessor General Ayub, General Musharraf also tried to follow capitalist road of development which narrowed the distribution of resources and created huge disparities.

On March 23, 2004 Human Rights Commission of Pakistan (HRCP) issued a report regarding the growing poverty and unemployment in Pakistan. It suggested that 40% of the total population lived below poverty line. The report claimed that a

¹¹ *Ibid.*

number of cases had been reported where parents took lives of their own children as they failed to feed them. The report pointed towards the downsizing drive of the government which increased number of jobless in Pakistan. It also referred to shortage of food like wheat and sugar which had further added to the miseries of the people.¹²

Khalid Bhatti noted that the prices of diesel and petrol were increased to 250%, electricity prices increased by 340%, transport fares increased by 200%, inflation rate reached to 10.4% from 4.9%, the prices of daily food items doubled within the first six years of the Military Regime. At the same time rate of unemployment rose to 20%. The total increase in the salaries of workers was only 30% till 2005.¹³

Price hike and later food shortage, rising unemployment, growing poverty and Regime's failure to address increasing disparities and ensure just distribution of resources to the lower levels of society bred a deep sense of discontent against the regime. This discontent added to the unpopularity of the Military Regime and was later manifested in anti-Regime protests.

5: I (e) Political Victimization

In the post 1999 coup the Military Regime justified itself by promising that it would ensure a cross the board accountability and all corrupt politicians would be purged. With the passage of time when it had to pose a civilian face to the outside world for the sake of its international legitimacy it co-opted pro-regime political elites. The cases of corruption against those who joined hands with the regime were

¹² Dawn, March 23, 2004.

¹³ Khalid Bhatti, Pakistan: Political Crises and General Musharraf's Democracy, article online retrieved on 18-02-2012 from <http://www.socialistworld.net/doc/1521>

withdrawn. On the other hand those who resisted the Military Regime were victimized. A number of prominent leaders of Pakistan Peoples Party Parliamentarian (PPP) and Pakistan Muslim League (N) were trialed and subsequently jailed or fined.

After the National Parliamentary Elections in 2002, Pakistan Muslim League (Q) formed Government in the center in alliance with Mutahida Qomi Movement (MQM), Pakistan Peoples Party (Patriot Group) and Pakistan Peoples Party (Sherpao) along with other smaller parties and independents. The impression transmitted to the people at large was that any one who was supportive to the regime could be accommodated in the system while political career was squeezed for those who were resistant to it. The regime thus lost its moral legitimacy.

The political leaders who were victimized had their particular areas of influence. Two of them were able to author books during their imprisonment. Makhdoom Javed Hashmi from Pakistan Muslim League (N) wrote *Haan Main Baghi Hun* (Yes I am Rebel) and Syed Yousaf Raza Gillani wrote *Chah e Yousaf Say Sada* (From Joseph's Well). Both books got popularity within short span of time and helped the anti-Regime political elites to get sympathies of the mass population as well as contributed to the anti-Regime feelings in society.

In 2004, a member of Sind Provincial Assembly, Abdullah Murad, was murdered. Pakistan Peoples Party Parliamentarian alleged that Sind government was responsible for this murder. A wave of protests started in Sind against the Government which later

on spread to other parts of the country.¹⁴ Protest rallies were not only staged against the government throughout Sind but also in front of National Parliament in the federal capital. In these protests government was criticized for poor law and order situation and the murder was termed as a conspiracy against democracy. Raja Pervez Ashraf, a member of National Assembly, while addressing a protest rally in front of National assembly said that the Regime had tried to eliminate democratic forces through National Accountability Bureau (NAB) and now it had turned to even killing them.¹⁵ Thus, murder of Abdullah Murad and the Government's tactics to delay the First Investigation Report (FIR) greatly contributed to the cause of opposition in gaining sympathy for them and breeding discontent against the military regime.

5: I (f) Activities of ARD for Anti Regime Mass Mobilization

The last decade of 20th century in Pakistan was characterized with rivalries of two major political parties, Pakistan Peoples Party and Pakistan Muslim League (N), each trying to victimize other when it ascended to power. Like other developing societies the political disagreements often translated into personal enmities. October 1999 coup was an eye opener for political elites. When both political parties were sidelined and their role was permanently tried to be eliminated from the politics they were left with no option but to join hands with each other and pose a collective challenge to the military for restoration of democracy. For this purpose the leadership of these parties agreed for joint struggle against the Military Regime by entering into an alliance of opposition parties named as Alliance for Restoration of Democracy (ARD). ARD

¹⁴ The daily *Dawn*, March 7, 2004.

¹⁵ The daily *Dawn*, March 10, 2004.

time to time arranged protest rallies and public gatherings in different cities against the policies of the Military Regime and for mobilizing people for the restoration of democracy. In these rallies and protests the Military Regime was charged with destroying the national institutions like judiciary and election commission, deteriorating economic conditions in the country, law and order situation in Pakistan, selling nuclear secrets and human rights violations.¹⁶

A major break through occurred when the leaders of Pakistan Peoples Party and Pakistan Muslim League (N) signed an agreement known as Charter of Democracy (COD) on May 15, 2006. Through this charter the two parties agreed to restore the 1973 constitution in its letter and spirit and repeal all the amendments introduced by the Military Regime. The Charter stated that the role of military and secret agencies would be abolished from politics by making them accountable to the peoples' representatives. It suggested for removing grievances of the smaller provinces, bringing a new NFC award, merging tribal areas with North West Frontier Province (now Khyber Pakhtunkhwa), independent judiciary and freedom of media, declaration of assets for judicial and military officials, and establishment of a National Democracy Commission.¹⁷ Charter of Democracy was appreciated by the democratic circles of intellectuals, journalists and members of civil society. It further glued the Alliance for the Restoration of Democracy.

Thus, ARD kept on mobilizing masses against the Military Regime by conducting time to time rallies and public gatherings against the Military Regime, addressing

¹⁶ The daily *Dawn*, March 1, 2004.

¹⁷ Charter of Democracy cited from appendix of *Pakistan Unresolved Issues of State & Society*. Pp. 395-405.

press conferences, appearing on private television channels criticizing the policies of the government. At the same time, leader of Pakistan Peoples Party, Benazir Bhutto, proved to be handy in convincing international community for helping the cause of restoration of democracy in Pakistan. In the course of tussle between the Military Regime and Judiciary, ARD joined hands with the Lawyers against General Musharraf. Some of the prominent leaders of legal fraternity belonging to opposition parties were on the forefront of anti-Regime movement. The slow and gradual mobilization of the people, against the Military Regime over the years, was manifested in such huge anti-Regime protests that they paralyzed the political system and pushed the Regime on defensive.

5: I (g) Debriefing nuclear scientists

Since its independence Pakistani society evolved in the perceived threat of Indian aggression. Pakistanis are socialized with anti-Indian sentiments right from their early education where they are taught that India is their biggest enemy and it had never accepted the reality of the creation of Pakistan. The heroics of Pakistan military in the 1965 Indo-Pak War in which India tried to eliminate Pakistan taking advantage of the darkness of the night are the themes on which stories are built and taught to the younger lot. Text books hold India responsible for the separation of East Pakistan. A review of the text books of Pakistan Studies taught in the schools and colleges reflects the fact that patriotism is equated with anti-India feelings.¹⁸ Some of the right wing

¹⁸ K.K. Aziz, *The Murder of History: A Critique of History Books Used in Pakistan*, Lahore: Vanguard Books Pvt Ltd, 1993, pp. 145-156.

newspapers also propagate the similar stuff. The impact of this socialization is that most of Pakistanis feel insecure and live under threat.

When India tested its nuclear bomb in 1974 in Pokhran it was perceived as a major threat to Pakistan's security, as the bitter memories of defeat in 1971 war had not yet vanished from the minds of the people. The political leadership showed its determination to build one of its own. Pakistan Atomic Energy Commission (PAEC) and Kahuta Research Laboratory (KRL) were assigned the job of building nuclear bomb. Pakistan ambitiously ran after this project by diverting huge resources towards it. One of the prominent nuclear scientists who became very popular was Dr Abdul Qadeer Khan, in-charge of KRL. Pakistan successfully handled international pressure over its nuclear pursuits. When India conducted its second nuclear tests in 1998, popular sentiments compelled the then Nawaz Shareef government to detonate its nuclear arsenals too in response to Indian tests. On 28th of May 1998 Pakistan tested its nuclear arsenals in the mountains of Chaghi, Baluchistan. Despite facing sanctions at international level the government was able to score points at home. Dr A Q Khan and KRL took the credit of this success. He emerged as a hero and his posters and pictures were installed in hotels, schools, and besides the highways. The poor, hungry and exploited youth saw in him their fulfillment. It was claimed by the government that threat of Indian aggression is over forever as a balance of power had been established in the region. Dr A Q Khan for most of Pakistanis emerged as a second hero after Quaid e Azam, later the creator of the nation while former the protector of the nation or the one who had made Pakistan invincible.

After September 11, 2001 when United States of America aggressively ran after its targets and Pakistan was forced to serve as its frontline ally it dramatically changed the fortunes of Dr A Q Khan. With the lapse of information about nuclear proliferation to Iran, Libya and North Korea huge international pressure came on Pakistan to investigate and stop the activities of Dr A Q Khan network, as it was held responsible for selling nuclear secrets to the said countries. Fate of Iraqi Regime on the allegations of having weapons of mass destruction and US policy of preemptive action; nip the evil in the bud, had already alarmed the Regime. It was left with no option than to do as was expected by the United States of America and international community. Dr A Q Khan and some of his affiliates were investigated and discharged of their duties. They were kept under severe security. After a number of meetings with General Musharraf one day Dr A Q Khan appeared on television and confessed that he was involved in nuclear proliferation. He was isolated at his residence. Even his daughters were not allowed to see him.¹⁹

Debriefing of Dr A Q Khan and other nuclear scientist transmitted a very negative message to the mass population. In a society where even in academic discussions if someone talks against nuclear technology was considered to be a traitor. Debriefing of the mastermind of their nuclear program, as was perceived in the society, was unacceptable. Opposition parties, especially those of religious right and conservative segments of the society severely criticized the debriefing of the 'benefactor' of Pakistan. A general message conveyed to the common people was that the Regime

¹⁹ Interview, Dr A Q Khan in *Aik Din Geo k Sath* (One Day with GEO TV) telecasted on Geo News on 25-03-2011.

had started blindly following American instructions and it was ready even to bargain on nuclear program and thus security of Pakistan. A deep sense of dissatisfaction and frustration penetrated especially among the urban population and the legitimacy of the regime further eroded.

5: I (h) Rising Terrorism

Pakistan's acceptance of the role of a frontline ally in war against terrorism exposed it to a new wave of terrorism in its inland areas and urban centers. Bomb blasts, suicide attacks and sectarian violence increased by each passing year. Law and order situation deteriorated gradually. A deep sense of insecurity penetrated throughout the society. There was a continuous upward trend observed in the number of casualties and injured by each passing year. General Musharraf survived three assassination attempts at his life. Even mosques and funeral ceremonies were targeted by suicide bombers.

A review of the terrorist activities reported, from 2003 to 2007, of the two national Urdu dailies, *Jang* and *Express*, and an English daily *Dawn* reflected that a total number of three thousand one hundred and thirty five (3135) civilians and one thousand two hundred and eleven (1211) security personnel lost their lives during the terrorism related activities. While a total of six thousand seven hundred and sixty nine (6769) terrorists were killed. Eleven prominent journalists were killed while a similar number of them were injured from 2001 to 2007.

Pakistanis had to face three kinds of terrorist attacks; bomb blasts, suicide attacks and sectarian violence. Based on the reports of above mentioned newspapers the

following tables reflect year to year casualties and number of injured people from 2001 to 2007.

Table 5.1: Suicide Attacks

	2002	2003	2004	2005	2006	2007
Casualties	15	69	89	64	161	765
Injured	34	103	321	219	352	1677

Total Number of Casualties: 1163

Total Number of Injured: 2706

The table (5.1) reflects that there was a consistent increase in the number of casualties as well as number of injured from 2002 to 2007 except with a little decline in 2005.

Table 5.2: Bomb Blasts

	2001	2002	2003	2004	2005	2006	2007
Casualties	48	68	34	255	208	359	1078
Injured	342	300	155	1060	571	766	2483

Total Number of Casualties: 2050

Total Number of Injured: 5677

The table (5.2) reflects that there was a continuous increase in the number of casualties and injured from 2001 to 2004. The year 2005 saw a downward trend but again an upward trend was observed in 2006 and 2007. In the year 2007 the number of casualties and injured almost tripled in comparison to the year 2006.

Table 5.3: Sectarian Violence

	2001	2002	2003	2004	2005	2006	2007
Casualties	261	121	102	187	160	201	441
Injured	495	257	103	619	354	349	630

Total Number of Casualties: 1479

Total Number of Injured: 2807

The table (5.3) reflects a random trend in the number of causalities and injured from 2001 to 2006. Year 2007 saw a dramatic increase in both, where the number of casualties and injured doubled as compared to 2006. In some incidents of sectarian violence the secret agencies were also alleged to give free hands to miscreants. For example on March 3, 2004 a number of citizens belonging to Shia sect were shot dead in four hour violence against Ashura Procession. Baluchistan chapter of Human Rights Commission of Pakistan reported that the criminals were allowed free hand by security agencies as well as the enquiries conducted by the Commission reflected that none of the two parties, Shia and Sunni, could be alleged for this violence. The report

alleged that most of the people killed in the procession were shot dead by the law enforcing agencies.²⁰

Increasing wave of political violence throughout the country bred a deep sense of insecurity and fear in the society. During the years 2006 and 2007 the frequency of terrorist attacks in the form of suicide attacks, bomb blasts and sectarian violence increased to an extent that there occurred an attack every alternative day in one part of the country or other. This increase in violence was perceived, by the conservatives, to be the backlash of Pakistan's U-turn on Afghan policy, while, the progressive segments of the society associated them with authoritarianism, as in the Charter of Democracy the leaders of the two major political parties agreed that increasing wave of terrorism was outcome of Military's involvement in politics and authoritarian policies of General Musharraf.²¹ Deteriorating law and order situation and increasing wave of terrorism, as well as allegations, of involvement in sectarian violence, reported in news papers against the secret agencies, was also one of the main factors that deepened the sense of dissatisfaction against the Military Regime.

5: I (i) Relaxing Media Controls

The first decade of twenty first century saw a boom in electronic media in Pakistan. Monopoly of the only state channel Pakistan Television (Ptv.) was challenged by a number of newly established private television channels. Though limited to the urban centers, initially, these newly emerging private channels increased their access to small cities and towns through cable network. The main

²⁰The daily *Dawn*, March 12, 2004.

²¹Original text of Charter of Democracy retrieved from <http://www.stateofpakistan.org/time-to-implement-the-charter-of-democracy-and-bury-the-legacies-of-army-rule>

focus of these private channels remained the news segments and debates on contemporary political and economic issues. Almost all leading daily newspapers started their television networks like the Jang Group started Geo News, the daily Express started its television channel with the same name Express Tv, the daily Dawn started Dawn News, and Aaj Group started Aaj News. A number of influential elites also started their own television channels for mass mobilization and articulating their ethnic or lingual interests like Saraiki Wasaib and Khyber Tv.

Emergence of these privately owned television channels gave an opportunity to the people to have access to more sources of information. In order to show its commitment for bringing "real" democracy the Military Regime relaxed its control on media to a great extent. Thus, these privately owned news channels became a powerful tool for the opposition parties to convey their message to the common masses, highlighting the poor performance of the regime, and criticizing the government for its failure to maintain law and order, destroying the institutions and promoting class disparities between rich and poor.

As the news channels were reflecting growing sense of dissatisfaction among the society at large, therefore, their popularity increased by each passing day. According to a vibrant journalist Qammer news channels in Pakistan got more advertisements than their entertainment channels. Thus, from a commercial point of view criticizing government became a profitable business for these newly emerging private channels.²² Continuous debates and discussions, highlighting the voice of political opposition, pro-democracy stances of the media anchors, and anti-Regime position

²² Amjad Qammer interviewed at his Inter-news office in Islamabad.

taken by electronic media journalists in the wake of judicial crisis, greatly contributed to breeding of discontent among society against the Military Regime.

5: I (j) Issue of Missing Persons and Human Rights Violations

In the post 9/11 scenario in Pakistan, in the context of war against terrorism, illegal abductions also became a routine of the day. A number of people suspected of having links with terrorist organizations were picked up by security agencies without a due process of law. They were neither trailed in the courts nor were any information about their whereabouts was given to their families. The families consulted the human rights organizations and launched protest rallies time to time in front of the Supreme Court of Pakistan asking the judiciary to take sue-motto action against such illegal abductions. The sue motto-action taken by the Supreme Court highlighted the issue. A continuous denial of the secret agencies of having custody of the missing persons not only frustrated the Court but also allowed the families of these people to gain sympathy in the society. The issue remained a hot topic in discussions on electronic media as well as print media. All this further added to the deep sense of dissatisfaction against the regime.

5: II Crises

As a result of endemic discontent, in the different segments of the society, a number of crises emerged which posed serious challenges to hold of the regime on political power of the state. These crises have been discussed under the following heads:

5: II (a) Baluch Uprising

Since its inception Pakistan had been facing problems of nation building. As it was argued earlier, that over centralization of the state caused a deep sense of deprivation among the local identities and helped centrifugal tendencies to evolve in those federating units which have minimum share in the state's bureaucracy and military. One such case was that of Baluchistan. Baluchis developed a centrifugal tendency over the years since they acceded to Pakistan. One Unit plan, the operation in 1970's, in which about five thousand (5,000) civilians and three thousand (3000) army personnel lost their lives, exploration of natural gas and other minerals and center's denial of giving demanded royalty of these natural resources, poverty, illiteracy and underdevelopment were the factors that strengthened this tendency. Natural gas was explored in early 1950's and it was transported to other provinces while the capital of Baluchistan, Quetta, was deprived of it till mid 1980's, while other cities of Baluchistan got access to this resource even later. It caused resentment among *Baluchis* which time to time was manifested in the form of violent struggle and blowing up of gas pipe lines.

During Musharraf era Baluch uprising saw another violent spell. The main factors responsible for this uprising were the issue of settlers, Dr Shazia Khalid's rape, expansion in military garrisons and assassination of Akbar Bugti. All these factors and their subsequent implications are discussed, briefly, in the following paragraphs.

When the construction of Gawadar port project started, the government announced and encouraged investors from other provinces to purchase land in the

area. General Musharraf's decision to open Gawadar for the settlers, in majority, from Punjab, diverted the new Baloch resistance against Punjabis in the province who were accused of planning to colonize Baluchistan.²³ Continuous advertisements on media showing Gawadar as a new area of opportunities motivated the business classes of other provinces especially Punjab to invest in the real-estate. The labor force employed for the development of this area was also largely deployed from other provinces with a dominant majority of Punjabis. All major contracts were awarded to construction companies based in Lahore and Karachi. Along with settling labor force in Gawadar and its surrounding lands were also allotted to ex-military servicemen. This alarmed the Baluchi nationalists. They perceived it as an attempt to change the demography of Baluchistan. Similarly mega projects like Sandik Copper Project, Makran Coastal Highway and Mirani Dam were also perceived to be attempts to settle non-Baluchis in Baluchistan, thus favoring the demographic equilibrium against Baluch population.²⁴ According to an estimate around 2.5 million outsiders were inducted in various projects and settled in Baluchistan. The number reached to 5 million according to Hamza and Ijaz. While addressing the ethnic issues during Musharraf regime they argued that there existed a huge gulf between the government and Baluch nationalists. The Baluchis blamed the government for depriving the local Baluchis of the fruits of development and attempting to change the demographic realities of Baluchistan. While the government claimed that struggle in Baluchistan

²³ Farzana Shaikh, *Making Sense of Pakistan*, New York: Colombia University Press, 2009, p. 56.

²⁴ Muhammad Ijaz, Muhammad Amir Hamza, "Ethnic Nationalism in Baluchistan: A Case Study of Baloch Nationalism during Musharraf Regime" [article-online] retrieved from <http://pu.edu.pk/images/journal/studies/PDF-FILES/Artical%20-%204.pdf>

was between the modernism, backed by army, and traditional exploitative tribal-cum-feudal structures. These contradictory stances of both never allowed the two parties to come to a consensual resolution. The grievances against the central government kept on mounting during Musharraf regime.²⁵ In the wake of this growing tension the central government lost some of its very close allies in Baluchistan. The most prominent among them was Nawab Akbar Bugti.²⁶

Along with development of mega projects in Baluchistan, the Military Regime increased its troops in Baluchistan for the security of these projects. The willingness of the central government to construct three garrisons at Sui, Gawadar, and Kohlu added further fuel to the fire. *Baluchis* had grown a deep sense of hatred against the military and Frontier Corp as they believed them to be the tools of oppression in the hands of the center or Punjabi dominated establishment.

Hamza and Ijaz noted that the election 2002 and its aftermath also greatly contributed to the frustration in Baluch society. During elections the Military Regime allowed religious parties to dominate in the province while sidelining the nationalist parties like Baluch National Party (BNP) and Jamhoori Watan Party (JWP).²⁷ Buhutto in her '*Reconciliation: Islam, Democracy and West*' alleged that Musharraf Regime's covert support for religious parties was aimed at showing the West that he was the

²⁵ *Ibid.*

²⁶ Nawab Akbar Bugti had an image of pro-establishment Sardar in Baluchistan. During 1970's when operation in Baluchistan was launched against the nationalists, called by the center as secessionists, he was the governor of Baluchistan at that time and the Baluch uprising was suppressed at his behest. It was during Musharraf era that he parted away from the establishment and joined hands with Baluch nationalist movement.

²⁷ Muhammad Ijaz, Muhammad Amir Hamza, "Ethnic Nationalism in Baluchistan: A Case Study of Baloch Nationalism during Musharraf Regime" retrieved from <http://www.fpc.state.gov/documents/organization/29970.pdf>

only hurdle between the extremist Pakistani society and Western interests in the region.²⁸ This strategy, although worked for Musharraf to gain legitimacy at international level but it had very negative repercussions at domestic level, especially in Baluchistan. Alienation from the mainstream politics further added to frustration of the Baluch nationalists.

Although, seeds of dissatisfaction grown over the years due to the exploitative policies of the central government, yet the real crisis started with a tragic incident of sexual assault against Doctor Shazia Khalid. She was raped by a military officer in the area of Bugti tribe near Sui. According to Baluch traditions it was insult of the whole tribe. When the government tried to safeguard the culprit, *Baluchis* took arms and started a violent struggle against the armed forces. Government installations were targeted and gas pipeline was attacked and exploded near Sui. Nawab Akbar Bugti claimed that violence against state had nothing to do with Baluch nationalism or their years old demands of gas royalty rather it was the resentment against rape of an innocent female doctor. The Military Regime retaliated and an operation was launched against Bugti tribe. In this operation Nawab Akbar Bugti was killed along with his thirty five (35) comrades in the month of August 2006.²⁹

Assassination of Nawb Akbar Bugti outraged *Baluchis*. Nationalist feeling and hatred against the center further strengthened. Baluch Liberation Front (BLF) and Baluch Liberation Army (BLA) stroke back heavily against the military. Rockets

²⁸ Benazir Bhutto, *Reconciliation: Islam, Democracy, and the West*, London: Simon & Schuster UK Ltd., 2008, p. 214.

²⁹ Muhammad Ijaz, Muhammad Amir Hamza, "Ethnic Nationalism in Baluchistan: A Case Study of Baloch Nationalism during Musharraf Regime", retrieved from <http://www.fpc.state.gov/documents/organization/29970.pdf>

were fired on the gas pipelines, protests and strikes were observed throughout Baluchistan and heavy exchange of fire took place against the armed forces. In the wake of this crisis during 2006, a number of *Baluchi* students, doctors, teachers, tribal leaders and party workers were illegally abducted by the secret agencies. A number of them remained disappeared for months and years while many died due to torture in the custody of these agencies.³⁰ A huge displacement also occurred in the wake of this operation. According to a report about 90% of population of Dera Bugti fled to other districts in the wake of operation against Bugti tribe. A total of about two hundred thousand displacements occurred during 2006.³¹ All this strengthened the centrifugal tendency in Baluchistan.

Baluch uprising and its mishandling weakened the control of Military Regime on power. Anti regime sentiments flourished in other parts of Pakistan. Opposition political leadership alleged Musharraf regime of repeating the blunder of 1971. Some of the Baluch nationalist leaders were able to lobby internationally and diverted the attention of international humanitarian organizations towards human rights violations in Baluchistan. The regime started not only loosing its legitimacy at domestic level but also at international level. It consequently compelled the Military Regime to think about viable options of transition to democracy.

S: II (b) Judicial Crises

As the Military Regime was loosing control on power due to large scale dissatisfaction against its policies in the mass population, it did another blunder that

³⁰ http://www.balochwarna.org/modules/mastop_publish/?tac=Balochistan-Cruches Of History

³¹ [www.internal-displacement.org/6CEF209F30020F37C1257203004E6189/\\$file/Pakistan](http://www.internal-displacement.org/6CEF209F30020F37C1257203004E6189/$file/Pakistan)

allowed the endemic discontent to translate in the form of an anti-Regime movement. In March 2007 general Musharraf sacked the Chief Justice of Pakistan. The later was called by General Musharraf and he was asked to resign. The refusal of Chief Justice to resign ultimately infuriated the President. A charge sheet was issued against him. He was made dysfunctional. A supreme judicial council was formed and he was asked to defend charges levied against him by the government in Supreme Judicial Council. The charges levied against Chief Justice Iftekhar Choudry included his use of influence in the admission, in medical college, and promotion of his son Arslan Choudry to different positions, misuse of his authority as Chief Justice, bypassing rules and regulations, use of protocol above his entitlement, and biased judgements.³²

According to Justice (retired) Wajeeh Uddin Ahmad the plot against Chief Justice Iftekhar Choudry was pre-planned. He said in an interview that when Iftikhar Choudry was in meeting with General Musharraf and ISI chief in GHQ, at the same time a new Chief Justice, Javed Iqbal was taking oath in Supreme Court. The two most senior judges of the Supreme Court and the two most senior chief justices of the high courts were also there to form Supreme Judicial Council. The Military Regime had preemptively perceived the refusal of Iftekhar Choudry and planned to fire him any way.³³

Why General Musharraf wanted to fire the Chief Justice? The answer to this question became very obvious. The leaders of the lawyers movement who struggled for the restoration of Iftikhar Choudry as Chief Justice of Supreme Court successfully

³² Charge sheet published in the daily *Dawn*, March 9, 2007.

³³ Wajeeh Uddin Ahmad, Interview at his residence in Karachi.

convinced the urban middle classes, members of civil society and students that the Regime fired Chief Justice because he had become a hurdle in the privatization of Pakistan Steel Mills, Re-election of General Musharraf as President from the assemblies which were going to complete their tenure and taking sue motto action for the release of missing persons, who were illegally abducted by the secret agencies from Baluchistan and Sind and majority of whom were innocent.

In a society like Pakistan where most of the people had been waiting for a *Messiah* to come and minimize their miseries, in a society with inherent authoritarian culture and submission to power, Iftekhar Choudry emerged as a heroic figure. It was enough for the exploited majority to idealize him and support him that he saw in the eyes of a dictator and refused him what he wanted from him. The *Nahi* (refusal) of Choudry was believed to be a miraculous act. A popular movement started. Lawyers were at the forefront of this movement. When Iftekhar Choudry decided to address Lahore Bar and traveled to Lahore by road thousands of people gathered on both sides of the road from Islamabad to Lahore and a journey of just three hours prolonged to a journey of almost three days. The protests through out the country almost paralyzed it.³⁴

When Choudry and the leaders of Lawyers' Movement decided to visit Karachi, the biggest city of Pakistan, the regime's ally Muttihda Qoumi Movement (MQM) decided to restrict him from doing so. Choudry was not allowed to come out of the Karachi airport and in a violent struggle between the supporters of Iftekhar

³⁴ *New York Times*, May 17, 2007 accessed online from <http://www.nytimes.com/2007/world/asia/17pakistan.html?ex=1337054400&en=1fda5afe7834a846&ei=5124&partner=permalink&expored=permalink>

Choudry and workers of MQM more than fifty (50) people lost their lives. Law enforcing agencies did not intervene and saw the violence as bystanders. Choudry was insulted at airport by the security agencies. All this was telecasted on television channels which further enraged the people against the Military Regime. Continuous protests and strikes became routine of the day throughout the case proceedings. According to founding member of Human Rights commission of Pakistan, Asma Jehangir the whole Pakistani nation was outraged on what they believe to be violation of their civil rights. A general perception that evolved due to this act of the regime was that if Chief Justice of the apex court in Pakistan could be humiliated and dragged in the streets in this manner, nobody would be safe in this country until this repressive regime would continue to run the government machinery.³⁵

Mass media also played vital role in intensifying the anti-Regime sentiments. Eight years old discontent that intensified over the period of Military Regime, manifested in the wake of judicial crisis. The Military Regime was loosing its grip on power. It was the first national level protest launched against it with this huge intensity. All the conservative, moderate and progressive segments of society joined hands together for the reinstatement of Iftekhar Choudry as Chief Justice of Supreme Court. According to leader of Pakistan Muslim League (N) the movement for the reinstatement of Chief Justice had united people of all the four provinces of Pakistan.³⁶ The opposition political parties also exploited this opportunity of rebuilding their contacts with the mass population. In the wake of all this, larger

³⁵ *Daily Times*, 19 March 2007.

³⁶ *Daily Dawn*, May 8, 2007.

bench of Supreme Court decided in favor of Iftekhar Choudry and he was reinstated as Chief Justice on 20th of July 2007.

5: II (c) Challenge of Red Mosque

Judicial crisis was still alive when another crisis appeared and challenged the eroding legitimacy of the regime in the month of July 2007. Red Mosque (*Lal Masjid*) located in Islamabad near ISI headquarters was the center of recruiting *Jihadis* in Afghan War during late 1970's and throughout 1980's. The *imam* (leader) of Red Mosque, Maulana Abdullah was a close ally of the military. After his assassination his two sons, Maulana Abdul Aziz and Abdul Rasheed Ghazi took charge of it. The two brothers were also among the fair hair boys of the military and secret agencies. Their sentimental sermons helped the secret agencies to recruit mercenaries to fight in Afghanistan and Kashmir. They had close links with Taliban Regime in Afghanistan and AL-Qaeda.³⁷ The patronization by the state allowed them to extend premises of Red Mosque by capturing the state land in the surroundings. In the post 9/11 scenario when Military Regime took a u-turn on Afghan policy and became a frontline state in war against terrorism, it shocked the two brothers. They criticized the policy shift and anti Musharraf sermons characterized their Friday addresses.³⁸

In the mid of 2007, the students of Red Mosque started a campaign against CD shops, massage centers and beauty parlors. The owners of CD shops were given ultimatum to end this un-Islamic business and later their shops were attacked and CD's were burnt. The female students of Red Mosque attacked a brothel and took

³⁷James P. Farwell, *Pakistan...* op. cit., pp. 110-116.

³⁸Tariq Ali, *The Duel: Pakistan on the Flightpath of American Power*, New York: Simon & Schuster, 2008, pp. 52-55.

Aunty Shamim in hostage, who was alleged of supplying prostitutes. A Chinese Massage Center was also attacked and some Chinese female workers were also abducted. The President of China took a severe notice of it and personally called General Musharraf for the release of Chinese citizens. After a round of negotiations the Chinese female workers were released. A few days later the female students of Jami'a Hafsa, female branch of Red Mosque Madrassah, entered in the nearby children library and took charge of it. All these developments, and reports of the secret agencies that said religious seminary was being used for terrorist activities, led to launching of an operation against it. After failure of some initial rounds of negotiations with the two brothers, Addul Aziz and Rasheed Ghazi, the government decided to vacate the premise by using military force. An operation was launched, armed forces along with anti-terrorist squad of police entered in the Mosque. Rasheed Ghazi and his comrades resisted but a number of them were killed in room to room fighting, including Rasheed Ghazi. The operation was successfully concluded.

Although the crisis of Red Mosque was a short episode but it eroded credibility of the regime further. Farwell noted that the Military Regime's strategic communication failed in gaining support for this operation in the mass population. Although General Musharraf alleged that there were foreigners in the Red Mosque in order to legitimize yet the allegation came too late, when the whole theater was over. While mass media channels allowed the two brothers to gain sympathies by telecasting their interviews.³⁹

³⁹ *Ibid.*

In a similar vein historian Ayesha Jalal argued that the failure of General Musharraf in giving a strong message about behavior of the people inside Red Mosque and role of media in inciting emotions led to this crises and so many deaths, which could be resolved in a more appropriate and peaceful way. She further argued that General Musharraf's confrontation with judiciary hurt him politically while his failure of strategic communication in the crisis of Red Mosque reduced his credibility in common masses.⁴⁰

The role of media, before and after the operation, was also responsible for the failure of this strategic communication. For months since the occupation by Jamia Hafsa, students of the Public Library, most of media had severely criticized the government and the army for failure in getting the premise vacated. But after the operation, the wave of media sympathy seemed to have turned in favor of those who had challenged writ of the state. Most of the TV programs and newspaper comments projected the operation as an excess on "innocent occupants of the Red Mosque." Part of the blame also lies with the public diplomacy on the part of the government and the military. The government was unable to rally public support for military operation against the Red Mosque prior to the full-scale use of military might in the heart of the capital. The government—or more precisely Musharraf—was too bogged down in political controversies after sacking the Chief Justice, Iftikhar Mohammad Chaudhry in March that year. Not only did the government fail in convincing the population of the country on the inevitability of the operation, it also failed in being culturally

⁴⁰ *Ibid.* p. 114.

sensitive to the presence of women inside the compound of *Lal Masjid* when the operation began. It was only after a couple of days of fighting that the female students of *Jamia Hafsa* were evacuated, but there still were reports about the death of female students inside the compound, which were neatly overplayed by the right-wing religious organizations and sympathizers of the extremists.

Maulana Fazal Ullah in Sawat grabbed the opportunity and declared *Jihad* (Holy War) against United States of America and its allies. He propagated that Red Mosque operation was launched on the behest of United States of America in which hundreds of pious Muslims were martyred. *Shaheen* Force of Maulana Fazal Ullah occupied schools, government offices and hospitals. Explosions in girls' schools, music shops and suicide attacks on law enforcing agencies increased to a greater extent.⁴¹ Sawat insurgency further added to the problems of the Military Regime which was already engaged in fighting terrorists in Waziristan and nationalists in Baluchistan. Along with Sawat in other parts of the country too a new wave of terrorism started in which number of causalities and injured were almost twofold to threefold as compared to 2006. Law and order situation further deteriorated and legitimacy of the regime further eroded.

5: II (d) Second Emergency and Deepening of Crisis

The reinstatement of Iftekhar Choudry did not resolve the crises as President Musharraf's decision to become President for the next term, with the vote of outgoing assemblies, was challenged in the Supreme Court of Pakistan. It was challenged on three grounds. Firstly being a Chief of Army Staff he could not contest election for

⁴¹ Irfan Hussain, "Turmoil in Sawat", *Dawn*, September 21, 2007.

Presidency as it would be violation of the constitution of Pakistan. Secondly, running third time for the presidency was again unconstitutional. Thirdly, an outgoing assembly could not elect president for the upcoming term. Supreme Court declared the appeal maintainable and constituted a Bench for its hearing. Justice Iftekhar Choudry did not become a part of this bench to ensure impartiality of the forthcoming judgment on the appeal. After routine hearings and listening to the arguments of both plaintiffs and defendants the court, on October 5, 2007, allowed holding of the election on scheduled date with the condition that the results would only be declared after the detailed judgment of Supreme Court.

On the very next day Presidential Elections were held and General Musharraf won the election. He got about 57% of the total possible votes. The members of Pakistan Peoples Party abstained themselves from the election while most members of Mutihda Majlis e Amal (MMA) resigned. Expecting that Supreme Court might declare results of the Presidential Election as null and void General Musharraf declared emergency on November 3, 2007. As a result the Judges of the Supreme Court and High Courts had to take another oath under PCO. The refusal of seven of the seventeen judges of Supreme Court along with Justice Iftekhar Choudry and a number of Judges of the four High Courts led to their dismissal. The crises intensified. All opposition political parties including Pakistan Peoples Party, Mutahida Majlis e Amal, Pakistan Muslim League (N) and Pakistan Tehreek e Insaf severely criticized the promulgation of emergency and sacking of apex court judges. The Regime responded coercively. Thousands of political parties' workers were arrested. Political leaders, human right activists and lawyers were also arrested while putting a few

under house arrest.⁴² The opposition parties protested and demanded for lifting the emergency. Private television channels were blocked to telecast. The leader of Pakistan Peoples Party, Benazir Bhutto, gave a deadline to the Regime for lifting emergency before 15th of November otherwise she would lead a 220 mile long march from Lahore to Islamabad. She was put under house arrest in order to devoid her of leading the long March. Along with domestic pressure at international level too the Regime was pressurized to lift emergency. US Secretary of State Condoleezza Rice in a statement said that United States would review its aid package to Pakistan because of the imposition of emergency.⁴³ US Deputy secretary of State John Negroponte visited Pakistan and communicated the concerns of United States of America on the imposition of emergency. Before leaving for United States he talked to media and criticized the oppression against the protestors and workers of political parties. In a news conference at American Embassy in Islamabad he asked the Military Regime to lift emergency and ensure a free and fair elections.⁴⁴ After taking favorable decision from Supreme Court about his win, in the Presidential election, under huge, internal and external, pressures General Musharraf lifted emergency on December 15, 2007.

5: II (e) Assassination of Benazir Bhutto and Civil Strife

When the Musharraf government was passing through its last dictatorial somersault and battling to extend eight year rule but could not face backlash of diehard media, reviving political process and questioning civil society, it reposed its hopes in a dialogue with the leadership of mainstream political parties to ensure a

⁴²The daily *Dawn*, November 4, 2007.

⁴³*Ibid.*

⁴⁴The daily *Dawn*, November 18, 2007.

peaceful transition to democracy. This dialogue paved a way for self exiled political leadership abroad to come back. The chairperson of Pakistan People's Party Benazir Bhutto arrived Pakistan in October 2007 and received a massive and tumultuous welcome. There seemed unprecedented excitement among political workers of Pakistan People's Party and a nationwide schedule was charted out to run an election campaign for the forthcoming elections.⁴⁵ The presence of a popular and charismatic leader stirred a new enthusiasm among masses. Amidst terror threats and suicidal attacks people started coming in throngs in the political processions of Pakistan People's Party.

On 18th October 2007 Benazir Bhutto landed in Karachi and the procession of Pakistan Peoples Party was heading towards tomb of Quaid e Azam when suddenly streetlights were switched off followed by a suicide attack and firing on the bulletproof truck of the Benazir Bhutto. This tragic incident caused a loss of 185 Peoples Party workers and many injured. Mark Seigal, while writing the epilogue of Benazir Bhutto, noted that surprisingly the forensic evidence from the place of incident were washed away within short span of time by the police authorities.⁴⁶ The observation of the Seigal referred to involvement of some inside the regime elements behind this incident. Benazir Bhutto later wrote a letter to General Musharraf and alleged Chief Minister Sind, General (Retired) Hameed Gul, and Director General (DG) Investigation Bureau (IB) Ijaz Shah for plotting assassination attempt against

⁴⁵The daily *Dawn*, October 19, 2007.

⁴⁶Benazir Bhutto's *Daughter of Destiny: An Autobiography*, HarperCollins e-Books, pp. 432-435.

her.⁴⁷ This incident ultimately strengthened anti-Musharraf sentiments among the mass population.

On 27th December 2007, there was a political rally of Pakistan People's Party in Liaquat National Bagh Rawalpindi. Benazir Bhutto addressed to jubilant and shouting party workers. There were thousands of people who cheered their leader with dances, slogans, clapping and tweets. When the address of the chairperson was over and she was on exit from the ground, she was shot down while waving hands to party workers followed by a suicide explosion. Benazir Bhutto was having her head outside from a sunroof car to answer the cheerful people and one shot severely wounded her in head. Twenty four other people died in this tragic incident. This news spread like jungle fire and the nation was taken aback amidst despair, gloom and sulkiness. This time again, surprisingly, the forensic evidences were instantly wiped away from the spot. Benazir Bhutto had time and again vehemently asked for foolproof security but the then government failed to arrange required security for her. This made the acts of Musharraf government dubious and mysterious.⁴⁸

The assassination of Benazir Bhutto caused multiple and detrimental implications. It ignited riots and protests at large scale especially in Sindh. There were lootings, government property was set on fire and infrastructure was destroyed. In first three days the law enforcing agencies were completely unable to bring the situation under control. There was mounting hatred in Sindh against federation for

⁴⁷ James P. Farwell, *The Pakistan Cauldron: ...*, *Op.cit.*, pp. 214-222.
⁴⁸ *Ibid.*, pp. 221-222.

harboring anti Sindh actions.⁴⁹ There was a deep sense of national disintegration and a menace of larger civil disobedience hovered over Pakistan. Musharraf ordered a crack down on rioters and looters to ensure safety and security. The government keeping in mind ever increasing repercussions of this assassination announced postponement of the elections. Some of the political circles even asked for boycott of the elections. The leadership of Pakistan People's Party decided to contest. Although elections were delayed till 18th of February 2008, yet it had become very difficult for the regime, now, to further delay the transition to democracy due to mounting international pressure and internal loss of legitimacy.

⁴⁹ The daily *Dawn*, December 30, 2007.

Chapter 6: Pakistan's Third Transition to Democracy

Pakistan's history is witness to the fact that in all cases of military take over, though Military Regimes initially were able to consolidate, yet with the passage of time growing discontent, desire for change and gradual erosion of legitimacy pose serious threat to not only the regime but also to the institutional interests of the military. International allies of the regime also feel it difficult to support an unpopular regime at home. Thus combination of internal and external pressures compels the regime to transfer power to civilian leadership.

After passing through a relatively stable period of its rule till 2005, Military Regime was challenged by more organized opposition at home. A sudden rise in terrorist activities throughout Pakistan, a more vibrant secessionist struggle in Baluchistan, and a gradual decrease in international support for the regime weakened the control of regime on power. The judicial crises, operation against Red Mosque and imposition of emergency further eroded credibility of the regime. The political crisis reached to an extent that the regime was left with no option than to transfer power to civilian leadership. As a result of February, 2008, elections the opposition political parties formed government. General Musharraf, who had already resigned as Chief of Army Staff prior to elections, was forced to resign from presidency, through 18th constitutional amendment the constitutional tampering was corrected and 1973 constitution was fully revised. The newly elected democratic government faced a number of challenges. It inherited judicial crisis, energy shortage and poor economy. This chapter addresses Pakistan's move towards transition to democracy. This was the

third transition to democracy in the history of Pakistan. It was unique in a sense that for the first time a transition to democracy occurred through trans-placement. After rounds of negotiations with the leader of Pakistan Peoples Party, Benazir Bhutto, a formula for the transition was agreed upon between the two, the Military Regime and Benazir Bhutto. The first part of this chapter discusses how and under what conditions negotiations were carried out? The second part discusses outcome of these negotiations. Third part discusses the elections as a mechanism of transition and fourth part explores post election challenges for the newly elected democratic government.

6: I Quest for Negotiated Transition

After signing Charter of Democracy, the two mainstream political parties, Pakistan Peoples Party and Pakistan Muslim League (N), had buried their previous rivalries and joined hands with each other for the restoration of democracy in Pakistan. The main challenge before the two parties was that leaders of both parties were in exile. The first option was to launch a movement against the Military Regime in Pakistan and compel the General Musharraf through a series of strikes, processions and long marches to surrender and transfer power to the civilian leadership. The second option was to look for a negotiated formula of transition to democracy with the Military Regime. In absence of crowd pulling leaders of the two parties the first option was dropped. A negotiated transition, trans-placement, seemed the only viable option. The main challenge here was how to compel the Military Regime to go for a negotiated settlement and surrender power to the political forces through a fair and free electoral process. The Military Regime was facing a number of challenges at

domestic level. Growing discontent due to rising poverty, poor law and order situation, foreign policy shifts, rising unemployment, price hike and shortage of food items, had eroded legitimacy of the regime to a greater extent. With the passage of time the Military Regime was becoming more unpopular. Well aware of these domestic pressures the leader of Pakistan Peoples Party Benazir Bhutto decided to couple them with international pressure to bring the Military Regime on a negotiation table. She had been lobbying for the restoration of democracy in Pakistan since long, but now she accelerated her efforts. In her book *Reconciliation: Islam Democracy and the West*, she wrote that throughout this period she lobbied for the restoration of democracy in Pakistan by meetings with policy makers, politicians and influential elites. She admitted that the task was difficult as General Musharraf was a frontline ally of West in the war against terrorism but she carried on her efforts.¹ It seemed that being an intelligent politician she knew that enough ground was there to prove that the Military Regime had lost its credibility at home, and an unpopular regime could not be relied to successfully carry on war against terrorism. She did it successfully. External pressure on General Musharraf gradually mounted and he called Benazir Bhutto in August 2006 showing his willingness for a negotiated formula of power sharing.² The call from General Musharraf served as an ice breaker. As a first step towards confidence building General Musharraf sought the support of Peoples Party's parliamentarians in a bill relating to women rights on the floor of assembly. Benazir Bhutto agreed. After passage of the bill a major breakthrough was achieved when a

¹ Benazir Bhutto, *Reconciliation:..., op.cit.*, pp.224-226.

² *Ibid.*

meeting between General Musharraf and Benazir Bhutto was planned in United Arab Emirates.³

Condoleezza Rice in her memoirs *No Higher Honor* referred to the role of United States in bringing the two, General Musharraf and Benazir Bhutto, on negotiation table. She stated that it was General Musharraf who approached the US authorities and asked for their favor to start a negotiation process with Benazir Bhutto due to serious challenges posed to his regime by the conservatives and extremists. United States, being aware of the fact that a success in this matter would ultimately lead to tilt of equilibrium in favor of moderate forces in Pakistan, assigned the task, of bridging the gulf between the two, to Richard Boucher, the assistant secretary for South and Central Asian affairs. Richard Boucher successfully mediated between the two and brought them to have a face to face meeting in United Arab Emirates.⁴ Mark Seigel in an interview with James P. Farwell admitted that United States of America facilitated the negotiations between Benazir Bhutto and General Musharraf, through Richard Boucher, when it was felt in United States of America that General Musharraf was losing credibility in Pakistan and the Military Regime was stumbling.⁵

The first meeting between General Musharraf and Benazir Bhutto took place in Abu Dhabi at Sheik Zayed bin Sultan's palace. In this long one to one meeting Benazir Bhutto placed the following demands before General Musharraf:

1. To shed uniform in the earliest.

³ *Ibid.*

⁴ Condoleezza Rice, *No Higher Honor*, New York: Crown Publishers, 2011., pp 383-386.

⁵ James P. Farwell, *The Pakistan Cauldron*:..., *op.cit.*, p. 105.

2. To conduct free, fair and transparent elections allowing international agencies to monitor the process.
3. To establish a new and impartial Election Commission and devise procedures to ensure free voting and accurate counting.
4. All political parties should be given an equal opportunity to participate in the elections.
5. To remove the specific clause from the constitution that impose ban on running for third time as Prime Minister.
6. To drop charges against all politicians belonging to opposition parties during his regime and were not proved yet.

According to Benazir Bhutto General Musharraf response to all these demands was positive.⁶ As a political bargain General Musharraf sought support of Pakistan Peoples Party on the following issue:

1. To leave the legality of Presidential election from the running assemblies to courts. He would not ask for the votes of Pakistan Peoples Party but PPP would not challenge the issue.
2. The issue of Presidential power to dissolve assemblies would be resolved later after reaching to an appropriate power sharing formula.⁷

There was not much evidence available as to what sort of institutional guarantees were sought by General Musharraf after transition to democracy. The first meeting ended with positive gestures. Before the second meeting in July 2007 there had been

⁶ Benazir Bhutto, Reconciliation:..., *op.cit.*, pp 226-227.
⁷ *Ibid*, pp. 227-228.

an ongoing process of negotiations, between General Musharraf and Benazir Bhutto, through United States' secretary of state Condoleezza Rice, as she wrote in her memoirs. The continued contacts resulted in the second meeting. General Musharraf was facing serious problems in Pakistan due to sacking of Chief Justice and Operation against Red Mosque. The Chief Justice was reinstated by the larger bench of Supreme Court. The second meeting revolved around the following issues:

1. General Musharraf wanted to reduce age of retirement of the judges of Supreme Court. He sought support of Pakistan Peoples Party in this respect.
2. General Musharraf refused to finish cases against parliamentarians as he promised earlier.

Benazir Bhutto refused the first arguing that it would lead to another confrontation among the state institutions. On the second point she gave him an alternative option of lifting ban from becoming a third time prime minister. General Musharraf agreed but no practical step was taken by the regime in this respect.⁸ Thus, amidst this environment of mutual distrust and willingness to chart out an appropriate formula for transition to democracy came again the international factor. Condoleezza Rice noted in her memoirs that both leaders were suspicious of each others' motives. She said that she remained in touch with both leaders to facilitate a power sharing formula. As a result of these phone call negotiations General Musharraf showed his willingness to take off uniform after presidential elections. Benazir Bhutto agreed only because United States of America guaranteed that General Musharraf would keep his promise. Consequently, Benazir Bhutto would be allowed to come back to Pakistan and

⁸ *Ibid*, pp. 228-230.

participate in the elections which were promised to be held in mid of January 2008.⁹

Finally, the agreement was declared on October 4, 2007, just two days before the presidential elections in the form of National Reconciliation Order.

6: II National Reconciliation Order (NRO)

General Musharraf on October 4 issued National Reconciliation Order which was approved by the federal cabinet on October 5, 2007. He gave his final assent on the same date and it was promulgated consequently. The draft of National Reconciliation Order was prepared after a series of negotiations between the team representing Pakistan Peoples Party and emissaries of the Military Regime. National Reconciliation Order addressed the following issues:¹⁰

6: II (a) Withdrawal of Politically Motivated Cases.

NRO established that all such cases of political victimization from 1st January 1986 to 12th of October 1999 would be reviewed by Federal Review Board or Provincial Review Board depending on the nature of the case. These Review Boards would analyze the whole record of a case and would recommend to the federal or provincial government to withdraw a case or otherwise. The Federal Review Board would consist of three members; a retired judge of Supreme Court as its head with Attorney General and Federal Law Secretary as its members. Similarly the Provincial Review Board would also be comprised of three members; a retired judge of High Court as its head along with other two members, one being Provincial Law Secretary and Advocate General or Prosecutor General.

⁹ Daily *The News*, 15 December 2011.

¹⁰ Original Text of NRO retrieved from
<http://www.pildat.org/publications/publication/elections/NROPaper.pdf>

6: II (b) Ensuring Transparency in Election.

In order to ensure transparency in elections and avoid manipulation of results NRO established that the returning officers would be bound to give a copy of results to all contesting candidates or their election agents present at the time of counting. It could ultimately minimize the post counting manipulation of results.

6: II (c) Limiting National Accountability Bureau's Role.

NRO restricted the role of National Accountability Bureau to a greater extent in cases related to the members of Federal or Provincial Legislatures. It established that Special Ethics Committee on Ethics would be formed in the federal as well as each of the provincial legislatures. Special Committee of the central legislature would consist of eight members each from Senate and National Assembly and a chairman. The chairman may belong to either of the two houses of the central legislature. This committee would be selected by the Chairman Senate and Speaker National Assembly on the recommendations of the leader of house and leader of opposition of their respective houses. The representation of members would be equal from both sides of the house; opposition and the government. Similarly, Special Committee of the Ethics in each Provincial Assembly would consist of eight members and a chairman selected by the speaker. Leader of the house and leader of the opposition would recommend the names of members with equal representation from both sides. National Accountability Bureau was bound to recommendation from these committees before arresting any members of federal or provincial legislature. The Chairman National Accountability Bureau was bound to place the entire evidence against any member of central or provincial legislature and only upon the recommendation of the Special

Committee on Ethics could go ahead with the case. This clause ultimately empowered parliament and reduced the chances of false cases initiated against any member of the parliament for political reason in future.

6: II (d) Termination of Longstanding Cases

NRO established that all those long standing cases, initiated by National Accountability Bureau in any court of the country or abroad from 1st of January 1986 to 12th of October 1999, in which decisions were pending, would be terminated. It also established that if in any case a judgment was given against a party or person in absentia it would not be acted upon and would stand terminated.

Promulgation of NRO opened the doors for Benazir Bhutto's arrival in Pakistan. The response to NRO remained varied. Whereas Pakistan Peoples Party was jubilant on the occasion, the then ruling party Pakistan Muslim League (Q) showed disappointment. According to a report published in daily Dawn a number of PML (Q) leaders showed their reservations on the deal between General Musharraf and Pakistan Peoples Party.¹¹ Uncertainty about future of PML (Q) in case General Musharraf reached to a power sharing formula with Pakistan Peoples Party alarmed the leadership of Pakistan Muslim League (Q).¹² The alliance of religious parties, Mutahida Majlis e Amal (MMA), was also critical to the ordinance. The response of main stream dailies to NRO was also mixed. A dominant segment of columnists in Urdu newspapers declared NRO as unjust and notorious ordinance.¹³ Among few exceptions Atahar Abbas stood out as a dominant figure who justified NRO as a

¹¹ Daily Dawn, October 5, 2007.

¹² Ibid.

¹³ As NRO was spelled as Notorious Reconciliation Ordinance by its critics.

document that ensured a peaceful transition to democracy in Pakistan.¹⁴ Rasul Bakhsh Rais argued that NRO was an attempt to co-opt Pakistan Peoples Party in the present Military Regime. He was skeptical of Peoples Party's commitment for democratization rather he argued that the only motivation behind this negotiated deal between the Military Regime and Pakistan Peoples Party was to enter in the power corridor, for Peoples Party, and, for Military Regime, to broaden the foundation of regimes power, which was limited only to the military as its primary constituency and Pakistan Muslim League (Q) as co-opted pro-regime elites. All this would further strengthen the military's hold on power reducing any chances for the true transition to democracy.¹⁵

Contrary to Rais, Tanvir Ahmad Khan, an ex-diplomat believed that the purpose of negotiating NRO was not only to get cases against the leadership of Pakistan Peoples Party terminated, rather only through this 'deal' Benazir Bhutto could revive her contacts with her party workers in Pakistan. It opened the avenue for her arrival in the country and run her election campaign. The future of Pakistan's transition to democratic polity depended largely on the results of upcoming election. He further argued that what had been negotiated between the Military Regime and Pakistan Peoples Party was not NRO but a power sharing formula which had not yet been disclosed.¹⁶ Abbas Rashid also argued that NRO was only a step towards upcoming transition to democracy. He noted that a negotiated settlement on issues

¹⁴ Daily Express, October 12, 2007, p.2.

¹⁵ Rasul Bakhsh Rais, The New Realignment, *Daily Times*, October 9, 2007.

¹⁶ Tanvir Ahmad Khan, "Bhutto's Rout to Power", *Daily Times*, October 5, 2007.

like Presidential power of dissolving Assemblies and lifting of ban from becoming a third time Prime Minister would decide the fate of transition in Pakistan.¹⁷

It seemed that NRO was the first step for confidence building measure between the Military Regime and leadership of Pakistan Peoples Party. As a result of this political bargain between the two, PPPP and General Musharraf, parliamentarians belonging to Pakistan Peoples Party did not resign from the assemblies giving legitimacy to the presidential election while the leader of Pakistan Peoples Party, Benazir Bhutto, got an opportunity to come back to Pakistan and run her party's election campaign.¹⁸ It seemed from the later developments that after arrival of Benazir Bhutto and government's careless attitude in providing her security resulted in a deadlock in these negotiations of charting out a power sharing formula. The response Benazir Bhutto received from the political workers of Peoples Party gave her strength. She became more vocal and offensive after watching widespread anti-Regime sentiments and vulnerability of the Military Regime against popular reaction, to imposition of emergency and sacking of the judges of Supreme Court. Imposition of second emergency¹⁹ further engulfed the distance between the two. Appeal against the validity of NRO was also taken up by the Supreme Court of Pakistan. In the wake of emergency when John Negro Ponte visited Pakistan he called Benazir Bhutto and discussed how mutual distrust between the two parties could be reduced to restart the derailed process of dialogue between the Military Regime and Pakistan Peoples Party. As the political cost of a dialogue with the Military Regime was too much for the

¹⁷ Abbas Rashid, "A Problematic Transition", *Daily Times*, October 6, 2007.

¹⁸ Benazir Bhutto, *Reconciliation:.... op.cit.*, p. 229.

¹⁹ First being the one imposed in October 1999.

credibility of Benazir Bhutto, therefore, her response to Negro Ponte was negative. She argued that the Military Regime had used negotiations to discredit the opposition without giving any real concessions.²⁰ Well aware of the stumbling Military Regime under external and internal pressures Benazir Bhutto was not ready to accept anything less than a complete democratic transition. A power sharing arrangement between the Military Regime and Peoples Party was no more an option for Benazir Bhutto. She stuck to the demands of lifting emergency, take off uniform, and hold free and fair elections under an independent Election Commission. Condoleezza Rice wrote in her memoirs that Benazir Bhutto backed away from any deal with General Musharraf after the imposition of emergency. Despite continuous persuasion from United States of America she stood firm on having no more negotiation with the Military Regime. With the arrival of Pakistan Muslim League (N) leader Nawaz Shareef the opposition against General Musharraf further strengthened. Rice pointed to another fact that with the passage of time General Musharraf lost his support in his primary constituency, the military.²¹ It seemed as political blunders of Musharraf had started giving an impression in the military that he was becoming a threat to the long term institutional interests of the military. Cracks in his primary support base, the military, pushed General Musharraf into more vulnerable position. He was playing on very weak cards now. Negotiations with Pakistan Peoples Party (PPP) alarmed Pakistan Muslim League (Q) about uncertainty of its future. On the other hand United States of America, after perceiving that Musharraf had started loosing support within

²⁰ Benazir Bhutto, *Reconciliation: ...*, op.cit., pp. 330-331.

²¹ Daily *The News*, December, 15, 2011.

military, was now reluctant to support him. Thus, General Musharraf was loosing support of all its internal and external allies. In the wake of all this, growing support for the sacked judges of superior courts, an expected anti-regime popular upsurge in the mass population and refusal of Benazir Bhutto to restart power sharing negotiations with General Musharraf compelled General Musharraf to take off his uniform, lift emergency and declare a final date for upcoming parliamentary elections in January 2008. Although Musharraf remained President for eight months after election but he had lost his war quite earlier. The credit that went to General Musharraf was that he remained flexible at this stage and accepted the popular demands of transition. A deadlock at such stage might result in a serious crisis and civil strife as it happened in 1971 in Pakistan, where delay in transition of power resulted in the collapse of the state. Musharraf's flexibility opened an avenue of peaceful transition to democracy.

On 27th of December, what was believed to be, so far, a peaceful transition became a bloody one with the assassination of leader of Pakistan Peoples Party Benazir Bhutto. With this tragic incident a wave of violence broke out throughout Pakistan, especially in Sind and Southern Punjab. Pakistan Muslim League (N) declared to boycott the elections but leadership of Pakistan Peoples Party convinced them to participate in the upcoming elections. Peoples Party gave strong message that it would not tolerate delay in elections. The President initially declared postponement of general elections for the time indefinite but later declared that election would be held on 18th of February 2008, with a delay of one month due to law and order situation. The decision of Peoples Party carried weight as boycott would give pro-

Musharraf Pakistan Muslim League (Q) a run over in the election minimizing any prospects of a peaceful transition to democracy in the near future. Peoples Party decided not to repeat its folly of boycotting elections in 1985 due to which it suffered a lot. The party leaders repeating the famous saying of their leader Benazir Bhutto "democracy is the best revenge" declared to participate in the elections and complete process of democratization initiated by their leader. Continuous requests of party's new Co-Chairman Asif Zardari, the husband of late Benazir Bhutto, finally pacified the emotions in Sind and Southern Punjab. Election campaign was started by all the mainstream political parties which were scheduled to be held on 18th of February 2008.

6: III Elections: Issues, Controversies and Contestants

With the announcement of date for upcoming parliamentary elections on 18th of February the election campaign of all political parties started with the exception of All Parties Democratic Movement (APDM), an alliance of right wing political parties, which decided to boycott election on the charges that the upcoming elections would be rigged in absence of an independent judiciary and Election Commission. APDM persuaded Pakistan Muslim League (N) to boycott the election but Pakistan Peoples Party convinced Nawaz Sharif to participate in the election. Withdrawal of Pakistan Muslim League (N) from the ranks of APDM weakened the alliance. In Baluchistan Jamhoori Watan Party (JWP), Pakhtun Khwah Milat Awami Party (PKMAP) and Baluchistan National Party Mengal (BNP-M) boycotted the elections. Pakistan Peoples Party started its election campaign a bit later. There seemed to be an informal electoral alliance between the two mainstream political parties PML (N) and PPPP.

Both parties remained focused on criticizing the performance of PML (Q) and General Musharraf during the past five years.

Another distinctive feature of this election was that the Lawyers Movement decided to put its candidates in the elections. It lacked the status of a political party and the only agenda before this movement was reinstatement of deposed judges. Later on this movement also declared to boycott elections and its candidates withdrew their papers as contestants. A number of lawyers who were members of political parties too preferred their affiliation with legal fraternity over their political parties. A leading example was that of E'tizaz Ahsan, a leading figure in Peoples Party who refused his party ticket because of the legal fraternity's decision to boycott the general elections.

All the major political parties had announced their manifestos after the declaration of upcoming parliamentary election. Manifesto of Pakistan Peoples Party was announced by Benazir Bhutto on 1st December 2007. The manifesto primarily focused on 5 E's, namely employment, education, environment, equality and energy. She declared reforms in all these sectors. Charter of Democracy was completely included in the manifesto. Despite this 5E's program the popular slogan of Peoples Party *roti, kapra and makan* (food, clothing and shelter) remained dominant during the PPPP's election Campaign. Lifting ban from students unions and promises to eradicate terrorism and extremism were made in the manifesto. Construction of small dams to overcome energy shortage, ensuring independence of judiciary and supremacy of constitution, empowerment of women and minorities, ensuring support for Kyoto Protocol on environment, revision of curriculum in defense institutions to inculcate respect for democracy and democratically elected representatives in the

armed forces of the country, were presented as a future course of action. In order to meet with the challenges of growing centrifugal tendency in the smaller provinces it promised to abolish the concurrent list, revision of NFC award, and revision of natural gas rates and royalty formula.²²

After the tragic incident of December, 27, 2007, Pakistan Peoples Party suspended its election campaign for few days. When it was resumed again the major slogans that dominated the political campaign were “democracy is the best revenge” and *roti, kapra and makan*. The confusion created by the regime in the post assassination scenario, debates on Banzir Bhutto’s letter in which she alleged leadership of PML (Q), Director Investigation Bureau and General Hameed Gul for planning her assassination, the Military Regime’s failure to provide her security, on one hand, strengthened anti-regime sentiments while on the other they increased sympathies for Pakistan Peoples Party. It was expected that environment had become favorable for Pakistan Peoples Party and it could win elections with huge majority. But the situation was not that much simple. Political workers of Pakistan Peoples Party largely owe their loyalties to Bhutto family since emergence of the party. The issue of Bhutto family’s legacy created confusion among the political workers of the party. Bilawal Bhutto Zardari was too young to take charge of the party and minimize this confusion. Asif Zardari, Co-Chairman of the Party, neither remained very much involved in the party’s affairs nor had his leadership qualities been tested before.

²² Text of Pakistan Peoples Party Manifesto retrieved from <http://www.defence.pk/forums/geopolitical-issues/8506-ppps-manifesto.html>

Rumors of break up in the party and propaganda against Zardari, who was called as Mr. Ten Percent by anti-PPP forces, to a larger extent effected the choice of voters.

Pakistan Muslim League (N) was the second mainstream political party that ruled Pakistan during the decade of 1990's for two terms. It remained the main target of political victimization during Musharraf Regime. Despite all efforts to eliminate it completely it was able to survive. Being in power twice during the decade of 1990's helped it create its vote bank in central Punjab and Hazara Division of North West Frontier Province (now Khyber Pakhtunkhwa). It had a pro-establishment posture during 19990's but after the coup of October 1999, it shifted its position and emerged as an anti-establishment party. This shift ultimately bridged the gulf between PML (N) and PPPP. The two parties signed Charter of Democracy and remained ally in their movement for the restoration of democracy in Pakistan.

On 18 December, 2007, Pakistan Muslim league (N) announced its seven point manifesto. The seven point manifesto RESTORE referred to "Restoration of Judiciary, democracy and constitution, Elimination of Military's role in politics, Security of life and property of the people, Tolerant and pluralistic society, Overall national reconciliation, Relief for the poor and Education and health for the citizens. A distinctive feature of this manifesto was that it promised to appoint independent commissions to probe into the causes of Kargil Adventure in 1999, to explore the causes of military coups and illegal removal of political governments, and

examination of politically motivated accountability. The manifesto also promised to make the military accountable to the representatives of the people.²³

The election campaign of Muslim League (N) remained focused on the promises of restoration of Judges. There occurred many ups and downs in its decision to participate in the upcoming elections. It negotiated with All Parties Democratic Movement (APDM) for the election boycott but was convinced by Benazir Bhutto to participate in the elections thus parting ways with APDM. After the assassination of Benazir Bhutto, it quickly announced to boycott the upcoming elections but again it was convinced by Peoples Party's leadership to reverse its decision of boycott.

Pakistan Muslim League (Q) was among the leading co-opted party by the Military Regime. Although it remained a majority party from 2002 to 2007, and formed government in alliance with other pro-regime political parties, yet General Musharraf and National Security Council remained the real holders of power. PML (Q) announced its manifesto on 10th of December 2007 in a press conference at PML house Lahore.

The manifesto of Pakistan Muslim League (Q) revolved around five D's; Democracy, Development, Devolution, Defense and Diversity. The party leaders in the press conference gave party slogan "live and let others live" and promised to evolve Pakistan into a tolerant society. The manifesto included a number of sayings of Quaid e Azam Muhammad Ali Jinnah, the founder of Pakistan. PML (Q) promised to celebrate a 'National Teachers Day' to pay tributes to the teachers as well as to extend the age of retirement to 65 years for teachers. Its proposed formation of a task force to

²³ Manifesto of PML (N) reported in daily *The News*, December 19, 2007.

analyze causes of extremism in the society. It also promised to establish a Skill Promotion Trust and provision of low cost housing. It proposed to improve image of Pakistan and end culture of nepotism and favoritism from the society.²⁴

The election campaign of PML (Q) was dominated with anti-PPP and PML (N) speeches as well as highlighting the performance of PML (Q) in Punjab in the previous period. PML (Q) depended heavily on strong candidature in its ranks in absence of a charismatic leadership. It was expected that it had to pay cost of incumbency of being in power during the previous five years term that concluded in severe crises situation.

Mutahida Majlis e Amal (MMA), the alliance of religious parties that lost its significance to a greater level due to in-fights and separation of some of its component parties like Jama't e Islami and Jamiat Ulmai' Islam (S), also announced its manifesto for the upcoming elections. It promised to end role of military and secret agencies in politics, restoration of 1973 constitution, balancing powers of president and prime minister, eliminating favoritism in appointing judges of superior courts and ensuring independence of judiciary, as well as putting an end to sectarian violence.²⁵

Along with these main stream parties other relatively smaller parties also came up with election manifestos. Awami National Party (ANP), a primarily N.W.F.P, (now Khyber Pakhtoonkhwa), based party, came up with promises of independent judiciary and media, and economic, social and political development. It promised to

²⁴ Manifesto of Pakistan Muslim League retrieved from its official website <http://www.pml.org.pk/details.aspx?id=8e07e3f0-94fc-41ab-ae63-b9bcb382ed4c&cha=1&cat=...>

²⁵ Daily Times, December 17, 2007

give the residents of N.W.F.P their identity by renaming it as Pakhtunkhwa and merger of Federally Administered Areas (FATA) into it.²⁶

Mutahida Qaumi Movement (MQM) the second largest party of Sind and primarily based in urban Sind announced its seventeen (17) point manifesto on 13 December. The prominent reforms promised by MQM were, provincial autonomy, establishment of an inter-provincial council for settling disputes among provinces, increase in budgetary allocation for education and health, abolishing the feudal system through land reforms, ensuring independence of judiciary and promoting industrialization.²⁷

Prior to elections the Military Regime was charged by different circles and political parties of planning to rig the upcoming elections. Whereas, All Parties Democratic Movement boycotted the elections on similar charges of rigging, Human Rights Watch a few days before the elections also claimed that it had intercepted calls of the Attorney General Malik Quyum talking about rigging plan in the upcoming elections. The biased care taker government, restrictions on media and sacked judiciary were the main reasons that led to this environment of suspicion in the upcoming general election.²⁸

A total of 7335 candidates from the platforms of different political parties as well as independent candidates contested for National Assembly and four provincial assemblies. Total seats to be contested in National Assembly were 272 while a total 577 seats were there for contestation in four provincial assemblies. Table (6.1) reflects

²⁶ Daily Dawn, December 16, 2007

²⁷ Daily Times, December 14, 2003

²⁸ D Suba Chandran, Rekha Chakravarthi, "Pakistan Elections 2008" in Institute of Peace and Conflict Studies, New Dehli, No. 59, February 2008.

the number of seats allotted to National Assembly and each of the Provincial Assemblies in the four provinces.

Allocation of National Assembly (General) Seats for Election 2008

	Sind	N.W.F.P	Baluchistan	Punjab
N.A	61	35	14	148
Provincial Assembly	130	99	51	297

Table: (6.1) Data collected from a report published in Daily times on 18 December 2007. A number of 12 seats were allotted to Federally Administered Areas (FATA).

The candidate to seat ratio for each general seat of National Assembly was approximately eight candidates for one seat, while this ratio remained 8 candidates for each provincial assembly seat in Punjab, 11 candidates for each provincial assembly seat in Sind, seven candidates for each provincial assembly seat in North West Frontier Province (now Khyber Pakhtunkhwa), and 10 candidates for each provincial assembly seat in Baluchistan. A total of forty six political parties were allotted symbols to contest the elections. In order to ensure transparency and avoid poll rigging 430,000 transparent ballot boxes were provided by USAID and a number of International organizations were allowed to visit polling stations and monitor the electoral process.

The two mainstream political parties Pakistan Muslim League (N) and Pakistan Peoples Party entered into an electoral alliance in the mid of December 2007.

According to a report published in the daily *Pakistan Observer* after a series of negotiations between the two parties they were able to make adjustment on twenty five National Assembly seats.²⁹ It seemed as the two parties did not want to miss this opportunity of transition to democracy by engaging in their mutual competition. They had a common foe before them and it was pertinent to support each other for the peaceful transition to democracy. Even after the assassination of Benazir Bhutto the understanding between the two parties carried through to the elections.

The general elections for National Assembly and four provincial assemblies were held on 18th of February 2008, after a delay one month due to assassination of Benazir Bhutto. Despite deteriorating law and order situation in the country the overall environment on the day of election remained peaceful and turnout was quite positive too. According to official sources the turnout was 44.6%, that was 2.7% higher than turnout in the general elections 2002. The results of the elections were a breakthrough in Pakistan's journey towards transition to democracy. Pakistan Peoples Party won highest number of seats while Pakistan Muslim League (N) followed by winning the second highest number of seats. The election results showed rejection of the Military Regime's policies since it captured power. The anti-regime trend was an outcome of government's stance on Afghan foreign policy, sacking of judiciary, poor law and order situation and rising disparities in the society.³⁰

On the polling day a number of foreign observer missions visited various polling stations and expressed their satisfaction on the electoral process. American

²⁹ Daily *Pakistan Observer*, December 19, 2007.

³⁰ *The New York Times*, February 28, 2008 retrieved from http://www.nytimes.com/2008/02/19/world/asia/19pstn.html?_r=1&ref=world&oref=slogin

senator John Kerry, British High Commissioner Robert Brinkley and observer missions of European Union visited various polling stations and expressed their satisfaction over the process.³¹ European Union Election Observation Mission stated in its preliminary statement that, although, the government remained partisan during the election campaign, favoring PML (Q), yet on the polling day voting was positive despite a few reports of irregularities.³²

The most important features of these elections were success of moderate forces, some big guns of PML (Q) lost their own constituencies like Sheikh Rasheed, Choudry Shuja't Hussain, Choudry Amir Hussain, Ijaz ul Haq, Khursheed Mehmood Qasoori, Umer Ayub Khan were among the most prominent ones. After the elections Pakistan Peoples Party and others received messages of congratulations from different corners of the world.

Pakistan Peoples Party won 120 National Assembly seats, Pakistan Muslim League (N) 90, Pakistan Muslim League (Q) 51, Mutahida Qaumi Movement 25, and Awami National Party won 13 National Assembly seats. In provincial assemblies Pakistan Muslim League (N) won highest number of 168 seats in Punjab while Pakistan Peoples Party and Pakistan Muslim League (Q) stood at second and third place with 106 and 86 seats respectively. In Sind Pakistan Peoples Party won 88 and Mutahida Qaumi Movement got 51 seats. In North West Frontier Province Awami

³¹ *Daily Times*, February 19, 2008.

³² EU Election Observation Mission, *Pakistan 2008 National and Provincial Assembly Elections – 18 February 2008*, retrieved from <http://www.eueompakistan.org/>

National Party led by winning 46 seats and Pakistan Peoples Party followed by 39. PML (Q) won 20 seats in Baluchistan followed by 11 seats of Pakistan Peoples Party and 7 seats of Baluchistan National Party (A).³³

6: IV. Post Transition Challenges

Election results greatly defined the mode of transition to democracy. Pro-Military Regime forces suffered a bitter defeat. Pakistan Peoples Party and Pakistan Muslim League (N) emerged as largest parties in National Assembly respectively but none of the two parties got enough majorities to form government on its own. It was evident that the future government would be a coalition government. Any deadlock in the formation of ruling coalition might result into deadlier consequences, as it might allow Musharraf to use article 58-2(b) and stop democratic transition. Although, President Musharraf had lost all his cards yet a report published in the New York Times referred to United States' willingness to bring the newly elected political parties and the President close and chart out a power sharing formula.³⁴ The direction of winds had changed as it would be irrational to loose political gains at home on the behest of United States of America. The political elites were now ready for a complete transition rather than devising a power sharing formula with the President. In order to achieve that end Pakistan Peoples Party and Pakistan Muslim League (N), who had developed some understanding during the election period, decided to carry on with their alliance for the formation of the government.

³³ Election Commission of Pakistan, <http://www.ecp.gov.pk/content/PResult.htm>

³⁴ *The New York Times*, February 22, 2008.

6: IV (a) Ruling Alliance: Formation and Termination

In order to negotiate future ruling alliance Pakistan Peoples Party started its contacts with Pakistan Muslim League (N) and Awami National Party. Separate meetings with the leaders of the two parties, Co-Chairman of Pakistan Peoples Party Asif Ali Zardari declared that a government of national consensus would be formed. In separate press conferences PML (N) leader Nawaz Shareef and ANP leader Asfandyar Wali Khan announced to join Pakistan Peoples Party led coalition in the center. As a result Pakistan Peoples Party would join PML (N) led coalition in Punjab Assembly and ANP led coalition in North West Frontier Province. Asfandyar Wali Khan declared that a consensus between ANP and PPPP had been reached upon on the following four issues:

- Provincial Autonomy
- Judicial Reforms
- War on Terror
- Sovereignty of the Parliament
- And Renaming of N.W.F.P as Pakhtunkhwa³⁵

On the very same day Nawaz Shareef and Asif Ali Zardari appeared in a press conference at Zardari's residence in Islamabad and declared that the two parties had also evolved a consensus on the following issue:

- Political future of General Musharraf

³⁵ *The News*, February 22, 2008

- Independence of Judiciary and reinstatement of judges of superior courts
- Implementation of Charter of Democracy³⁶

On March 9, 2008 Pakistan Peoples Party and Pakistan Muslim League (N) signed Murree Declaration. They agreed to form a coalition government in the center and Punjab, re-instatement of judges within thirty days of formation of the new government through a parliamentary resolution, to support the Pakistan Peoples Party's candidate for premiership, to support PPP candidates of Speaker and Deputy Speaker for national Assembly and PML (N) candidates for Punjab Assembly. They stressed to summon the sessions of National and Provincial Assemblies immediately.³⁷

On March 24 Yousaf Raza Gilani became the twenty-second Prime Minister of Pakistan. The ruling coalition of three major political parties PPPP, PML (N) and ANP formed the government. With this new ruling alliance's rise to power Prime Minister Gilani ordered to release the judges from house arrest and political workers who were imprisoned during the second emergency by the Military Regime. The optimism about reinstatement of deposed judges soon came to an end when the deadline for the restoration of judiciary, to pre-November 2007 status, passed without any action. Thus on May 12, 2008 PML (N) declared to leave the coalition and subsequently its ministers resigned from the federal cabinet, while coalition in Punjab Assembly continued between the two partners.

³⁶Daily Dawn, 22 February 22, 2008

³⁷ Original Text of Murree Declaration published in *The News* March 9, 2008

The reasons for the termination of ruling alliance between PML (N) and PPP were numerous. The first might be the position of two parties on the political landscape later being a center to left party while farmer center to right. Coalitions of parties with such positions are often short. Secondly, they had different interpretations of Charter of Democracy which proposed that no PCO judges would be allowed to work in the superior judiciary. PPP had a point that as Justice Iftekhar Choudry had once taken oath under PCO therefore restoring him would be a violation of the Charter of Democracy. The better option for the consolidation of democracy would be to leave the issue and chart out a plan for broader judicial reforms. For PML (N) Justice Choudry, though once a PCO judge, yet he stood in front of the Military Regime and for this heroic action deserved to be reinstated. Thirdly, grave economic challenges and coalition's failure to address them during the first few months after taking charge of the government alarmed PML (N). They felt that they had to pay the cost of poor performance in the government in the next polls if they remained a partner in this coalition, therefore, they preferred to part away. Fourthly, the two parties had a long history of rivalries. Hawkish elements in PML (N) convinced its leadership that PML (N) largely run its politics on anti-PPP sentiments. In case it carried on with this coalition it would loose its anti-PPP vote and the subsequent gap might be filled by PML (Q). Thus, a combination of all these factors led PML (N) to part away from the coalition.

6: IV (b) Impeachment Move against Musharraf

A series of negotiation again started between the leadership of two parties, PML (N) and PPPP, for bridging differences between the two parties and realign

again in the government. As a positive gesture Prime Minister Yousaf Raza Gilani declared that the vacant slots in the federal cabinet would not be filled until PML (N) would decide to rejoin the government. The intensive talks between the two parties led to some positive outcomes. The two leaders agreed to remove Musharraf from presidency for the completion of democratization process and to resolve issues related to judiciary later. On 9th of August 2008, the two parties declared to bring impeachment motion against President Musharraf. The coalition decided to pass resolutions against Musharraf in all the four provincial assemblies leading to presenting an impeachment motion against him in the Federal Parliament. On 11th August Punjab assembly passed such resolution with an overwhelming majority followed by provincial assemblies of N.W.F.P, Sind and Baluchistan in the following days.³⁸ Although these resolutions carried no constitutional weight yet they served as vote of no confidence against the President. Dejected and isolated President Musharraf appeared on television screens on 18th of August and announced his resignation. He had lost support of his primary constituency the military, his external ally United States of America and his political proxy PML (Q) was too weak to support him after defeat in general elections. He had no other option then to give a safe exit to presidency. With his resignation long running process of democratization completed.

6: IV (c) Escalation of Judicial Crisis

Soon after the resignation of President Musharraf, the differences between PPPP and PML (N) again started to widen up. The longstanding point of conflict

³⁸ *Daily Times*, August 13, 2008

again came to forefront as Nawaz Shareef demanded the reinstatement of judges immediately. Amidst this confrontation between the two parties Asif Ali Zardari won the presidential election and became 11th president of Pakistan on 6th September 2008.

After the resignation of Musharraf from presidency the government declared to reinstate judges gradually in different phases. As a first phase on 27th of August 2008, eight out of fifteen sacked judges in Sind High Court took oath and resumed their job. But this stepwise reinstatement was not acceptable for PML (N) and leaders of Lawyers Movement. Occasional strikes, protests and rallies demanding the reinstatement of deposed judges continuously levied pressure on the government. On 3rd of November 2008 the lawyers observed Black Day throughout the country. After suspension of few months Lawyers movement started again with great intensity. Members of civil society, doctors, students and human rights activists participated in the rallies of 3rd November.³⁹ The crises intensified, despite reinstatement of majority of judges. Lawyers, members of civil society and PML (N) stressed on the reinstatement of Iftekhar Choudry as Chief Justice. A deadlock in negotiations further intensified the situation. Pakistan Muslim League (N) declared a Long March to federal capital in the mid March if Iftekhar Choudry was not reinstated as Chief Justice. The government's response to protesters was repressive. A number of people were arrested in the urban centers of Punjab in the mid March.⁴⁰ The long march started from Lahore under the leadership of Nawaz Shareef but before it reached Islamabad the Prime Minister appeared on television screen in the mid night and

³⁹ *Daily Times*, November 4, 2008.

⁴⁰ <http://blogs.reuters.com/pakistan/2009/03/11/pakistans-long-march-in-the-streets-and-on-the-internet/>

announced reinstatement of Iftekhar Choudry as Chief Justice as Justice Dogar's tenure completed on the said day and he retired from his position. The argument that came up from the government was that it delayed the reinstatement of Iftekhar Choudry just to avoid constitutional complexities as any superior court could not have two Chief Justices at a time.

The responses on the reinstatement of Iftekhar Choudry varied to a greater extent. Some believed it to be a mere co-incidence that dates of long march and retirement of Abdul Hameed Dogar matched which resulted in the reinstatement of Iftekhar Choudry. While according to others it was part of a staged drama. One of the lawyer activist argued that real hurdle in the way of reinstatement of Iftekhar Choudry was the military institution not PPPP government. He had become a problem due to his stance on the issue of missing persons. The message was conveyed to PML (N) and with mutual understanding Long March was announced by a party that was still leading coalition in Punjab with PPPP. The only purpose was to make the military realize that if the deposed Justice was not reinstated it might lead to collapse of the state. Thus the timing of Long March on one hand saved government of indulging into constitutional complexities while on the other hand the pressure built compelled the military to surrender on his reinstatement.⁴¹ Another opinion that remained most dominant, on television debates, about delay in Iftekhar Choudry's reinstatement was that the fear that he would question the legality of NRO and might declare it as unconstitutional was the reason that PPPP, the major beneficiary of NRO, did not

⁴¹ Shahnaz Iqbal Advocate (High Court) interviewed at his office in Mansehra.

want him back in the seat. For many his reinstatement would ensure independence of judiciary and another step ahead for the democratization had been taken through it.

6: IV (d) Empowering Parliament: 18th Constitutional Amendment

After the removal of Musharraf and reinstatement of Superior Judiciary the next challenge ahead was to reverse the constitutional amendments, incorporated in the constitution during Musharraf Regime, which had made political system over centralized. For this purpose National Assembly and Senate in their session, held on 10th April 2009 and 29th April 2009 respectively, passed motions for the formation of constitutional committee to review the seventeenth constitutional amendment and propose a new amendment to reverse the tampering of 1973 constitution done during previous Military Regime. On the basis of these resolutions a Special Committee of Parliament was formed under the leadership Senator Raza Rabbani which had representation of all parliamentary political parties. The total members of committee were twenty six (26). The main objective before the committee was to propose amendments in the constitution in the light of 17th amendment, Charter of Democracy and provincial autonomy. After a series of committee meetings, and overcoming differences among different parliamentary parties, it was able to finalize a proposal for the 18th constitutional amendment. These proposals included the following prominent features:

1. LFO and 17th amendments were proposed to be repealed with the exception of few clauses like decrease in voters' age, increase in number of seats of federal and provincial legislatures and reserved seats for minorities and women.

2. It was proposed to establish the Council of Common Interest for the management of collective disputes and to supervise the resources of federal government.
3. N.W.F.P should be renamed as Khyber Pakhtunkhwa.
4. It was proposed to increase the number seats for minorities in Senate by allocating one more seat for each province.
5. The President could only use his power of dissolving National Assembly when a vote of no confidence is passed against the government, thus article 58-2(b) should be repealed.
6. Attorney General of Pakistan should be restricted to do private practice.
7. Appointment of Chief Election Commissioner should be made by a parliamentary committee with fifty percent representation of opposition parties.
8. The ban on the number of terms for Prime Minister and Chief Minister should be lifted.
9. Chiefs of Armed Forces and Chairman Federal Public Service Commission should be appointed by the president on the advice of the Prime Minister.
10. The appointment of Judges of Superior Courts should be made through Judicial Commission consisting of Chief Justice of Pakistan and two senior most judges of Supreme Court.

11. A federal High Court should be established and judges should be appointed from the four provinces and federal areas.⁴²

Based on the above proposals, 18th Constitutional amendment was passed by National Assembly on April 10, 2010 and was subsequently passed by Senate and finally signed by the President. It was a great landmark in the constitutional history of Pakistan and its movement towards consolidation of democracy. The consensus built in the parliament was a great success for the government as well as it expressed the maturity of the political class. The response to passing of this amendment remained positive except in Hazara Division of Khyber PakhtoonKhwa, where protests started against renaming of N.W.F.P and violence broke out. A weak criticism also emerged from some circles, especially those parties which boycotted the elections, charging government of diverting the attention of the people from their grave problems of poverty, illiteracy and price hike. Despite this criticism 18th constitutional amendment was appreciated by the experts on Pakistani politics, political workers and members of civil society as a great landmark for the consolidation of democracy. Thus, during the first two years, after transition to democracy, the performance of political class remained satisfactory, as far as constitutional development was concerned, while its performance on addressing the issues of poverty, controlling inflation and price hike was badly affected due to decrease in foreign assistance, global recession and terrorism.

⁴² Original text of 18th amendment retrieved from <http://www.infopak.gov.pk/Constitution/Full%20text%20of%2018th%20Amendment%20Bill.pdf>

Chapter 7: CONCLUSION

Most of the literature available in the area of Democratic Transitions focused on Eastern Europe and Latin America. This study was an attempt to explore the patterns of democratic transition in Pakistan, a state that has been caught in cycles of democratic transitions and authoritarian reversals. This study was restricted to developments taking place during the military regimes which ultimately compelled the military regime to transfer power to the civilian leadership thus democratizing the regime. Although the questions as to why military intervened in politics, and how to consolidate a democratic order, were beyond the scope of this study, yet it indirectly revealed facts and pointed towards the answers to such questions which might be helpful for those who may conduct research in order to explore the answers of these questions in Pakistan.

On the basis of a detailed review of literature, democratization studies can be divided into two parts; macro-oriented studies and micro-oriented studies. Macro-oriented studies primarily focus on material conditions affecting social, cultural and political values. An improvement in material conditions like high rates of economic development, industrialization and urbanization naturally leads to change in political orientation of the people and democratization of the regimes. On the other hand micro-oriented studies address the role of influential elites and the strategies adopted by them to democratize the authoritarian regimes. The success of the efforts to democratize by the political elites largely depends upon a set of external and internal factors. External pressures, in combination with internal loss of legitimacy and

presence of a preferable alternative in the form of a more participatory system of democracy, create an environment in which democratic transition become more probable. When the situation ripens, for a transition to democracy, it may occur through any of the three mechanisms; Transformation, Replacement or Trans-placement. Transformation refers to regime-led transition, where the authoritarian regime itself surrenders and transform to democracy. Replacement refers to society-led transition, where the regime is thrown away as a result of popular uprising against it. Whereas, Trans-placement occur when the democratizing forces and authoritarian regime, successfully, negotiate a settlement of transition to democracy.

The understanding attained through a review of overall literature in democratization studies was juxtaposed with the studies which addresses different dimensions of political, social and economic development in Pakistan over the years. An effort has been, then, made to construct a framework for understanding the process of democratization during military regimes in general and during Musharraf Regime in particular. It has been noted that despite civil-military bureaucracy's dominance in state affairs political dynamics in Pakistan never surrendered to authoritarian regimes. The presence of a democratic alternative largely defined the political evolution of Pakistan. After every military coup the dictators in their first speeches promised to democratize the country. They criticized the practices of the politicians but never rejected democracy as a form of government. A detailed study of Pakistan's history, especially during the Military Regimes, revealed the fact that every transition to democracy in Pakistan passed through a pattern of three stages; stage of consolidation to co-option, stage of rising discontent to crises and stage of transition

to democracy. This pattern of transition is tested in the three Military Regimes from 1958 to 1971, 1977 to 1988 and 1999 to 2009.

The first two periods were discussed in the third chapter. As focus of this study was the period from 1999 to 2009, therefore, only one chapter was assigned to identify the above mentioned patterns of democratic change in the first two Military Regimes. A space of three chapters was given to explore the pattern of democratization during Musharraf Regime, whereas each chapter addressed one stage of democratization. It is argued that the process of democratization started in every regime right from the stage when the regime started to consolidate itself and tried to co-opt pro-regime political elites for this purpose. A little space provided for the political activities served as the first crack in the Regime's control over power. With the passage of time this tiny crack widened and led to severe crisis situations. It always became very difficult for the military regimes to further continue its hold on the power and consequently the political system was democratized.

Pakistan experienced its first authoritarian reversal in 1958 when General Ayub Khan through a military coup took charge of the state. Political activities were banned and political parties were disbanded. In order to contain the political opposition offices of political parties were sealed. In the garb of accountability a number of political leaders, from both wings of Pakistan, were either disqualified or imprisoned. Political gatherings were out rightly banned. Before the first military coup civil bureaucracy and military were at a co-equal status in the state machinery. Although this partnership continued after the coup yet civil bureaucracy was greatly purged of unwanted officials. This purging conveyed a message to the civil

bureaucracy that it had to accept a subordinate status, in its partnership with the military regime, to retain its perks and privileges.

Like every authoritarian regime in the world the General Ayub also tried to silence media on issues that might threaten the legitimacy of the regime. A number of anti-regime journalists were arrested and sent to jails. The Military Regime tried to regulate media by issuing ordinances like Press and publications Ordinance (PPO) and Associated Press of Pakistan Ordinance. On giving coverage to the activities of opposition political elites some news papers were blacklisted.

Along with silencing the political opposition at home the Military Regime established intimate relations with United States of America. It ultimately led to an increase in foreign aid for Pakistan. Increased volume of foreign aid helped the military regime to consolidate its economy. Growth rate figures rose quickly leaving the whole third world behind. Foreign exchange reserves also rose and ultimately these resources were used to support the industrial-merchant classes for rapid industrialization. Pakistan Industrial Development Corporation (PIDC) was established for this purpose as well as Bonus Voucher Scheme (BVS) was introduced. Another important step that brought dual advantages for the Military Regime was keeping the prices of daily use at a lower level. It helped the Industrial classes as it made cheap labor available for their industries while on the other hand it relieved the people a little during the early period of the Military Regime, helping pro-Regime feelings in the mass population.

Another important step that brought dual advantages for the Military Regime was introduction of Basic Democracy. On one hand it filled the participation gap that

was created due to banning the political activities while on the other it helped the Military Regime to co-opt middle farmer and urban middle classes. This alliance helped the Regime to extend its area of influence to local level. Further the members of Basic Democracy became Electoral College for the President. They gave vote of confidence to General Ayub Khan in 1960 and he subsequently declared himself as President after taking oath from the Chief Justice of Supreme Court of Pakistan.

Although introduction of Basic Democracy helped the Military Regime to extend its influence to local level yet it also created a space for political activities. With the start of political activities anti-Regime political elites also got an opportunity to operate in the society. Thus by 1962 the Military Regime was compelled to further widen space for political activities. It allowed the political opposition to reorganize. In order to respond to the activities of opposition leaders the Military Regime decided to co-opt pro-Regime political elites thus forming Convention Muslim League as a King's Party. But Convention Muslim League performed poorly as compared to Council Muslim League; the opposition political party. The Military Regime was losing popularity. A deep sense of discontent started breeding in the mass population. Especially after the 1965 war this discontent grew even faster. Growing disparities, between the rich and poor as well as between Eastern and Western wings of the state, as a result of following capitalist road to development, increase in poverty and unemployment, infamous Tashkant Agreement with India after 1965 war, anti-Regime political activities of opposition parties and shortage of food items like sugar, wheat and vegetables led to deep sense of dissatisfaction with the Military Regime. In the mean time emergence of two popular political leaders Zulfiqar Ali Bhutto in

West Pakistan and Sheikh Mujeeb in East Pakistan strengthened the anti-Regime political campaign. Widespread protests and deteriorating law and order situation marked the last days of General Ayub in power. Emergence of serious crises and the Regime failure to resolve them ultimately led General Ayub to quit and General Yahya to take control of the state. Despite General Yahya's attempts to neutralize the emotions the situation ripened for a transition. In 1970's first ever general elections were held but the political deadlock after elections led to the collapse of the state. The Military Regime, defeated and embarrassed, transferred power to Z. A. Bhutto, the first civilian martial law administrator, and the system was democratized in 1973 after the promulgation of 3rd constitution of its history.

Pakistan experienced second military coup in 1977 when General Zia-ul-Haq took charge of the state. Unlike General Ayub, General Zia's Military Regime faced serious problems from the very first day. During the Zia period again almost similar pattern of democratization was followed. The regime started to consolidate itself by silencing political opposition and imposing severe restrictions on media. All the major leaders of Pakistan Peoples Party were arrested including Zulfiqar Ali Bhutto who was later assassinated in a controversial judicial trial of a murder case. In order to avoid protests student unions, labor unions and all kinds of public protests were banned. Like his predecessor, General Ayub, he also built an alliance with the industrial-merchant classes and conservative feudal classes. Steps like de-nationalization of industries, reducing taxes and reversing land reforms of Bhutto were the steps which helped the Regime to build this alliance. Another pillar of

support for Zia Regime was anti-Bhutto Pakistan National Alliance during its early days.

In order to replace Bhutto's socialism General Zia relied on a more traditional source of legitimacy that was rhetoric of *Islamization*. He promised to implement *Sharia*. Religious political parties like Jama't Islami and Jamiat Ulma'I Islam were co-opted by the regime. Patronization of religious classes and policy of *Islamization* brought dual advantages for the Military regime. On one hand it helped the regime to recruit mercenaries for Afghan War while on the other it helped the Regime to gain support of the religious segments of the society.

Soviet intervention in Afghanistan allowed the Military Regime to become a frontline state, of United States of America, in Afghan War. Pakistan's partnership in this war diverted huge flow of foreign aid to Pakistan. Flow of foreign aid coupled with foreign exchange in the form of remittance coming from Middle East greatly contributed to strengthening of economy. In order to fill participation gap created by ban on political activities at national level local bodies were introduced. Unlike General Ayub, Zia did not use these bodies to get vote of confidence but the members of local bodies helped him to win the national referendum and extend his influence to local level.

In order to ensure unity and support of his primary constituency General Zia increased perks and privileges of military officials. Military officials were allowed to penetrate in the civil sector by fixing quota for them in civil services. Defense budget was increased remarkably as well as agricultural, residential and commercial lands were distributed among military officials.

In order to respond to political opposition, like his predecessor, General Zia went for the revival of Muslim League. After the non-party based elections in 1985, the Military Regime picked up pro-Regime political elites from the members of legislature and gathered them on the platform of Muslim League. Muhammad Khan Jonejo emerged as a Prime Minister. But the differences on Afghan War, lifting of martial law, and differences on domestic policies lead to a political dead lock. On the other hand a deep sense of discontent kept on mounting in the mass population due to its oppressive policies, human rights violation, movement of MRD for the restoration of democracy and its growing support in the mass population and implementation of Hudood Ordinance. Return of Benazir Bhutto further strengthened the opposition political parties. Thus, growing dissatisfaction against the Regime soon translated into a crises situation. The dissolution of national assembly and regimes failure to resolve the crises further worsened the situation. Fall out of afghan war in form of growing acts of sectarian violence deteriorated the law and order situation. General Zia was losing support within its primary constituency; the military. In crises was resolved at last General Zia was killed in a plane crash in August 1988. The military abstained itself from directly controlling polity and a care taker government was formed. General elections were held and the polity was democratized.

Pakistan's third authoritarian reversal came when in 1999 General Pervez Musharraf imposed emergency and took charge of the state, deposing the Prime Minister Mian Nawaz Shareef. A similar pattern of change from regime consolidation to transition was observed again. Like his earlier predecessors General Musharraf also tried to increase perks and privileges of his primary constituency; the military.

Military officials were facilitated to penetrate in the civilian sector. Defense budget increased remarkably. Distribution of agricultural, residential and commercial lands to military officials further added to the strengthening of internal unity of the institution. While, through establishment of National Security Council a permanent role of military in politics was established as well as it created an opportunity for the two other armed forces to have say in state affairs. Military's corporate interests were further safeguarded and expanded from domestic level to international level.

Constitution of 1973 was tempered to ensure great control of military on state affairs. Legal Framework Order was promulgated for this purpose. Like all the earlier two military coups, the third military adventure was also given legal safeguard by the Supreme Court under the Doctrine of Necessity. Along with ensuring maximum concessions for the military General Musharraf turned his attention to silence political opposition. National Accountability Bureau helped the Military Regime to contain the leaders of political opposition. Media was regulated by issuing a number of ordinances limiting its freedoms to give coverage to the activities of opposition.

A number of economic reforms were introduced to stabilize the economy. A capitalist road to development was followed. In the post 9/11 scenario, the Military Regime decided to become a frontline state for United States' war on terrorism. This new role diverted huge flow of foreign aid and debt writ offs as well as debt rescheduling. All this helped the regime to perform better in terms of economic growth rates which increased remarkably. The regime was able to control inflation and expand tax base further strengthening the economy.

Like his predecessors the third Military Regime also revived the local bodies by giving Devolution of Power Plan in 2000. After the local bodies elections General Musharraf went for referendum like General Zia and the members of these local bodies helped him win referendum. Devolution of Power Plan connected the administrative districts directly with the center minimizing the role of provinces. It ultimately resulted in the over-centralization of the polity.

In order to consolidate itself the Military Regime attempted to co-opt pro-Regime political elites. A number of smaller parties like Pakistan Tehreek e Insaf, Pakistan Awami Tehreek, Millat Party and Sind Democratic alliance were co-opted by the Regime during early phase of its rule. Later it also revived Pakistan Muslim League picking majority leaders of Pakistan Muslim League (N) and attracting some from other political parties too. Pakistan Muslim League became a major source of support for the Regime as it won 2002 elections and formed government in the center. General Musharraf dominated the affairs of Pakistan Muslim League. After emergence some differences with Prime Minister Jamali the military regime decided to put Shoaukat Azaiz, a technocrat cum politician, as a leader of House in National Assembly.

With the co-option of Pakistan Muslim League space for participation was broadened and opposition political parties were able to penetrate in the society and convey their message to the people. It also gave an impression that rhetoric of accountability and claims of purging the polity of corrupt politicians were the tools only to sideline anti-Regime political forces. Thus early discontent against the Military Regime started to penetrate in the mass population and erosion of the

Regime's credibility started. In the post 9/11 scenario this discontent kept on rising slowly and gradually. A number of important factors were responsible for the rise of dissatisfaction against the Military Regime. Infamous decision of u-turn on Afghan policy, the Regime's decision to become a frontline state in international war on terror and as a consequence launching operations in tribal areas of Pakistan and rising terrorism as a backlash to Regime's policy greatly contributed to the anti-Regime sentiments. While some other factors like rising disparities between rich and the poor, price hike and huge increase in number of unemployed youth further contributed to this growing dissatisfaction. Political victimization of the opposition, growing centrifugal tendency in Baluchistan, and debriefing of nuclear scientists added fuel to the fire. Opposition parties reorganize themselves on the forum of Alliance for Restoration of Democracy (ARD) posing a greater challenge to the control of Military Regime.

In a changing international environment when media controls were relaxed and a number of new electronic media channels started to operate they served as a major source of inculcating discontent in the society. Opposition political parties got another avenue of communicating their message to the urban society of Pakistan. Issues of missing persons, deteriorating law and order situation and later sacking of Iftekhar Choudry, Chief Justice of Supreme Court, were given due coverage and anti regime feelings intensified with the passage of time.

The growing dissatisfaction against the military regime translated into serious crises by 2006. A violent liberation movement started in Baluchistan and the Regime's blunder to suppress it through force rather than trying to resolve the issue

through dialogue helped strengthen this movement. On the other hand shortage of electricity and gas along with shortage of food items like sugar and wheat were posing another challenge to the regime. Economy crippled at this moment and Regime failed to satisfy the demands of the people. Sacking of Supreme Court Chief Justice and the subsequent movement for his restoration was a manifestation of discontent against the Regime. In the wake of all this clerics of Red Mosque posed another challenge and subsequent operation against them led to great increase in suicide attacks and bomb blasts in the major cities of Pakistan.

As the Regime crippled at home it started losing credibility at international level. In order to overcome these problems the Military Regime looked towards Pakistan Peoples Party for the transition of power and to reach upon a power sharing formula. The early negotiations met with some success but mutual trust deficit ultimately contributed to the failure of these negotiations. A political deadlock was ahead. General Musharraf was willing to continue with another term as President but his election for presidency was challenged in Supreme Court. In order to come out of this crisis situation General Musharraf imposed second emergency in 2007. This act deepened the crises rather than resolving it. International and domestic pressure compelled him to lift emergency and declare a date for transition to democracy through election. Musharraf's failure to resolve crisis virtually put the institutional interests of the military at stake which ultimately led to loss of support for him in his primary constituency. An isolated Musharraf at home was no more a useful card for the United States of America therefore he was pressurized to transfer power to democratic forces. Musharraf tried as a last resort to finalize some power sharing

formula with Pakistan Peoples Party but assassination of Benazir Bhutto eroded this chance also. A transition that was seemed to be an outcome of Trans-placement later became Replacement. In the general elections pro-Musharraf Pakistan Muslim League was defeated bitterly and Pakistan Peoples Party and Pakistan Muslim League (N) emerged as most popular parties respectively. The two parties formed government in coalition with Awami National Party. General Musharraf was forced to resign and through eighteenth constitutional amendment, Constitution of 1973 was revised annulling most of the amendments made in constitution during Musharraf Regime, thus democratizing the system fully.

After every successful transition the next step is always a more challenging job of consolidation of democracy. Pakistan failed thrice in achieving this task which, ultimately, led to authoritarian reversals. It is discussed in Chapter II that goal of a consolidated democracy can only be achieved when democratization at regime level is reconciled with democratization at societal level. One of the major causes of failure of democracy in Pakistan remained the failure of democratizing the particularistic society with tribal norms and exposed to modern concept of statehood. The equation between rising expectations and government's performance always tilts towards expectations and breeds deep rooted discontent in the society. This discontent is not only responsible for democratic transitions but also for authoritarian reversals. This study analyzed the rising expectation-discontent and regime change link under military dictatorships in Pakistan while similar patterns in democratic regimes can also be identified and the area is open for upcoming researchers for whom this study can serve as a guide line.

There has been produced a lot, in literature on consolidation of democracy suggesting ways and strategies for the consolidation of democratic rule in nascent democratizing societies. Based on such contributions with a particular focus on Pakistani society some of the major recommendations, for the consolidation of democratic rule, are given as under:

1. A detailed review of foreign policy and reform of popular perceptions about Pakistan's foreign relations are needed. Close ties with its regional neighbors, especially India, would ultimately help it to divert its major defense expenditures towards welfare of its citizens. This is right time for the state to redefine its posture from a security state to welfare state. For this purpose it has to review its engagements in external conflicts and focus more on its internal development.
2. Pakistan needs to review its education policy firstly by enhancing budgetary allocations for it and secondly by reviewing its curriculum which is primarily aimed at indoctrination of students. Books on social sciences need to be reviewed by including chapters on peoples struggle for democracy and their sacrifices for democratization of the polity. Institutes of democracy in all the universities should be established with a special task to conduct research in different dimensions of democratic evolution in Pakistan as well as to produce literature for awareness of political rights and effective participation in the political process. Such institutes can also be given task of arranging trainings for parliamentarians, political workers and members of local bodies.
3. It has remained a dilemma that all the military regimes after disbanding political process at national level facilitated it at local level by introducing local body

elections, while on the other hand whenever democracy was restored at national level it was disbanded at local level. All this ultimately devoid people of observing and experiencing politics at local level. Local bodies is an important political institution which can facilitate emergence of national leadership from gross root level on one hand, while on the other it can foster development and empower people. Democratic ideals can never be achieved without empowering people. Therefore it is pertinent to revive local body institutions and devolve power to local level.

4. Democratic government must ensure freedom of media and encourage dialogue, discussions and academic discourse in a free environment. It must show tolerance to opposition and restrain itself from victimizing its political rivals. A level playing field must be ensured for all political actors to convince people about their point of view about different policy issues.

5. Politically, socially and economically marginalized groups and classes should be given an equal opportunity to play in mainstream politics. Provincial autonomy must be ensured according to the federating principles of the constitution. It will help in neutralizing the centrifugal tendency in nationalist groups like Baluchis.

6. Historic Charter of Democracy signed between the two mainstream political parties must be made part of the constitution through constitutional amendments. Democratic government must try to increase signatories of this charter by evolving a consensus among, if not all, majority of political parties operating at national and provincial level.

Appendix-I**Text of the Charter of Democracy signed by Former Prime Ministers****Benazir Bhutto and Nawaz Sharif in London in the Second Week of May****2006**

We the elected leaders of Pakistan have deliberated on the political crisis in our beloved homeland, the threats to its survival, the erosion of the federation's unity, the military's subordination of all state institutions, the marginalisation of civil society, the mockery of the Constitution and representative institutions, growing poverty, unemployment and inequality, brutalisation of society, breakdown of rule of law and, the unprecedented hardships facing our people under a military dictatorship, which has pushed our beloved country to the brink of a total disaster;

Noting the most devastating and traumatic experiences that our nation experienced under military dictatorships that played havoc with the nation's destiny and created conditions disallowing the progress of our people and the flowering of democracy. Even after removal from office they undermined the people's mandate and the sovereign will of the people;

Drawing history's lesson that the military dictatorship and the nation cannot co-exist – as military involvement adversely affect the economy and the democratic institutions as well as the defence capabilities, and the integrity of the country - the nation needs a new direction different from a militaristic and regimental approach of the Bonapartist regimes, as the current one;

Taking serious exception to the vilification campaign against the representatives of the people, in particular, and the civilians, in general, the victimisation of political leaders/workers and their media trials under a Draconian law in the name of accountability, in order to divide and eliminate the representative political parties, to Gerrymander a king's party and concoct legitimacy to prolong the military rule;

Noting our responsibility to our people to set an alternative direction for the country saving it from its present predicaments on an economically sustainable, socially progressive, politically democratic and pluralist, federally cooperative, ideologically tolerant, internationally respectable and regionally peaceful basis in the larger interests of the peoples of Pakistan to decide once for all that only the people and no one else has the sovereign right to govern through their elected representatives, as conceived by the democrat par excellence, Father of the Nation Quaid-i-Azam Mohammed Ali Jinnah;

Reaffirming our commitment to undiluted democracy and universally recognised fundamental rights, the rights of a vibrant opposition, internal party democracy, ideological/political tolerance, bipartisan working of the parliament through powerful committee system, a cooperative federation with no discrimination against federating units, the decentralisation and devolution of power, maximum provincial autonomy, the empowerment of the people at the grassroots level, the emancipation of our people from poverty, ignorance, want and disease, the uplift of women and minorities, the elimination of klashnikov culture, a free and independent media, an independent judiciary, a neutral civil service, rule of law and merit, the settlement of disputes with the neighbours through peaceful means, honouring international contracts, laws/covenants and sovereign

guarantees, so as to achieve a responsible and civilised status in the comity of nations through a foreign policy that suits our national interests;

Calling upon the people of Pakistan to join hands to save our motherland from the clutches of military dictatorship and to defend their fundamental, social, political and economic rights and for a democratic, federal, modern and progressive Pakistan as dreamt by the Founder of the nation; have adopted the following, "Charter of Democracy";

A. CONSTITUTIONAL AMENDMENTS

1. The 1973 Constitution as on 12th October 1999 before the military coup shall be restored with the provisions of joint electorates, minorities, and women reserved seats on closed party list in the Parliament, the lowering of the voting age, and the increase in seats in parliament and the Legal Framework Order, 2000 and the Seventeenth Constitutional Amendment shall be repealed accordingly.
2. The appointment of the governors, three services chiefs and the CJCSC shall be made by the chief executive who is the prime minister, as per the 1973 Constitution.
3. (a) The recommendations for appointment of judges to superior judiciary shall be formulated through a commission, which shall comprise of the following: i. The chairman shall be a chief justice, who has never previously taken oath under the PCO.
ii. The members of the commission shall be the chief justices of the provincial high courts who have not taken oath under the PCO, failing which the senior most judge of that high court who has not taken oath shall be the member
iii. Vice-Chairmen of Pakistan and Vice-Chairmen of Provincial Bar Association with respect to the appointment of judges to their concerned province.

- iv. President of Supreme Court Bar Association
- v. Presidents of High Court Bar Associations of Karachi, Lahore, Peshawar, and Quetta with respect to the appointment of judges to their concerned province
- vi. Federal Minister for Law and Justice
- vii. Attorney General of Pakistan

(a-i) The commission shall forward a panel of three names for each vacancy to the prime minister, who shall forward one name for confirmation to joint parliamentary committee for confirmation of the nomination through a transparent public hearing process.

(a-ii) The joint parliamentary committee shall comprise of 50 per cent members from the treasury benches and the remaining 50 per cent from opposition parties based on their strength in the parliament nominated by respective parliamentary leaders.

(b) No judge shall take oath under any Provisional Constitutional Order or any other oath that is contradictory to the exact language of the original oath prescribed in the Constitution of 1973.

(c) Administrative mechanism will be instituted for the prevention of misconduct, implementation of code of ethics, and removal of judges on such charges brought to its attention by any citizen through the proposed commission for appointment of Judges.

(d) All special courts including anti-terrorism and accountability courts shall be abolished and such cases be tried in ordinary courts. Further to create a set of rules and procedures whereby, the arbitrary powers of the chief justices over the assignment of cases to various judges and the transfer of judges to various benches such powers shall be exercised by the Chief Justice and two senior most judges sitting together.

4. A Federal Constitutional Court will be set up to resolve constitutional issues, giving equal representation to each of the federating units, whose members may be judges or persons qualified to be judges of the Supreme Court, constituted for a six-year period. The Supreme and High Courts will hear regular civil and criminal cases. The appointment of judges shall be made in the same manner as for judges of higher judiciary.
5. The Concurrent List in the Constitution will be abolished. A new NFC award will be announced.
6. The reserved seats for women in the national and provincial assemblies will be allocated to the parties on the basis of the number of votes polled in the general elections by each party.
7. The strength of the Senate of Pakistan shall be increased to give representation to minorities in the Senate.
8. FATA shall be included in the NWFP province in consultation with them.
9. Northern Areas shall be developed by giving it a special status and further empowering the Northern Areas Legislative Council to provide people of Northern Areas access to justice and human rights.
10. Local Bodies election will be held on party basis through provincial election commissions in respective provinces and constitutional protection will be given to the local bodies to make them autonomous and answerable to their respective assemblies as well as to the people through regular courts of law.

B. CODE OF CONDUCT

11. National Security Council will be abolished. Defence Cabinet Committee will be headed by prime minister and will have a permanent secretariat. The prime minister may appoint a federal security adviser to process intelligence reports for the prime minister.

The efficacy of the higher defence and security structure, created two decades ago, will be reviewed. The Joint Services Command structure will be strengthened and made more effective and headed in rotation among the three services by law.

12. The ban on a 'prime minister not being eligible for a third term of office' will be abolished.

13. (a) Truth and Reconciliation Commission be established to acknowledge victims of torture, imprisonment, state-sponsored persecution, targeted legislation, and politically motivated accountability. The commission will also examine and report its findings on military coups and civil removals of governments from 1996.

(b) A commission shall also examine and identify the causes of and fix responsibility and make recommendations in the light thereof for incidences such as Kargil.

(c) Accountability of NAB and other Ehtesab operators to identify and hold accountable abuse of office by NAB operators through surgery and perversion of justice and violation of human rights since its establishment.

(d) To replace politically motivated NAB with an independent accountability commission, whose chairman shall be nominated by the prime minister in consultation with the leader of opposition and confirmed by a joint parliamentary committee with 50 per cent members from treasury benches and remaining 50 per cent from opposition parties in same manner as appointment of judges through transparent public hearing. The

confirmed nominee shall meet the standard of political impartiality, judicial propriety, moderate views expressed through his judgements and would have not dealt.

14. The press and electronic media will be allowed its independence. Access to information will become law after parliamentary debate and public scrutiny.

15. The chairmen of public accounts committee in the national and provincial assemblies will be appointed by the leaders of opposition in the concerned assemblies.

16. An effective Nuclear Command and Control system under the Defence Cabinet Committee will be put in place to avoid any possibility of leakage or proliferation.

17. Peaceful relations with India and Afghanistan will be pursued without prejudice to outstanding disputes.

18. Kashmir dispute should be settled in accordance with the UN Resolutions and the aspirations of the people of Jammu and Kashmir.

19. Governance will be improved to help the common citizen, by giving access to quality social services like education, health, job generation, curbing price hike, combating illegal redundancies, and curbing lavish spendings in civil and military establishments as ostentious causes great resentment amongst the teeming millions. We pledge to promote and practice simplicity, at all levels.

20. Women, minorities, and the under privileged will be provided equal opportunities in all walks of life.

21. We will respect the electoral mandate of representative governments that accepts the due role of the opposition and declare neither shall undermine each other through extra constitutional ways.

22. We shall not join a military regime or any military sponsored government. No party shall solicit the support of military to come into power or to dislodge a democratic government.

23. To prevent corruption and floor crossing all votes for the Senate and indirect seats will be by open identifiable ballot. Those violating the party discipline in the poll shall stand disqualified by a letter from the parliamentary party leader to the concerned Speaker or the Chairman Senate with a copy to the Election Commission for notification purposes within 14 days of receipt of letter failing which it will be deemed to have been notified on the expiry of that period.

24. All military and judicial officers will be required to file annual assets and income declarations like Parliamentarians to make them accountable to the public.

25. National Democracy Commission shall be established to promote and develop a democratic culture in the country and provide assistance to political parties for capacity building on the basis of their seats in parliament in a transparent manner.

26. Terrorism and militancy are by-products of military dictatorship, negation of democracy, are strongly condemned, and will be vigorously confronted.

C. FREE AND FAIR ELECTIONS

27. There shall be an independent, autonomous, and impartial election commission. The prime minister shall in consultation with leader of opposition forward up to three names for each position of chief election commissioner, members of election commission, and secretary to joint parliamentary committee, constituted on the same pattern as for appointment of judges in superior judiciary, through transparent public hearing process.

In case of no consensus, both prime minister and leader of opposition shall forward

separate lists to the joint parliamentary committee for consideration. Provincial election commissioner shall be appointed on the same pattern by committees of respective provincial assemblies.

28. All contesting political parties will be ensured a level playing field in the elections by the release of all political prisoners and the unconditional return of all political exiles. Elections shall be open to all political parties and political personalities. The graduation requirement of eligibility which has led to corruption and fake degrees will be repealed.

29. Local bodies elections will be held within three months of the holding of general elections.

30. The concerned election authority shall suspend and appoint neutral administrators for all local bodies from the date of formation of a caretaker government for holding of general elections till the elections are held.

31. There shall be a neutral caretaker government to hold free, fair, and transparent elections. The members of the said government and their immediate relatives shall not contest elections.

D. CIVIL - MILITARY RELATIONS

32. The ISI, MI and other security agencies shall be accountable to the elected government through Prime Minister Sectt, Ministry of Defence, and Cabinet Division respectively. Their budgets will be approved by DCC after recommendations are prepared by the respective ministry. The political wings of all intelligence agencies will be disbanded. A committee will be formed to cut waste and bloat in the armed forces and security agencies in the interest of the defence and security of the country. All senior

postings in these agencies shall be made with the approval of the government through respective ministry.

33. All indemnities and savings introduced by military regimes in the constitution shall be reviewed.

34. Defence budget shall be placed before the parliament for debate and approval.

35. Military land allotment and cantonment jurisdictions will come under the purview of defence ministry. A commission shall be set up to review, scrutinise, and examine the legitimacy of all such land allotment rules, regulations, and policies, along with all cases of state land allotment including those of military urban and agricultural land allotments since 12th October, 1999 to hold those accountable who have indulged in malpractices, profiteering, and favouritism.

36. Rules of business of the federal and provincial governments shall be reviewed to bring them in conformity with parliamentary form of government.

Appendix-II

List of Registered Political Parties in 2008 Elections

1. Awami National Party (ANP)
2. Balochistan National Party (BNP)
3. Awami Qiadat Party
4. Jamhoori Watan Party (JWP)
5. Balochistan National Congress
6. Muttahida Majlis-e-Amal (MMA)
7. Balochistan National Democratic Party
8. Muttahida Qaumi Movement (MQM)
9. National Alliance (NA)
10. Pakistan Awami Tehrik (PAT)
11. Hazara Qaumi Mahaz
12. Pakistan Christian Congress (PCC)
13. Pakistan Muslim League Functional (PML F)
14. Istiqlal Party
15. Pakistan Muslim League Junejo (PML J)
16. Pakistan Muslim League Nawaz Group (PML N)
17. Pakistan Muslim League Quaid-e-Azam (PML Q)
18. Jamiat Ulema-e-Pakistan (Nifaz-e-Shariat)
19. Pakistan Peoples Party Parliamentarians (PPP)

20. Jamote Qaumi Movement
21. Pakistan Tehreek-e-Insaf (PTI)
22. Kakar Jamhoori Party Pakistan
23. Pakhtoonkhwa Milli Awami Party (PKMAP)
24. Sindh National Front (SNF)
25. Markazi Jamaat Ahle Hadieth
26. Mohajir Ittehad Tehrik
27. Mohib-e-Wattan Nowjawan Inqilabion Ki Anjuman
28. National Workers Party
29. Nizam-e-Mustafa Party
30. Pak Wattan Party
31. Pak. Muslim Alliance
32. Pukhtoonkhwa Qaumi Party
33. Pakistan Awami Party
34. Pakistan Awami Tehrik-e-Inqilab
35. Pakistan Democratic Party
36. Pakistan Freedom Party
37. Pakistan Gharib Party
38. Pakistan Ittehad Tehreek
39. Pakistan Mazdoor Kissan Party
40. Pakistan Muslim League (Jinnah)
41. Pakistan Muslim League(Z)

42. Pakistan Pakhtoonkhawa Milli Awami Party
43. Pakistan Peoples Party (Shaheed Bhutto)
44. Pakistan Peoples Party (Sherpao)
45. Pakistan Seriaki Party
46. Pakistan Social Democratic Party
47. Pakistan Workers Party
48. Qaumi Inqilab Party
49. Qaumi Jamhoori Party
50. Qaumi Tahaffaz Party
51. Saraiki Sooba Movement Pakistan
52. Shan-e-Pakistan Party
53. Sindh Urban-Rural Alliance
54. Sunni Tehreek
55. Tameer-e-Pakistan Party
56. Tehreek Hussainia Pakistan
57. Tehreek Jamhoriat Pakistan
58. Tehrik-e-Istaqlal
59. Tehrik-e-Masawaat
60. National Peoples Party
61. Pakistan Qaumi League
62. Awami Muslim League

Appendix-III**Elections Result****Pakistan Elections 2008 Summary**

Party	NA	PP	PS	PB	PF
PPP	87	78	65	7	17
PML(N)	66	101	0	0	5
PML(Q)	38	66	9	17	6
MQM	19	0	38	0	0
ANP	10	0	2	1	31
MMA	3	2	0	6	9
PML F	4	3	7	0	0
BNP(A)	1	0	0	5	0
PPP(S)	1	0	0	0	5
NPP	2	0	3	0	0
INDEPENDENT	27	35	1	10	18
TOTAL RESULTS	259	285	125	46	91

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SEATS CONTESTED 268 293 130 51 96

Appendix-IV**GENERAL MUSHARRAF'S FIRST SPEECH**

My dear countrymen you are all aware of the kind of turmoil and uncertainty that our country has gone through in recent times. Not only all the institutions have been played around with and systematically destroyed. The economy too is in a state of collapse. We are also aware of the self serving policies being followed which have rocked the very foundation of the federation of Pakistan. The armed forces have been facing incessant public clamor to remedy the fast declining situation to all sides of the political divide. These concerns were always conveyed to the prime minister in all sincerity, keeping the interest of the country foremost. It is apparent that they were never taken in the correct spirit. My singular concern has been the well being of the country alone. This has been the sole reason that army willingly offered it's services for nation building tasks the results of which have already been judged by all of you. All my efforts and council to the government it seems was no to avail, instead they now turned their attention to army itself. Despite all my advices they tried to interfere with armed forces. The last remaining viable institution in which all of you take so much pride and look up to at all times for the stability, unity and integrity of our beloved country. Our concerns again were conveyed in no uncertain terms, but the government of Mr. Nawaz Sharif chose to ignore all these and tried to politicize the army, destabilizing and tried to create dissention within its ranks. I was in Sri Lanka on an official visit. On my way back the PIA commercial flight was not allowed to land at Karachi , but was orderd to be diverted to anywhere outside Pakistan. Despite, acute shortage of fuel imperiling the life of all passengers. Thanks be to Allah, this evil design was thwarted

through speedy army action. My dear countrymen having briefly explained the background I wish to inform you that armed forces have moved in as a last resort to prevent any further destabilization. I have done so with all sincerity, loyalty and selfless devotion to the country with armed forces firmly behind me. I do not wish to make lengthy policy statement at this moment. I shall however do that very soon. For the moment I only wish to ensure you that the situation in the country is perfectly calm, stable and under control. Let no outside forces think that they can take advantage of the prevailing situation. Dear brothers and sisters; your armed forces have never and shall never let you down. We shall preserve the integrity and sovereignty of our country to the last drop of our blood. I request you all to remain calm and support your armed forces in the reestablishment of order to pave the way for a prosperous future of Pakistan. May Allah guide us to the path of truth and honor. Pakistan Zindabad.

Appendix-V**Text of Murree Declaration (August 5, 2007)**

- “1. Both parties, PPP & PMLN, re-affirm their commitment to restore all the judges, who were removed by General Musharraf unconstitutionally on November 3, 2007 and to bring judiciary back to the position and form in which it existed on November 2, 2007 as agreed between the parties in Murree Declaration, signed on March 9, 2008.
2. In pursuance of Murree Declaration, both parties agree to proceed in the following manner in order to implement the agreement:
 - a. Finalizing the draft of the resolution to be tabled in National Assembly for restoration of judges: Time line is August 11, 2008
 - b. Tabling and passing of resolution by National Assembly for restoration of judges: Time line is within one day of vote on impeachment motion or resignation of President.
 - c. Issuance of executive order by competent authority to restore the judiciary to November 2, 2007 position in Supreme Court and High Courts: Time line is instantly upon passing of resolution by National Assembly.
 - d. Transfer of official protocol to restored Chief Justice Supreme Court, Chief Justices of High Courts and the judges: Time line is instantly with issuance of executive order.
3. The eight judges of Sindh High Court whose appointment has been held in abeyance shall be restored along with all other judges together. In case there is any legally binding direction received for issuance of notification and administrating oath to the said eight judges, such

direction shall not be acted upon until the restoration of all judges removed on November 3, 2007 unconstitutionally by General Musharraf is made as per Murree Declaration.

4. It is agreed that after the success of the impeachment resolution against the present incumbent or his resignation, a consensus will be evolved amongst the coalition partners on the name of his replacement along the following lines:

- a. In case the office of the President still retains the powers acquired under 17th amendment, a nationally respected, non-partisan, and pro-democracy figure acceptable to coalition partners will be put forward as the consensus candidate for the office of the President.
- b. In case the 17th amendment is repealed and the powers of the President are restricted to the original powers as envisaged in 1973 constitution then the PPP will have the right to put forward its own candidate

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